



**PLANNING COMMISSION MEETING
APRIL 19, 2023 AT 6:00 PM
505 EAST 2600 NORTH
NORTH OGDEN, UT 84414**

PUBLIC CAN ATTEND IN PERSON, OR:

Click the link to join the webinar: <https://us02web.zoom.us/j/88249188535> Webinar ID: 882 4918 8535
Or Telephone Dial: 1 669 900 9128 or 1 253 215 8782 or 1 346 248 7799 or +1 646 558 8656
YouTube: <https://www.youtube.com/channel/UCrigbePBxTucXEzRr6fclhQ/videos>

Welcome: Chairman Thomas

Invocation or Thought: Vice Chairman Mason

Pledge of Allegiance: Commissioner Lunt

1. Roll Call
2. Minutes Consideration:
 - a. Consideration and action to approve the February 15, 2023, Planning Commission Meeting minutes
3. Ex parte communications or conflicts of interest to disclose
4. Public comments for items not on the agenda*

ADMINISTRATIVE ITEMS

5. SPR 2023-08 Consideration and action on an administrative application, site plan approval of Kelli's Little Learners Pre-school, located at approximately 1866 North 150 East
Presenter: Kai Johnsen, Planning Tech
6. SPR 2023-05 Consideration and action on an administrative application, Site Plan approval for the construction of a branch of Mountain America Credit Union, located at approximately 352 East 2600 North
Presenter: Kai Johnsen, Planning Tech
7. SPR 2023-06 Consideration and action on an administrative application, Site Plan approval of the North Ogden City Trailhead, located at approximately 2750 North Mountain Road
Presenter: Scott Hess, Community and Economic Development Director

LEGISLATIVE ITEMS

8. ZTA 2023-02 Public hearing, consideration, and recommendation on a legislative application to amend the North Ogden Code Title 11-21: Sign Regulations
Presenter: Scott Hess, Community and Economic Development Director
 - a. Public Hearing
 - b. Consideration and recommendation
9. ZTA 2023-03 Public hearing, consideration, and recommendation on a legislative application to amend the North Ogden Code Title 11-19-9: Parking Lot Landscaping Regulations
Presenter: Scott Hess, Community and Economic Development Director
 - a. Public Hearing
 - b. Consideration and recommendation

10. ZMA 2023-01 Public hearing, consideration, and recommendation on a legislative application to rezone properties at Lomond View Park, located at approximately 200 East Elberta Drive, and the Trailhead, located at approximately 2750 North Mountain Road, from Rural Residential RE-20, Single-Family Residential zones R-1-12.5, R-1-8AG, and R-1-8, to Civic zone
Presenter: Scott Hess, Community and Economic Development Director
 - a. Public Hearing
 - b. Consideration and recommendation
 11. Public comments*
 12. Remarks - Planning Commissioners
 13. Report – Community and Economic Development Director
 14. Remarks - City Manager/Attorney
 15. Adjournment
-

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 14th day of April, 2023, 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 2023 meeting schedule was also provided to the Standard Examiner on December 16, 2022.

The Planning Commission 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, individuals 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 Planning Commission Members may be connected via speakerphone.
Susan L. Nance, MMC, City Recorder

Public Comments During Meetings

- Time is made available for anyone in the audience to address the Commission concerning matters pertaining to City business.
- Before each agenda item begins, City staff will give a report. After the staff report, the applicant will speak first and be allowed up to 10 minutes. Following the applicant, any other interested person will be allowed to speak for up to 5 minutes. The applicant has final rebuttal time of up to 5 minutes.
- Any materials that are displayed or referenced, e.g., pictures or written materials, are part of the record and must be left with the Commission.
- Speakers are required to have signed in at the door and will state their name and City residing before beginning their remarks. If you agree with a previous speaker, state your agreement to avoid repetitious remarks.
- Speakers shall address the Commission from the podium or microphone and shall address all comments to the Planning Commission.

**NORTH OGDEN PLANNING COMMISSION
MEETING MINUTES
February 15, 2023**

The North Ogden Planning Commission convened in a regular meeting on February 15, 2023, 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 February 10, 2023. Notice of the annual meeting schedule was published in the Standard-Examiner on December 16, 2022.

COMMISSIONERS:

| | |
|------------------|---------------|
| Eric Thomas | Chairman |
| Brandon Mason | Vice-Chairman |
| Scott Barker | Commissioner |
| Nicole Nancarrow | Commissioner |
| Johnson Webb | Commissioner |
| Cody Watson | Commissioner |
| Nissa Green | Commissioner |

STAFF:

| | |
|-------------|-----------------------|
| Jon Call | City Manager/Attorney |
| Scott Hess | Planning Director |
| Kai Johnsen | Planning Tech |

VISITORS:

| | | |
|----------------|---------------|--------------|
| Terry Cevering | Jay D Dalpiaz | Chris Pulver |
| Rick Scadden | Jamee Sanchez | |

Chairman Thomas called the meeting to order at 6:00 p.m. Commissioner Webb offered the invocation and Commissioner Nancarrow led the Pledge of Allegiance.

1. ROLL CALL

Chairman Thomas conducted roll call and indicated all Commissioners were present; he welcomed new Commissioner Nissa Green who was appointed by the City Council at their last meeting. He invited Commissioner Green to introduce herself. Commissioner Green provided brief information about her personal and professional background and stated she looks forward to participating as a member of the Planning Commission.

2. MINUTES CONSIDERATION

Consideration and action to approve the January 4, 2023 and January 18, 2023 Planning Commission Meeting minutes.

Vice Chairman Mason made a motion to approve the January 4, 2023, and January 18, 2023, Planning Commission Meeting minutes. Commissioner Barker seconded the motion.

Voting on the motion:

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|-------------------------------|------------|
| Chairman Thomas | aye |
| Vice Chairman Mason | aye |
| Commissioner Barker | aye |
| Commissioner Nancarrow | aye |
| Commissioner Webb | aye |
| Commissioner Watson | aye |
| Commissioner Green | aye |

The motion carried.

3. EX PARTE COMMUNICATIONS OR CONFLICTS OF INTEREST TO DISCLOSE

Chairman Thomas stated he will recuse himself from discussion and action on item six due to a professional relationship with the applicant. He then asked if any other Commissioners had ex parte communications or conflicts of interest to disclose. No additional disclosures were made.

4. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

Jay D Dalpiaz congratulated Commissioner Green on her appointment; as a Council Member he was part of the selection committee that conducted the interview process and he wanted to communicate to the entire Commission that Commissioner Green stood out to that body. He also wished to thank former Commissioner Alan Lunt for his service; Mr. Dalpiaz indicated he has closely followed the proceedings of the City over the last several years and Commissioner Lunt made a valuable contribution to the Commission and the entire City.

ADMINISTRATIVE ITEMS

5. SPR 2023-04 CONSIDERATION AND ACTION ON AN ADMINISTRATIVE APPLICATION, SITE PLAN APPROVAL OF KIDZ UNDER CONSTRUCTION PRE-SCHOOL, LOCATED AT APPROXIMATELY 1949 NORTH 400 EAST, SUITE #2

Planning Technician Johnsen explained the applicant has applied for a business license application for a pre-school located at 1949 N. 400 E. Ste. #2. This site is in a commercial zoning district. All uses in commercial zones are required to complete the Site Plan Review process. He summarized staff's analysis of the application to determine compliance with the City's zoning ordinance and indicated he has found that the proposed site meets the requirements of applicable North Ogden City ordinances and conforms to the North Ogden City General Plan. The General Plan map identifies this property as low density residential. The only recommended condition of approval is for the applicant to create a drop-off/pick-up schedule with staggered times for customers. Staff recommends approval of the application with the condition mentioned above.

Commissioner Barker asked if a 10-minute space between drop-off times can be considered as meeting the condition of requiring staggered scheduling. Mr. Johnsen answered yes; the applicant has indicated that the drop-off process is fairly quick, and she will have half of her customers arrive at 8:20 a.m. and the other half at 8:30 a.m.

Commissioner Nancarrow asked if the business is currently operating. Mr. Johnsen answered yes; they started operating prior to the new year. Planning Director Hess explained that the application for the business license triggered staff's recognition of the need for a site plan for the business; any change of use in a commercial zone requires a site plan and the applicant was not aware of that requirement. They were not trying to avoid any requirement of the City.

Vice Chairman Mason asked if staff knows why daycares were omitted from the commercial zone as a permitted use. Mr. Hess stated he is unsure and believes it may have been an error during the rewrite of the City's Land Use Code; staff is working on an adjustment to the Code, which will be presented to the Commission for a recommendation to the City Council. Vice Chairman Mason stated his only concern is whether the requested use meets the definition of a private instructional studio; if it does not, the Commission should not approve the application and should wait until a text amendment can be considered by the Council to include preschools as a permitted use in the commercial zone. Chairman Thomas stated he believes approval can be granted as a private instructional studio with the recommendation that the City Code be amended to include preschools as a permitted use; when the Code is corrected, the business license for this business should be reclassified to preschool rather than private instructional studio. Mr. Hess agreed; he noted one potential outcome would be that someone could appeal the Commission's decision based upon an assumption that the land use code was applied incorrectly. His interpretation would be called into question, but he feels the risk of that occurring is low.

Vice Chairman Mason made a motion to approve site plan of Kidz Under Construction Pre-School. Commissioner Barker seconded the motion.

Voting on the motion:

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| Chairman Thomas | aye |
| Vice Chairman Mason | aye |
| Commissioner Barker | aye |
| Commissioner Nancarrow | aye |
| Commissioner Webb | aye |
| Commissioner Watson | aye |
| Commissioner Green | aye |

The motion carried.

6. SPR 2022-11 CONSIDERATION AND ACTION ON AN ADMINISTRATIVE APPLICATION, PRELIMINARY APPROVAL OF THE JORDYN PARK ESTATES SUBDIVISION (38 LOTS), LOCATED AT APPROXIMATELY 3650 NORTH AND MOUNTAIN ROAD

Chairman Thomas excused himself from the meeting due to his previous disclosure of a conflict of interest.

Planning Technician Johnsen explained the applicant is requesting preliminary approval for the Jordyn Park Estates Subdivision, which consists of 38 lots. The property on which this proposed subdivision is located is currently vacant and is located at approximately 3650 North and Mountain Road. The current zoning is HP-2. The Technical Review Committee met on July 19, 2021, regarding this proposed subdivision. The City Engineer submitted a review memo dated February 1st, 2023; this memo lists several requirements that need to be met prior to final approval. He summarized the analysis of the application performed by staff and appropriate review agencies; the HP-2 zone requires a minimum lot size of 12,500 square feet on interior and corner lots with a lot width requirement of 100 feet. The lots in this proposed subdivision have been verified to meet the required square footage and lot width requirements for building lots in the proposed zone, the HP-2 zone. This subdivision will require a secondary access road as required by the North View Fire District. A plan showing this secondary access road has not been provided by the applicant at this time. The applicant will need to come to an agreement with the adjoining landowner to provide this access from 875 E., 950 E., or 1050 E. Preliminary discussions indicate that 875 E. is the preferred location for secondary access road. Additionally, there are two trails in the proposed development. One trail is proposed to run adjacent to mountain road, the other is adjacent to Jordyn Park Circle where it passes between 4 lots connecting to Michele lane continuing to the east. He stated staff finds 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 this report. This area is in the Hillside neighborhood and the General Plan map calls for this property to be developed as low-density residential. Staff recommends that the Planning Commission grant preliminary approval of the Jordyn Park Estates Subdivision subject to the following conditions:

- Requirements of the North Ogden City Engineer's Report must be met prior to final plat approval (except where superseded in this report).
- Requirements of the Technical Review Committee Letter (except where it may be superseded in this report).

- Provide plan for construction of secondary access road for approval by the North View Fire District. Prior to any Building Permits being issued, this access must be completed.

Commissioner Nancarrow asked where the preferred secondary road access will be placed. Mr. Johnson used an aerial map to identify the location of 875 East that will connect through North Oaks Cove Phase 17. He also identified the primary access for the subdivision.

Vice Chairman Mason invited input from the applicant.

Rick Scadden thanked staff for working with him on this project, which has been amended several times. He appreciates staff's efforts to help him navigate the City's Land Use Code to ensure his project complies. He stated Mountain Road will have utilities in it to provide for further development to the south. He believes this project will add a benefit to the City and he asked for the Commission's positive consideration of his application.

Commissioner Nancarrow asked Mr. Burns if he is concerned about the ability to remove snow in the cul-de-sacs. Mr. Burns answered no; the matter was discussed throughout the application review process and staff found that the cul-de-sacs comply with City ordinances and snow removal should not be a problem. Mr. Hess agreed; the City does make provisions for removing snow from cul-de-sacs during a heavy snow year. He stated that there have been efforts to reduce the number of cul-de-sacs in the City, but there is a significant drop-off on this property and a cul-de-sac layout was a reasonable compromise.

Vice Chairman Mason invited public input.

Chris Pulver, North Ogden resident, asked if the trails identified on the plat are wider than a normal sidewalk. Vice Chairman Mason answered yes; the trails are six feet, and a sidewalk is four feet. Mr. Pulver stated that the City has expressed in the past that the extension of Mountain Road would be the 'crown jewel' of the community and he asked if developers of properties along that road have been asked to provide additional improvements, such as benches along the trails or increased landscaping. Mr. Hess stated that the road cross section includes an 80-foot right of way, sidewalk, curb and gutter, bike lanes, and a six-foot wide asphalt trail on the north side in lieu of the sidewalk. The Planning Commission has made recommendations regarding a planting strip down the middle of the road, but the City Council has not adjusted the cross-section to include that recommendation. There are pre-existing sections of Mountain Road, but everything north and west of The Cove will have a different cross section.

Commissioner Nancarrow made a motion to approve application SUB 2022-11, Jordyn Park Estates Subdivision (38 lots), located at approximately 3650 North and Mountain Road, based on the findings and subject to the conditions listed in the staff report. Commissioner Watson seconded the motion.

Voting on the motion:

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| Chairman Thomas | abstain |
| Vice Chairman Mason | aye |
| Commissioner Barker | aye |
| Commissioner Nancarrow | aye |

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| Commissioner Webb | aye |
| Commissioner Watson | aye |
| Commissioner Green | aye |

The motion carried.

LEGISLATIVE ITEMS

7. ANX 2023-02 CONSIDERATION AND ACTION ON A LEGISLATIVE APPLICATION TO ANNEX PROPERTY LOCATED AT APPROXIMATELY 2117 NORTH WASHINGTON BOULEVARD, AND ZONE THE PROPERTY R-4

Planning Director Hess explained the applicant has applied to annex 1.003 acres of property at approximately 2117 N. Washington Boulevard; the property currently has metal buildings constructed in the unincorporated County. The applicant is requesting the Multi-Family Residential R-4 zone, and plans to develop the property as multi-family residential.

The adjacent properties are zoned R-1-8 to the west, MP-1 and C-2 to the north, and R-4 to the east and south. The North Ogden annexation petition has been accepted by the City Recorder and was accepted and begun by the North Ogden City Council on January 24, 2023. Staff reviews the current General Plan and Zoning Map for what is adjacent to the property to make a reasonable determination of what zone should be applied. The General Plan map calls for this property to be developed as mixed/use, multi-family, commercial. Properties with frontage along Washington Blvd. include Multi-Family Residential R-4 and Commercial C-2. The Multi-Family Residential R-4 zone that is being requested by the applicant, is similar in intensity to the surrounding properties. Staff believes that the desired zoning is compatible with surrounding zoning districts, and will not represent a conflict in use or development of this property. Staff is in support of this application as it has been submitted. The Public Works Department will determine if the City is able to serve the area with culinary water, secondary water, storm water, and sewer services. The determination of utility provision will be included in the City Council's final acceptance and certification of the annexation. This recommendation from the Planning Commission on a land use zone as part of the annexation is not an approval for a Site Plan or Subdivision. The applicant will be required to complete all necessary site plans and subdivisions prior to developing the property. Staff recommends that the Planning Commission recommend approval to the City Council for annexation of this property, and apply the Multi-Family R-4 zone, with the following conditions:

- The property must be legally subdivided, improved, or escrowed for improvements prior to the issuance of any building permits.

Vice Chairman Mason referenced the draft site design, which includes two driveways rather than a road. Mr. Hess reviewed the aerial image of the property and noted that the Utah Department of Transportation (UDOT) will be heavily involved in regulating access to the property from Washington Boulevard and City staff will work closely with them on that matter. City Manager/Attorney Call noted it is important to keep in mind that the Commission is not recommending approval of a conceptual design at this point; they are only being asked to make a recommendation regarding the annexation petition and zoning of the property. Mr. Hess agreed; he noted the exact configuration included in the conceptual design will not be feasible, but something similar can be accomplished and staff feels that the R-4 zoning is appropriate.

Commissioner Watson inquired as to a more accurate estimate of the number of units that can be located on the subject property. Mr. Hess stated the R-4 zone allows up to 15 units per acre, but that would be for a perfectly square piece of property; the more likely scenario for this parcel would be 12 to 13 units per acre.

Chairman Thomas invited public input.

Rick Scadden, on behalf of the applicant, stated that it was not the intention to include the conceptual design as part of the annexation petition; rather, it was provided for informational purposes only and he understands that he will be required to work with UDOT to secure appropriate access to the property.

Vice Chairman Mason made a motion to forward a positive recommendation to the City Council for application ANX 2023-02, annexation of property located at approximately 2117 N. Washington Boulevard and to zone the property R-4 Multi Family Residential, based on the findings and subject to the conditions listed in the staff report. Commissioner Green seconded the motion.

Vice Chairman Mason stated he is very supportive of annexations that eliminate islands of unincorporated property from the City.

Voting on the motion:

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| Chairman Thomas | aye |
| Vice Chairman Mason | aye |
| Commissioner Barker | aye |
| Commissioner Nancarrow | aye |
| Commissioner Webb | aye |
| Commissioner Watson | aye |
| Commissioner Green | aye |

The motion carried.

8. ANX 2023-01 CONSIDERATION AND ACTION ON A LEGISLATIVE APPLICATION TO ANNEX PROPERTY LOCATED AT APPROXIMATELY 1651 NORTH AND 1659 NORTH WASHINGTON BOULEVARD, AND ZONE THE PROPERTY R-4 AND M-1

Planning Director Hess stated that this agenda item relates directly to items nine and 10 on the agenda; approval or denial of one or more of the applications would impact the subsequent applications. City Manager/Attorney Call noted the Commission can discuss the three applications collectively, but public hearings must be held for items nine and 10. Mr. Hess agreed and noted that the City Council will hold the public hearing for the annexation application.

Mr. Hess then noted the applicant has applied to annex 9.45 acres of property at approximately 1651 N. and 1659 N. Washington Boulevard. The property is vacant and is located south of 1700 North on the corner of Washington Boulevard. The applicant is requesting split zoning of Multi-Family Residential R-4 and Manufacturing M-1, and plans to develop the property as townhomes and self-storage units. The adjacent properties are still in the unincorporated County with an Agricultural A-1 zoning. The area surrounding this property is in North Ogden City's Annexation area with a future land use proposed as mixed-use and multi-family residential. The North Ogden annexation petition has been accepted by the City Recorder and was accepted and begun by the North Ogden City Council on January 10, 2023. Staff reviews the current General Plan and Zoning Map for what is adjacent to the property in order to make a reasonable determination of what zone should be applied. The General Plan map calls for this property to be developed as a mix of residential and commercial uses within the South Town Neighborhood. The General Plan does not consider Manufacturing M-1 currently, and the applicant has made an application to amend the General Plan as well as the Manufacturing M-1 zone to allow new storage units. The property is requested to be split zoned. The Multi-Family R-4 zone requested meets the intent of the General Plan as it is currently drafted. Staff believes that zoning district is compatible with surrounding zoning districts, and the City's future plans. The Manufacturing M-1 zone requested is a departure from the current General Plan. North Ogden City has limited Manufacturing zoning, and currently does not permit additional storage units. The Planning Commission heard from the applicant on this concept on June 15, 2022. The Staff Report at that time read as follows:

“Property owner, Terry Cevering, has proposed a mixed-use project at 1659 N. 400 E. that includes storage units on the east side fronting Washington Boulevard, and townhomes on the west side. This project was brought before the City in 2019 for discussion, but no formal applications were made at that time. North Ogden City Codes do not currently permit storage units as a new use, but the Code does permit upgrading existing storage units. Storage units were previously permitted in the Manufacturing M-1 zoning district. The property owned by the applicant is in North Ogden City's future annexation declaration, and the General Plan designation is the South Town Mixed Use are that is intended to include commercial and multi-family residential. This application would need the following Land Use Approvals to move forward: Annexation, General Plan Amendment, Zoning Text Amendment, Subdivision, and Site Plan approval. Staff has reviewed the proposed development and is of the opinion that storage units fronting on Washington Boulevard do not represent the long term highest and best use of the ground. North Ogden City will continue to grow and will need areas of viable commercial to secure future sales tax collection. At this time, there is limited desire for commercial along this portion of Washington Boulevard, but with growth and additional rooftops being developed in the area, it is likely that demand will follow. Staff is supportive of multi-family residential in this area of the City as that matches the currently approved Future Land Use Map of the General Plan.”

Staff retains the position that adding Manufacturing uses in this area, and adding Storage Units to the Manufacturing zone is not in the best interest of the City at this time. Staff supports multi-family development in this area of the City. The applicant will be required to complete a subdivision prior to developing the property.

Mr. Hess concluded staff finds that the Manufacturing Zone is not consistent with the General Plan and recommends that the Planning Commission recommend a zoning designation consistent with the General Plan or recommend denial to the City Council for annexation of this property.

Vice Chairman Mason stated it was his understanding that when property is annexed, the entire property must be assigned the same zone, but that is obviously not the case; he asked if there have been any discussions about commercial zoning on the corner of 1700 North and Washington Boulevard. Mr. Hess stated there has been no such discussion beyond the discussion that took place between the applicant and the Planning Commission approximately seven months ago. If the annexation were approved, there would be a requirement for a development agreement that would accomplish the split zoning. Essentially, any approval of the annexation would be conditioned upon subdivision and a development agreement in the future. Vice Chairman Mason asked where the property would be split between the two zoning designations. City Manager/Attorney Call presented the aerial image of the property and drew a line to represent the point where the zoning of the property would split; the front of the property would be manufacturing, and the back would be R-4. The Commission discussed the manner in which the proposed layout differs from the concept that was presented by the applicant during his previous meeting with the Commission.

Chairman Thomas then moved to agenda item nine to allow for the public hearing to be held regarding the General Plan amendment relating to the subject property.

9. GPTA 2023-01 PUBLIC HEARING, CONSIDERATION, AND RECOMMENDATION ON A LEGISLATIVE APPLICATION TO AMEND THE GENERAL PLAN TO PERMIT MANUFACTURING USES WITHIN THE SOUTH TOWN NEIGHBORHOOD NEAR APPROXIMATELY 1651 NORTH AND 1659 NORTH WASHINGTON BOULEVARD

A staff report from Planning Director Hess explained the Applicant has requested Annexation of property at approximately 1651 N. and 1659 N. Washington Boulevard. Part of the Annexation process is the application of a zoning district. This area of the City is designated as the South Town Neighborhood in the General Plan Future Land Use Map as well as in the text of the General Plan. The applicant's request is to amend the General Plan to allow Manufacturing uses and zone a portion of the property Manufacturing M-1 to permit storage units. This area of the General Plan does not currently permit Manufacturing uses. This requires the applicant to request an amendment to the General Plan. Mr. Hess's staff report summarized North Ogden City Code 11-2-18, General Plan Amendment, which outlines the questions for the Planning Commission and City Council's consideration. His report also provided staff's response to each of the questions. The report concluded the Planning Commission should hold a public hearing, consider the information presented, and provide a recommendation to the City Council.

a. Chairman Thomas opened the Public Hearing at 7:07 p.m.

Terry Cevering, property owner, stated he first approached the City in 2019 about developing his property and expanding the storage unit use. The City asked him to reconsider the concept for his property given that it is located at the gateway to the City. He stated he adjusted his plans to include a commercial building on the corner of 1700 North and Washington Boulevard and noted

that he thinks the building will be very nice and a great first impression for those entering the City. He presented his concept plan and identified the road that goes through the middle of his property, with the connection from Washington Boulevard; most of the townhomes will be located on the west side of that road, with just a few on the east side. The back side of the storage unit buildings will contain a nice brick wall that will serve as a barrier between the commercial and residential uses. This will also provide security for tenants living in the project area.

Commissioner Barker asked if landscaping will also be installed in the project area and if it will be easy to maintain the landscaping between the different uses. Mr. Cevering answered yes; he indicated he will consider xeriscape that is aesthetically pleasing and easier to maintain.

Commissioner Green asked if any consideration has been given to configure the main building in a way that it could house a commercial or retail use in the bottom floor, with the climate controlled storage space on the upper floor. Mr. Cevering answered yes, but noted that he is concerned about the demand for commercial and retail space and he does not want to build something that will not be occupied. However, if that is a 'deal breaker' for the City, he will adjust the plan to make the bottom floor a retail space.

Commissioner Nancarrow stated that she appreciates all of the thought that Mr. Cevering has put into this project since he last met with the Planning Commission, but her basic question is whether Mr. Cevering would still want to proceed with the annexation if the Commission is only willing to support the R-4 land use and not the manufacturing use, which would require a General Plan amendment. Vice Chairman Mason stated that he had that same question, but wondered if it would be appropriate to wait for Mr. Cevering to answer that question for the Council given that the Planning Commission is only a recommending body. Mr. Cevering stated that the use of his property is his livelihood, and he is requesting the annexation and land uses for that reason. If it becomes necessary to do so, he will consider commercial uses along the frontage, but he is very hesitant to do so. He understands there is a demand for storage unit uses and he feels this is a great location for the use given its proximity to nearby multi-family developments.

Commissioner Watson stated it seems to him that Mr. Cevering, as a business owner, is trying to find a development that will work not only for him, but also for the City. He has identified a need and is willing to spend a bit of extra money to increase the aesthetic of the project given its location on the City's southern border. He appreciates Mr. Cevering's transparency and asked if there is any further clarification that he can offer that would enlighten the Commission as to the reasoning behind the zoning that has been requested. Mr. Cevering stated that he has thought about other uses, such as a convenience store that was recommended by the City, but as time has gone on, his land has been impacted by surrounding development. He has looked at many different concepts for storage units that are more aesthetically pleasing and he believes his current proposal will truly benefit the City. He noted that he would truly be willing to pursue traditional residential or commercial uses on the property, but such businesses have not been supported by the population of the City and they ultimately close or relocate to another city.

High level discussion among the Commission centered on their perspective of the highest and best use of the land, the uses that will generate the greatest amount of sales tax for the City, and the market for traditional retail and commercial uses.

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

Voting on the motion:

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| Chairman Thomas | aye |
| Vice Chairman Mason | aye |
| Commissioner Barker | aye |
| Commissioner Nancarrow | aye |
| Commissioner Webb | aye |
| Commissioner Watson | aye |
| Commissioner Green | aye |

The motion carried.

The Public Hearing was closed at 7:18 p.m.

Chairman Thomas then moved to item 10 on the agenda.

10. ZTA 2023-01 PUBLIC HEARING, CONSIDERATION, AND RECOMMENDATION ON A LEGISLATIVE AMENDMENT TO UPDATE TITLE 11, SECTION 10 ARTICLE B, MANUFACTURING ZONE M-1, TO PERMIT STORAGE UNITS AS A PERMITTED USE

A staff report from Planning Director Hess explained the Applicant has requested Annexation of property at approximately 1651 N. and 1659 N. Washington Blvd. Part of the Annexation process is the application of a zoning district. The applicant's request is to amend the Manufacturing M-1 zone to permit new Storage Units. Currently the Manufacturing Zone permits upgrades to Storage Units existing prior to November 1, 2021. This request requires the applicant to amend Title 11-10B Manufacturing M-1. The North Ogden City General Plan Future Land Use Map was updated and adopted in Spring 2022. The project area considered by the applicant is located within the South Town Neighborhood. This area is planned to include mixed use commercial and housing. Currently the request is inconsistent with the General Plan, and the applicant has submitted a General Plan Text and Map Amendment alongside this application. Staff recommends the Planning Commission hold a public hearing, consider the information, and present a recommendation to the City Council regarding the requested text amendment.

a. Chairman Thomas opened the Public Hearing at 7:18 p.m.

There were no persons appearing to be heard.

Commissioner Nancarrow made a motion to close the Public Hearing. Vice Chairman Mason seconded the motion.

Voting on the motion:

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|-------------------------------|------------|
| Chairman Thomas | aye |
| Vice Chairman Mason | aye |
| Commissioner Barker | aye |
| Commissioner Nancarrow | aye |
| Commissioner Webb | aye |
| Commissioner Watson | aye |
| Commissioner Green | aye |

The motion carried.

The Public Hearing was closed at 7:19 p.m.

Chairman Thomas then facilitated discussion among the Commission regarding whether they feel storage units should be a permitted use in the manufacturing zone; there was a focus on the different properties in the City that carry the manufacturing zoning and whether storage units would be an appropriate use on those properties. Chairman Thomas stated he is hesitant to designate storage units as a permitted use because he feels applications for the use should be considered on a case by case basis to determine if it should be allowed on a specific property. Commissioner Watson agreed; there are some manufacturing properties where he does not believe storage units would be an appropriate use, but based upon the conceptual plan and design for the Cevering property, he is a bit more willing to consider support for the use at this location. Vice Chairman Mason agreed, but noted he feels the manufacturing zone is the most appropriate zone for storage units to be located in.

The Commission reviewed the boundaries of the Southtown Neighborhood in the General Plan and the existing uses in that neighborhood, with a focus on whether a storage unit use would be complimentary to existing uses. Mr. Hess noted that one mechanism for the City to accomplish a desired use within a specific zone would be to condition approval of the zoning upon the requirement that the applicant use the property for a specific use; if that use is not implemented, the zoning of the property would revert to its previous designation. He stated something similar was done for the assisted living facility to the north and west of the Cevering property. This could be done on the Cevering property to ensure that the storage unit use is implemented, but no other manufacturing permitted uses would be allowed on the property. The Commission expressed support for that type of action, but continued to discuss and debate whether storage units are appropriate for the subject property. They acknowledged the applicant's willingness to be flexible in working with the City regarding the design and development of his property.

Vice Chairman Mason stated he is prepared to make a motion regarding item 10.

b. Consideration and recommendation

Vice Chairman Mason made a motion to forward a positive recommendation to the City Council for application ZTA 2023-01, update Title 11, Section 10, Article B, Manufacturing Zone M-1, to permit storage units as a permitted use. Commissioner Barker seconded the motion.

Chairman Thomas recommended language be added to the motion to communicate that the reasoning behind the recommendation is that control of storage units can be handled in the

manner by which the City now controls its zoning process; the only two existing manufacturing zones are built out.

Vice Chair Mason amended his motion to add language communicating the Commission's position that the control of storage unit development can be handled by the zoning process of the City, given that the City only has two manufacturing zoned properties, and they are occupied by storage unit facilities. Commissioner Barker stated that his second of the motion stands.

Voting on the motion:

| | |
|-------------------------------|------------|
| Chairman Thomas | aye |
| Vice Chairman Mason | aye |
| Commissioner Barker | aye |
| Commissioner Nancarrow | aye |
| Commissioner Webb | aye |
| Commissioner Watson | aye |
| Commissioner Green | aye |

The motion carried.

Chairman Thomas then moved back to item 9.

9. GPTA 2023-01 PUBLIC HEARING, CONSIDERATION, AND RECOMMENDATION ON A LEGISLATIVE APPLICATION TO AMEND THE GENERAL PLAN TO PERMIT MANUFACTURING USES WITHIN THE SOUTH TOWN NEIGHBORHOOD NEAR APPROXIMATELY 1651 NORTH AND 1659 NORTH WASHINGTON BOULEVARD – CONTINUED DISCUSSION

b. Consideration and recommendation

Chairman Thomas asked Mr. Call to present the General Plan Map for the Southtown Neighborhood. He facilitated discussion among the Commission regarding whether storage units are an appropriate use for this area of the City. They also discussed the future plans of properties that are currently undeveloped, both in North Ogden and Harrisville cities; Vice Chairman Mason stated that it is hard to make a conscious decision to approve the placement of manufacturing zoning in any area of the City, especially in an area that is already well defined. Commissioner Green agreed; before interviewing for this position she carefully studied the General Plan and felt it was very well thought out with a great deal of community input. She is hesitant to deviate from the General Plan for this particular property, specifically given the location of the stop light on the corner, which typically creates opportunities for commercial use. Commissioner Nancarrow agreed; the General Plan is the City's guiding document and there is a great deal of input on the current version of the Plan. Since she has been a member of the Commission there has been a vision for the development of the Southtown Neighborhood as the entrance to the City; there are plans for a new elementary school near the subject property and as compelling as Mr. Cevering's proposal is, she is hesitant to amend the General Plan to allow manufacturing and self-storage on the property. She noted Mr. Cevering's proposal is compelling, but she would like to pursue the General Plan directives for the property as she feels

that is in the best interest of the City in the long term. Chairman Thomas agreed; the Planning Director has also concurred that this specific proposal is not the highest and best use of land along Washington Boulevard at the City's entrance. He recognized the need for self-storage, but suggested that properties that are further setback from Washington Boulevard in a manner that will not impact commercial opportunities along the roadway would be more appropriate. This led to high-level, visioning discussion among the Council regarding the viability for commercial uses in this area of the City as the population increases and the area becomes more built-out.

Commissioner Nancarrow made a motion to forward a recommendation of denial for application GPTA 2023-01, legislative application to amend the General Plan to permit Manufacturing uses within the Southtown Neighborhood near approximately 1651 North and 1659 North Washington Boulevard. Commissioner Green seconded the motion.

The Commission debated the motion; Commissioner Watson stated that the property is fairly narrow, with just 240 feet of frontage along Washington Boulevard. He asked what kind of commercial uses the Commission feels would be viable for that amount of space on Washington Boulevard. He then asked the Commission to consider what types of commercial uses they would be comfortable with; for example, would they be comfortable with a Dollar General store being located on the property. He initially did not love the idea of building storage units on the property, but having seen Mr. Cevering's proposal and his design of the building that would be located on the corner, he feels it would be a good use. Additionally, the City has a willing applicant, and he is looking to work with the City to achieve a solution for developing his property. Vice Chairman Mason stated that the matter before the Commission is whether they are comfortable allowing pockets of manufacturing anywhere in the Southtown Neighborhood. Chairman Thomas stated that he is of the opinion that manufacturing uses are not appropriate for the area; it may be possible to 'shoe-horn' the storage units into the area, but he does not believe they should be allowed on the corner given that there is a traffic light on the corner. If a motorist is stopped at the traffic light and they can see there is a retailer or other commercial use, they may choose to patronize it, even though the frontage is narrow. Commissioner Barker stated that it has been difficult to attract commercial businesses to the City and those that have come to the City have not stayed long due to lack of support.

Vice Chairman Mason then asked what it is about a manufacturing use that is bad or different than the carwash use that was allowed on Washington Boulevard just north of the subject property. Commissioner Watson stated that he would not have supported the carwash on Washington Boulevard; he would have preferred that it were oriented differently so that it did not consume so much frontage on the road. Vice Chairman Mason agreed and noted he also did not feel that the carwash should have been permitted in its location. Chairman Thomas stated that those types of uses are reliant on a demand in the community; the carwash is always busy so there was clearly a demand or need for it. The same is more difficult to gauge for different types of commercial uses, such as big or mid box stores. As the population increases responsive the multiple multi-family developments that have been recently approved, so will the demand for commercial uses. At build-out, approximately 15 percent of the City's population will be located in close proximity to the subject property, and it is appropriate to envision how the corner property should look and be used when that occurs.

Chairman Thomas called for a vote on the motion to forward a recommendation of denial to amend the General Plan.

Voting on the motion:

| | |
|-------------------------------|------------|
| Chairman Thomas | aye |
| Vice Chairman Mason | nay |
| Commissioner Barker | nay |
| Commissioner Nancarrow | aye |
| Commissioner Webb | aye |
| Commissioner Watson | aye |
| Commissioner Green | aye |

The motion carried 5-2.

Chairman Thomas reiterated that the Commission is only a recommending body and Mr. Cevering will have the ability to plead his case with the City Council as they are the final decision-making body for this matter.

8. ANX 2023-01 CONSIDERATION AND ACTION ON A LEGISLATIVE APPLICATION TO ANNEX PROPERTY LOCATED AT APPROXIMATELY 1651 NORTH AND 1659 NORTH WASHINGTON BOULEVARD, AND ZONE THE PROPERTY R-4 AND M-1 – CONTINUED DISCUSSION

Chairman Thomas then summarized the actions taken on agenda items nine and 10 and the implications of those motions for this annexation application; he called for a motion. He wondered if the Commission would like to see a more detailed map to identify the potential location of the zoning split on the property if the Commission were willing to recommend allowance of R-4 and manufacturing zones. The Commission debated the options before them, including whether it is possible to recommend that the entire property be zoned R-4. Commissioner Webb stated that he would not be comfortable with manufacturing or commercial uses being located on the back of the property given its proximity to the property where a future elementary school will be built. The Commission agreed and discussed favorability for R-4 and commercial zoning on the property, but this led to debate about whether a self-storage use could be defined as a commercial use.

Commissioner Watson made a motion to forward a positive recommendation to the City Council for application ANX 2023-01, legislative application to annex property at approximately 2117 North Washington Boulevard and zone the property R-4 and Commercial C-1. Commissioner Nancarrow seconded the motion.

Commissioner Webb stated that he would recommend further consideration of the definition of commercial. Vice Chairman Mason stated that has already been defined and is not up for debate.

Voting on the motion:

| | |
|------------------------|------------|
| Chairman Thomas | aye |
|------------------------|------------|

| | |
|------------------------|-----|
| Vice Chairman Mason | aye |
| Commissioner Barker | aye |
| Commissioner Nancarrow | aye |
| Commissioner Webb | aye |
| Commissioner Watson | aye |
| Commissioner Green | aye |

The motion carried.

11. PUBLIC COMMENTS

Terry Cevering, North Ogden resident, stated that he understands the position the Commission has taken on his applications and the concerns they have expressed, but it is his opinion that the storage unit use should be classified as commercial rather than manufacturing and he does feel that it is appropriate for his property. The word 'manufacturing' carries a negative connotation and that influences the position of anyone who hears his proposal before they even see the concept plan. He discussed access to his property and indicated he feels the storage unit concept is suitable for the area; he feels that the main reason that the recommendation of denial was supported by a majority of the Commission is the fact that it was labeled as manufacturing rather than commercial.

Chairman Thomas stated it is not an accurate assessment that the Commission was supportive of storage units on the corner of 1700 North and Washington Boulevard, but only voted to forward a recommendation of denial because the use was labeled 'manufacturing'. He stated that the Commission felt strongly that the property at the intersection should be reserved for future commercial uses that are more suitable than storage units. This led to discussion between the Commission and Mr. Cevering regarding development standards for commercial properties, including setbacks, parking requirements, and access with Mr. Cevering noting he is struggling to determine the type of commercial use that would be successful on the property.

Chris Pulver, North Ogden resident, stated he agreed with many of the points that were made during the Commission's discussion of the Cevering property; he suggested that a gas station would be a good use for the property because the other gas stations located further to the north are very busy and can be difficult to get in and out of.

12. REMARKS - PLANNING COMMISSIONERS:

Vice Chairman Mason thanked his fellow Commissioners for their willingness to debate the applications before them tonight in a respectful manner and for caring so much about the future of the City and what is best for all residents.

13. REPORT - PLANNING DIRECTOR:

Planning Director Hess welcomed Commissioner Green to the Commission and stated he believes she will do a great job. He then reported on efforts to launch a market study for the

Southtown Neighborhood; the study will contemplate the number of rooftops and viable strip commercial uses for the area. The results of the study will be presented to the Commission when they are available. He concluded by reporting on efforts to fill the vacant positions in his Department, including the City Engineer and Associate Planner; discussions regarding these positions will take place in the upcoming budget development process.

14. REMARKS – CITY MANAGER/ATTORNEY

City Manager/Attorney Call reported on a piece of legislation currently moving through the 2023 Legislative Session that would change the manner in which Planning Commission meetings are conducted; for any item for a public hearing is held, the City must give 30 days notice of a hearing. The Commission typically allows public input for any agenda item and someone could make the argument that doing such constitutes a public hearing. This means that the City could be required to provide notice of all agendas 30 days in advance. He stated he will continue to monitor the legislation to determine how it will impact the City. He then noted that as the Public Safety building project moves forward and the old facility is demolished, he will be making a recommendation to increase the parking area on the campus. He asked that the Commission keep that matter in mind in preparation for future discussion. This led to brief discussion about current traffic configuration in connection with the Public Safety project.

15. ADJOURNMENT

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

Voting on the motion:

| | |
|-------------------------------|------------|
| Chairman Thomas | aye |
| Vice Chairman Mason | aye |
| Commissioner Barker | aye |
| Commissioner Nancarrow | aye |
| Commissioner Webb | aye |
| Commissioner Watson | aye |
| Commissioner Green | aye |

The motion carried.

The meeting adjourned at 8:38 p.m.

Eric Thomas
Planning Commission Chair

Joyce Pierson
Deputy City Recorder

Date Approved

Not approved

Staff Report to the North Ogden City Planning Commission

SYNOPSIS / APPLICATION INFORMATION

Application Request: Consideration and action on an administrative application, Site Plan Review of Kelli's Little Learners Pre-School located at 1866 N 150 E.
Agenda Date: April 19, 2023
Applicant: Kelli's Little Learners Pre-School; Kelli Bond
File Number: SPR 2023-08

PUBLIC NOTICE

Mailed Notice:
City Website: April 14, 2023

PROPERTY INFORMATION

Address: 1866 N. 150 E.
Project Area: 5,662 Square Feet; .13 acres
Zoning: R-1-8 Roylance Farms PRUD
Existing Land Use: Residential
Proposed Land Use: Residential Preschool
Parcel ID: 17-366-0008

ADJACENT LAND USE

| | |
|--------------------|--------------------|
| North: Residential | South: Residential |
| East: Residential | West: Residential |

STAFF INFORMATION

Kai Johnsen, Planning Technician
kjohnsen@nogden.org
(801)737-2202

APPLICABLE ORDINANCES

North Ogden Zoning Ordinance Title 11-9 Article G: Roylance Farms Phase II Planned Unit Development Zone
North Ogden Zoning Ordinance Title 11-9M-13 In-Home Daycares and Preschools.

TYPE OF DECISION

When the Planning Commission is acting as a land use authority, it is acting in an administrative capacity and has much less discretion. Examples of administrative applications are conditional use permits, design reviews, and subdivisions. Administrative applications must be approved by the Planning Commission if the application demonstrates compliance with the approval criteria.

BACKGROUND

Mrs. Bond has submitted a Business License Application to operate a pre-school out of her home located at 1866 N. 150 E. Daycares and preschools are required by City Code to complete the Site Plan Review process prior to operating.

ZONING ORDINANCE COMPLIANCE

North Ogden Zoning Ordinance Title 11-9 Article G: Roylance Farms Phase II Planned Unit Development Zone.

Staff Comment: Pre-Schools are permitted use in this zone.

North Ogden Zoning Ordinance Title 11-9M-13 In-Home Daycares and Preschools.

Staff Comment: This code section outlines the requirements for residential daycares and preschools, including parking, licensing, background checks, and maximum and minimum square footage available for home daycares and preschools. The applicant has provided the indoor and outdoor square footage required for the maximum number of children permitted. Mrs. Bond has provided a background check for herself; however, a background check is still needed for her spouse.

RECCOMENDED CONDITIONS OF APPROVAL

- Provide a background check for all individuals over 18 years of age living in the home, as well as any current or future employees of the preschool.

SUMMARY OF PLANNING COMMISSION CONSIDERATIONS

- Does the proposed site plan meet the requirements of the applicable City Zoning Ordinances?

CONFORMANCE TO THE GENERAL PLAN

The proposed site meets the requirements of applicable North Ogden City ordinances and conforms to the North Ogden City General Plan. The General Plan map identifies this property as low density residential.

STAFF RECOMMENDATION

Staff recommends Site Plan Approval of the Kelli's Little Learners Daycare with the conditions identified in this Staff report.

EXHIBITS

- A. Business license application
- B. Site plan and drop-off\ pickup explanation

MAP: See Below





RECEIVED
3/23/23

HOME OCCUPATION BUSINESS LICENSE APPLICATION

\$100 Fee

*This is an application to conduct a home occupation business in North Ogden City for the period of one calendar year. The person submitting this application is not entitled to engage in business until the City has approved the application.

Application Date: 3/16/23

Business License #: _____

Business Status: (Check all that apply) ☒ New Business ☐ Name Change ☐ Ownership Change

| BUSINESS INFORMATION | |
|---|---|
| Business Name: <u>Kelli's Little Learners</u> | Business Phone: <u>(801) 436-7893</u> |
| Business Address: <u>1866 N. 150 E.</u> | City, State, Zip Code: <u>North Ogden 84414</u> |
| Business Mailing Address, if other: | City, State, Zip Code: |
| Business Email: <u>Kelli@Kellislittlelearners.net</u> | <u>13279623-0151 exp 2/28/24</u> |
| State Registration (Entity) #: <u>92-2578182</u> | State Sales Tax: |
| Applicant Name: <u>Kelli Bond</u> | Applicant Phone: <u>208-484-4023</u> |
| Applicant Address: <u>1866 N. 150 E.</u> | City, State, Zip Code: <u>84414</u> |
| Applicant Driver's License#: <u>YB3261740</u> | Applicant Date of Birth: <u>09/15/1987</u> |
| Applicant Professional License# (DOPL), if applicable: | |
| Property Owner Name: <u>Kelli & Cassidy Bond</u> | |
| Briefly describe the proposed business: <u>Preschool</u> | |
| How many clients will be coming as a result of this application at any one time during a daily interval? <u>2-16</u> | |
| What provisions are available for off-street parking? <u>drop-off only</u> | |
| What type of equipment, materials, machinery, tools, merchandise, and stock are involved in the home occupation? <u>None</u> | |
| What types of modifications to the residential structure are anticipated because of the home occupation? <u>None</u> | |
| If in a PRUD does your Home Owner's Association allow for home occupations? <u>N/A</u> | |

Updated Oct 2020

ALL HOME OCCUPATIONS MUST COMPLY WITH THE FOLLOWING REQUIREMENTS OF ZONING REGULATIONS 11-16-3: DEVELOPMENT STANDARDS OF ALL HOME OCCUPATIONS

Please Initial:

- KB 1. Residents Of Premises: Only persons who are bona fide residents of the premises shall be engaged in the occupation.
- KB 2. Residential Character Retained: The home occupation will not physically change the dwelling to the extent that it would alter the residential character of the dwelling or the residential atmosphere of the neighborhood in which it is located. Furthermore, it shall not disturb the peace and quiet, including radio and television reception, of the neighborhood by reason of color, design, materials, construction, lighting, sounds, noises or vibrations.
- KB 3. Maximum Area Of Use: If a home occupation is conducted within the living quarters of a dwelling unit, the home occupation shall not occupy more than the equivalent of twenty five percent (25%) of the main floor area, up to a maximum of three hundred (300) square feet. If a home occupation is conducted within the garage of a dwelling unit, the home occupation shall not occupy more than thirty-three percent (33%) of the garage area.
- KB 4. Conducted Within Living Quarters; Exception: Home occupations may be permitted in the garage as long as the provisions of chapter 16 of this title are complied with. Any home occupation approved for a garage shall have minimal environmental impact on the character of the neighborhood as described in CCNO 11-16-5 related to public nuisances, and other relevant provisions of the municipal code. Existing prohibited home occupations with garages will be given a 6 month amortization time period to continue to operate from February 28, 2015.
- KB 5. Display Or Sales Of Goods: Retail sales on the premises are not permitted except as allowed in subsection N of this section. Catalog sales, internet sales, and similar types of sales are permitted if the product is drop shipped from the order warehouse to the buyer's home.
- KB 6. Signs And Advertising: No sign or advertising shall be displayed on the premises. This requirement shall not apply to temporary advertising of produce in season nor to income producing activities engaged in by minors only.
- KB 7. Traffic: The home occupation shall not generate more than five (5) vehicular roundtrips a day.
- KB 8. Parking: The addition of off street parking facilities on the premises of the home occupation beyond that normally required for residential uses is prohibited. Parking of automobiles generated by the home occupation will be confined to existing residential parking. There shall be no storage or parking on the premises or on the adjacent streets in the vicinity of the premises of tractor trailers, semi-trucks, or other heavy equipment used in an off-premise business for which the dwelling is being used as a home occupation office, except that not more than one truck of one-ton capacity or less may be parked on premise during off work hours at night. A work trailer up to 22 feet in length may be parked at night as part of the home occupation business. All trucks and trailers used as part of the home occupation business shall be licensed and registered, and parked in accordance with CCNO 11-17-3 (Design and Location of Parking Spaces). Home occupations within garages shall maintain the required two car parking spaces in accordance with CCNO 11-17-3 (Design and Location of Parking Spaces).
- KB 9. Conformance With Laws: There shall be complete conformity with fire, building, plumbing, electrical and health codes; and to all state and city ordinances and other laws, covenants, restrictions or regulations pertaining to the premises upon which the home occupation is conducted.
- KB 10. Emissions: The home occupation shall not be associated with noise, dust, odors, noxious fumes, glare, or other hazards to safety and health which are emitted and may be discernible beyond the premises.
- KB 11. Dangerous Materials Or Harmful Animals: The home occupation shall not create a hazard by using flammable, explosive or other dangerous materials, or by keeping or raising animals which are capable of inflicting harm or discomfort or endangering the health and safety of any person or property.
- KB 12. Excessive Demand For Services: The home occupation shall not create a demand for municipal or utility services or community facilities in excess of those usually and customarily provided for residential uses.
- KB 13. Use Outside Main Building: The home occupation shall not use any accessory buildings, yard or space outside of the main dwelling not normally associated with the residential uses permitted within the zone wherein the dwelling is located.
- KB 14. Product Sales: Sales of specialty products such as kitchenware, candles, cosmetics, merchandise made by the seller, or similarly branded item intended primarily for home sales are permitted if sales are made at the buyer's home, or ordered by catalog, or internet, or at sales parties. As with all businesses, sales exceeding five hundred dollars (\$500.00) annually requires a business license. (Ord. 2011-09, 5-10-2011)
- KB 15. Any nursery or daycare use of the dwelling shall comply with state law governing such use and the number of classroom occupants is governed by the minimum egress and access requirements.
- KB 16. If preschool or daycare: total # of children _____; # of children (not including your own) _____
- KB 17. In the event the home occupation is conducted, in whole or part, outside of the main dwelling:
 - a. The home occupation shall be conducted between June 1st and Sept. 1st of each calendar year;
 - b. The home occupation shall be conducted between Mon.-Fri. between 10 am - 4 pm;
 - c. The size of any class or group shall not exceed 9 persons, including observers.
- KB 18. I do hereby comply with all State, County, and local regulations

APPLICANT'S AFFIDAVIT

I/We Kelli Bond being duly sworn, depose and say being duly sworn, depose and say that I/we are the owner(s) or authorized agent(s) of the owner of property involved in the attached application and that the statements and answers therein contained and the information provided in the attached plans and other exhibits present thoroughly, to the best of my/our ability, the argument in behalf of the applicant herewith requested and that the statements and information above referred to are in all respects true and correct to the best of my (our) knowledge and belief.

Signed By: Kelli Bond

Date: 3/16/23

Zoning District _____

Planning Dept _____

Bldg Dept _____

Fire Dept _____

CC Approval KB

Updated Oct 2020



Kelli Bond <bondka.kb@gmail.com>

Inspection Report has been submitted

2 messages

LIV_Team <no-reply@livsafe.com>

Reply-To: info@livsafe.com

To: Bondka.kb@gmail.com

Cc: info@livsafe.com

Wed, Mar 15, 2023 at 12:40 PM



North View Fire District

315 E 2550 North

North Ogden, Utah

84414

FIRE INSPECTION REPORT COMPLIANCE

March 15, 2023

Kelli's Little Learners

1866 North 150 East

North Ogden, Utah 84414

North View Fire District has completed a Fire & Life Safety Inspection on this Premise. During the inspection, **NO FIRE CODE VIOLATIONS** were observed.

We appreciate your efforts in keeping the business safe for employees and patrons.

Sincerely,

Ryan Barker
North View Fire District

Please update our records for emergency contact and building information by scanning here:



Kelli Bond <bondka.kb@gmail.com>

To: kelli@kellislittlelearners.net

Wed, Mar 15, 2023 at 12:44 PM



State of Utah

SPENCER J. COX
Governor

DIEDRE M. HENDERSON
Lieutenant Governor

Department of Public Safety

JESS L. ANDERSON
Commissioner

Receipt No: 2023017273

Criminal History Report

This is an official Utah Criminal History Report for the following person:

Name: **KELLI ANN BOND**

Date of Birth: **09/15/1987**

Other Names Used:

(KELLI ANN WILLIS)

Other Dates of Birth Used:

No other birth dates exist.

NO CRIMINAL RECORD FOUND

This report reflects the criminal history as of: **03/01/2023**

The Bureau of Criminal Identification did not find a match for this individual in the Utah Criminal History database.

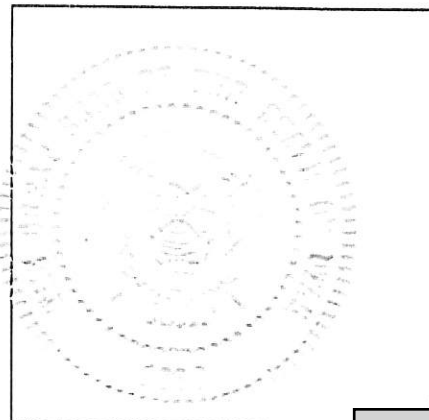
The database was searched by name only.

This is a report of search results from the Utah Criminal History file only. It does not preclude the existence of juvenile arrests, arrests in other states, or arrests not reported to the Bureau of Criminal Identification.

This report is not valid without the official seal of the State of Utah embossed in the box to the right.

I hereby certify that the information contained in this document is true and correct.

Signature of B.C.I. official





North Ogden City
165 E Lomond View Dr
North Ogden, UT 84414
(801) 782-8111

XBP Confirmation Number: 140339088

| | | | |
|---|----------------------|----------|-----------------------------------|
| ▶ Transaction detail for payment to North Ogden City. | | | Date: 03/17/2023 - 11:37:55 AM MT |
| Transaction Number: 194795291 Visa — XXXX-XXXX-XXXX-5767 Status: Successful | | | |
| Account # | Item | Quantity | Item Amount |
| | New Business License | 1 | \$100.00 |

TOTAL: **\$100.00**

| | | | |
|---|-------------|-----------------------------------|-------------|
| Transaction detail for payment to North Ogden City. | | Date: 03/17/2023 - 11:37:56 AM MT | |
| Transaction Number: 194795292 Visa — XXXX-XXXX-XXXX-5767 Status: Successful | | | |
| Account # | Item | Quantity | Item Amount |
| | Service Fee | 1 | \$1.50 |

TOTAL: **\$1.50**

Billing Information

Kelli Bond
1866 n 150 E
North Ogden, 84414

Transaction taken by: Admin 5582

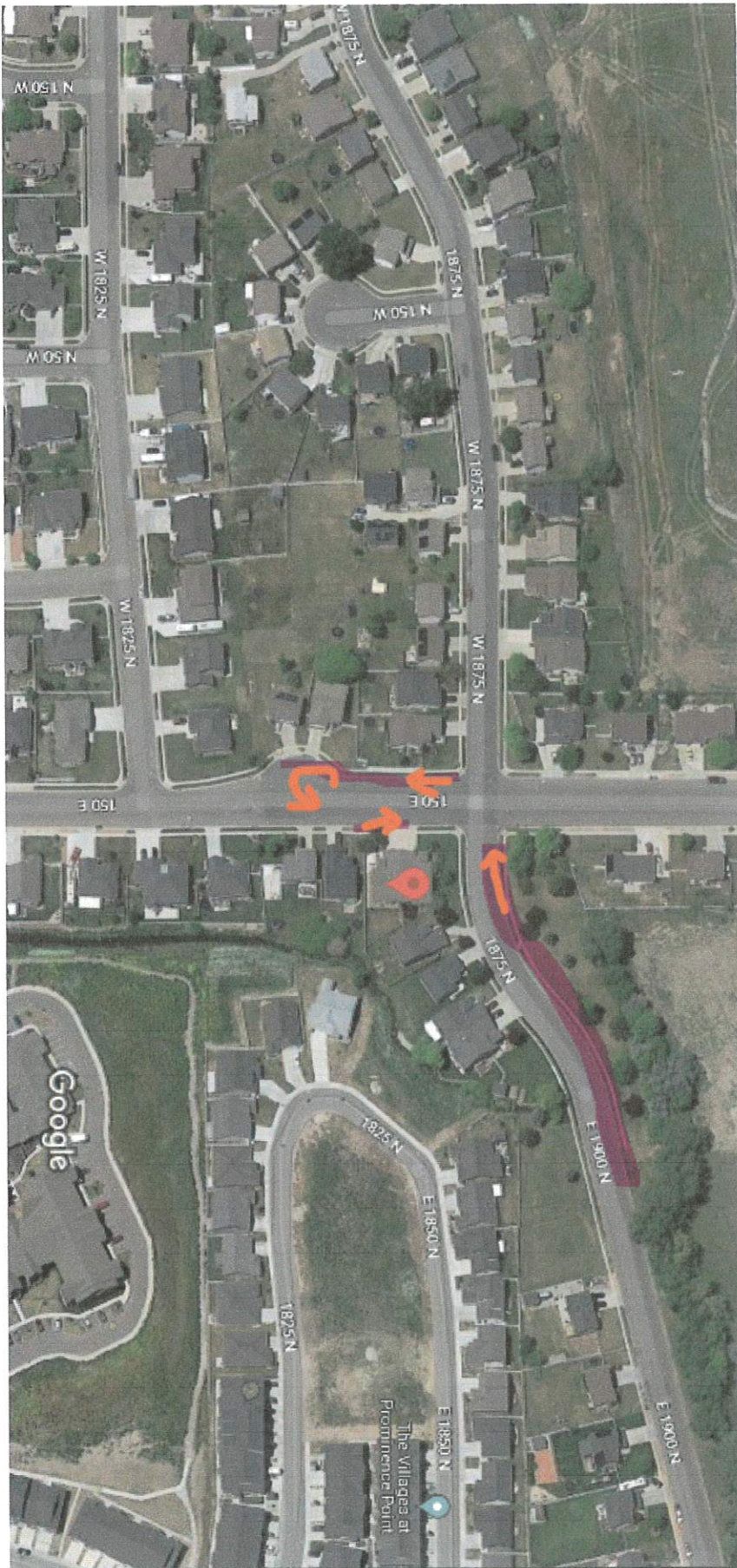
Pickup and Drop off Traffic Patterns

When dropping off/picking up, please park on the street. There is parking in front of the house, on the west side of 150 E (across from the house), as well as on the North side of 1875 N (around the corner from the house). Cars will go West on 1875 N. then turn South on 150 W, use the cul-de-sac to turn around and park in front of the house.

The garage door will open 5 minutes before the start of class time and will open again at the end of class. At drop off when the garage opens, please walk your child to the garage area where kids will line up before heading in. Once all the children are lined up we will head inside and close the garage. If you are running late, please call or text Kelli, as it will be assumed your student is absent if not there by class start time.

At pick up time the kids will be in the garage or outside. (Weather permitting). If we are outside the garage door will be open with no one inside. Kids will be picked up by the front door at the gate to the back. You need to check in with Kelli to pick up your child. This is not a time for extensive conversations about your child's progress. (Meetings can be scheduled to do this).







North Ogden City
 165 E Lomond View Dr
 North Ogden, UT 84414
 (801) 782-8111

XBP Confirmation Number: 140784283

| | | | |
|--|-----------------|----------|----------------------------------|
| Transaction detail for payment to North Ogden City. | | | Date: 03/23/2023 - 2:46:19 PM MT |
| Transaction Number: 195122869 Visa — XXXX-XXXX-XXXX-5767 Status: Successful | | | |
| Account # | Item | Quantity | Item Amount |
| | ZONING SUB FEES | 1 | \$40.00 |
| Notes: Site Plan Review for Pre-school | | | |

TOTAL: \$40.00

| | | | |
|---|-------------|----------|----------------------------------|
| Transaction detail for payment to North Ogden City. | | | Date: 03/23/2023 - 2:46:20 PM MT |
| Transaction Number: 195122871 Visa — XXXX-XXXX-XXXX-5767 Status: Successful | | | |
| Account # | Item | Quantity | Item Amount |
| | Service Fee | 1 | \$0.60 |
| Notes: Site Plan Review for Pre-school | | | |

TOTAL: \$0.60

Billing Information

Kelli Bond
 , 84414

Transaction taken by: Admin Colleen



SYNOPSIS/APPLICATION INFORMATION

| | |
|----------------------|---|
| Application Request: | Consideration and action regarding administrative application for Site Plan Review for the construction of a branch of Mountain America Credit Union. |
| Agenda Date: | April 19, 2023 |
| Applicant: | Sanders Associates Architects |
| File Number: | SPR 2023-05 |

PUBLIC NOTICE

Mailed Notice:
City Website: April 14, 2023

PROPERTY INFORMATION

| | |
|--------------------|---|
| Address: | 352 East 2600 North |
| Project Area: | .765 Acres |
| Zoning: | CC-DT |
| Existing Land Use: | Vacant |
| Proposed Land Use: | Construction of a branch of Mountain America Credit Union with a detached drive thru. |
| Parcel ID: | 181610011 |

ADJACENT LAND USE

North: Commercial South: Vacant
East: Vacant West: Commercial

STAFF INFORMATION

Kai Johnsen
kjohnsen@nogden.org
(801) 737-2202

APPLICABLE ORDINANCES

11-10: COMMERCIAL AND MANUFACTURING ZONES, ARTICLE A: COMMERCIAL ZONES CN, CC, ARTICLE C: DESIGN STANDARDS FOR COMMERCIAL AND MANUFACTURING DEVELOPMENT
11-11-6: EXTERIOR LIGHTING, 11-11-10: TRASH ENCLOSURES, 11-11-14: STREETSCAPE STANDARDS, 11-19: PARKING AND LOADING; AND TRAFFIC AND ACCESSS STANDARDS, and 11-20: LANDSCAPING

TYPE OF DECISION

When the Planning Commission is acting as a land use authority, it is acting in an administrative capacity and has much less discretion. Examples of administrative applications are conditional use permits, design reviews, and subdivisions. Administrative applications must be approved by the Planning Commission if the application demonstrates compliance with the approval criteria.

BACKGROUND

The applicant is requesting approval of a site plan for a new branch of Mountain America Credit Union. The proposed site is located at 352 East 2600 North. This Site Plan Review is related to SUB 2023-01 Mountain America North Ogden Subdivision a one lot subdivision from the remainder parcel in the Barker Depot Subdivision.

ZONING ORDINANCE COMPLIANCE

ARTICLE A: COMMERCIAL ZONES CN, CC

Staff Comment- This article lists the permitted uses for the zone as well as the Site Development Standards, and the requirement for Site Plan Approval. Financial institutions are a permitted use, and the Site Development Standards are met regarding landscape area and impermeable area with 20% of the site having landscaping and the remaining 80% being parking, walkways, or building area. This article requires that all standards regarding signage are met. A Building Permit Application is needed for any proposed signage.

ARTICLE C: DESIGN STANDARDS FOR COMMERCIAL AND MANUFACTURING DEVELOPMENT

Staff Comment- This article contains requirements regarding the design of any proposed structures including, the building must earth tone in color. As well as lighting and glazing requirements. These requirements have been demonstrated to be met as shown in Exhibit A., B., and C. Additional details surrounding the lighting and glazing will be needed prior to a Building Permit Being issued. Staff recommends that the PC permit staff approval of those items.

11-11-6: EXTERIOR LIGHTING

Staff Comment- This code section includes detailed lighting requirements that need to be met prior to a Building Permit being issued. Staff will work with the applicant to obtain all the information related to this Code Section. Staff recommends that the PC allow administrative approval of those items.

11-11-10: TRASH ENCLOSURES

Staff Comment- The location shown for the proposed trash enclosure meets the setback requirements of this code section. Wall height, material, etc. will be verified with the Building Permit Application review.

11-11-14: STREETScape STANDARDS

Staff Comment- This Code section requires that all properties going through Site Plan Review must include the addition\ Completion of the Streetscape as contained in the North Ogden Public Works Standards.

The Streetscape is approved by the Planning Commission with a recommendation of the City Engineer. The applicant has provided a landscaping plan that includes an alternative streetscape design for consideration by the Planning Commission. See exhibit B.

11-19: PARKING AND LOADING; AND TRAFFIC AND ACCESS STANDARDS

Staff comment- This code section provides for the design and location of the required parking. There are currently 23 parking spaces proposed, with 19 being required per the schedule of required spaces for a bank.

CONFORMANCE TO THE GENERAL PLAN

The proposed site meets the requirements of applicable North Ogden City ordinances and conforms to the North Ogden City General Plan. The General Plan map calls for this property to be developed as Downtown Mixed Use.

CONDITIONS OF APPROVAL

- Provide locations of parking lot lighting, if any. Provide detailed submittal of all exterior light fixtures on premises.
- Provide elevation details of trash enclosure with Building Permit Application
- Provide details for exterior glazing as required by City Code.
- Prior to a Building Permit Being issued Subdivision Mylar must be recorded with Weber County. (See SUB 2023-01)
- The determination that these conditions are met will be approved by Staff through administrative review of submitted documents prior to building permit.

SUMMARY OF PLANNING COMMISSION CONSIDERATIONS

- Does the proposed site plan meet the requirements of the applicable City Zoning Ordinances?
- Is the alternative Streetscape design appropriate for this development?

RECOMMENDATION

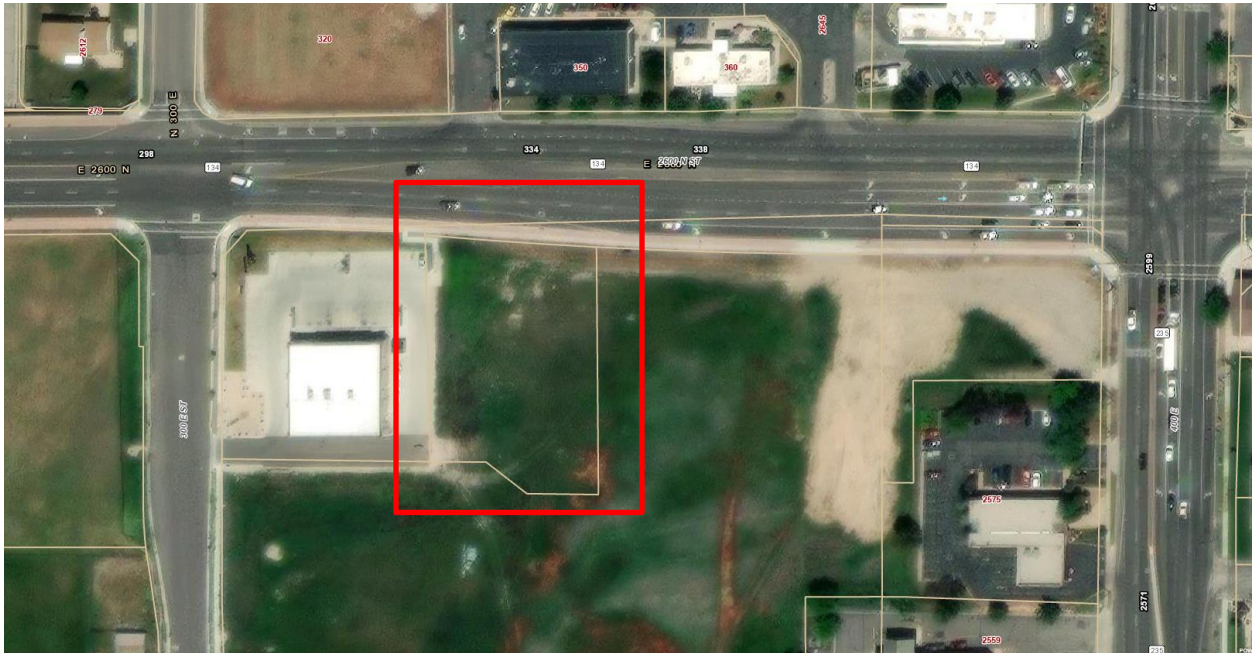
Staff recommends approval Site Plan Approval with the conditions listed in this staff report.

EXHIBITS

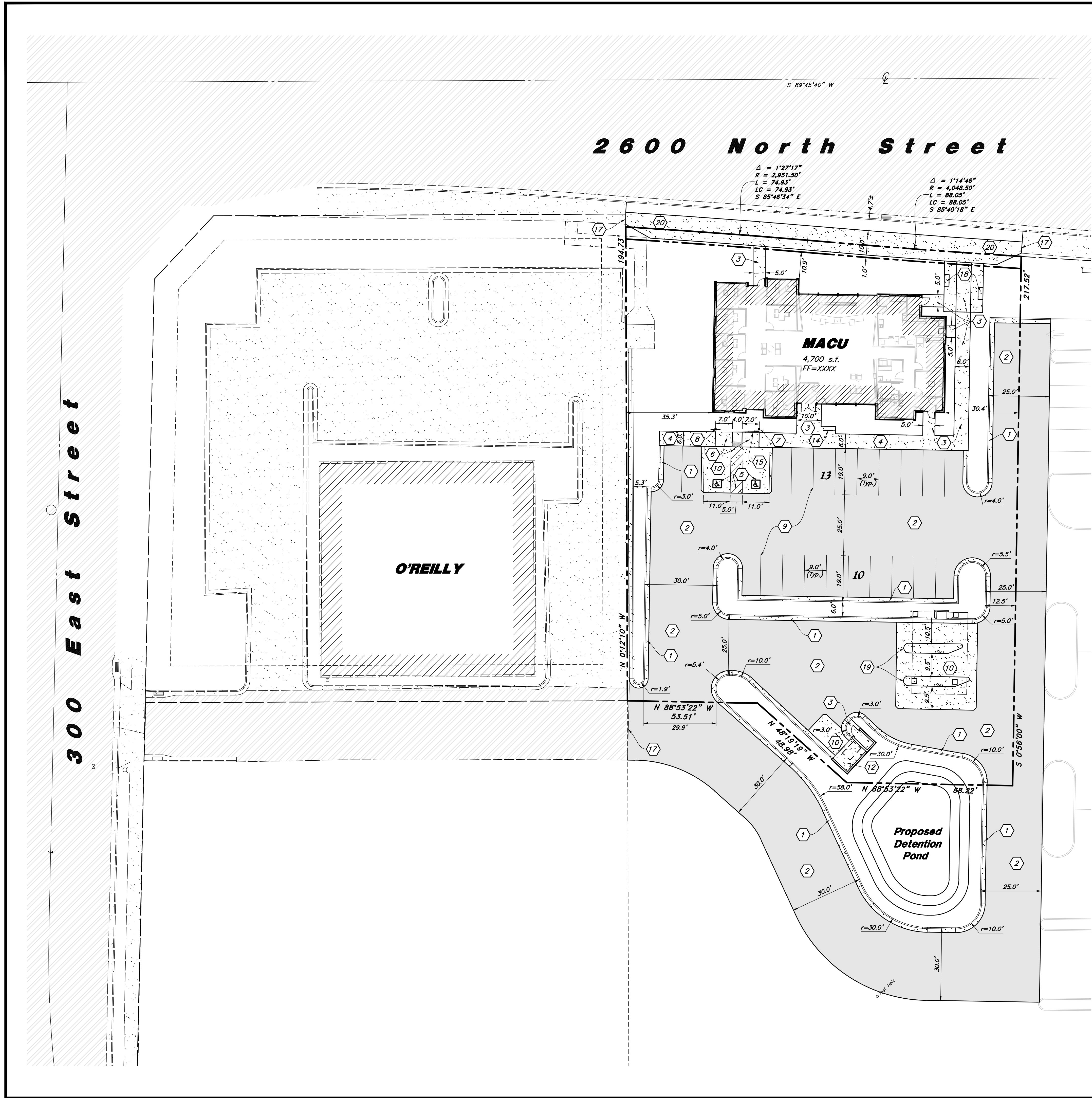
- A. Site plan
- B. Landscape plan
- C. Exterior Elevations

PROJECT AREA

See Below.



WA\22-100 MACU North Ogden\dwg\22-100 SP.dwg, 4/4/2023, 3:05:30 PM, DWG To PDF.pc3, 1x1, LG



Site Data
Site Area = 45600 s.f. (1 ac.)
Landscape Area Provided = 9200 s.f. (20%)
Impervious Area Provided = 31700 s.f. (70%)
Building Area = 4700 s.f. (10%)
Parking Required = 1/150 s.f. = 32 stalls
Parking Provided = 23 stalls (x/1,000)

Hatch Legend

| | |
|--|--------------------------|
| | Standard Asphalt Paving |
| | Existing Concrete Paving |
| | Existing Asphalt Paving |
| | Standard Concrete Paving |
| | Building Interior |

Scale: 1" = 20'



Site Construction Notes

- Const. 24" Curb & Gutter (C4.1)
- Const. Asphalt Paving (C4.3)
- Const. Conc. Sidewalk (C4.1)
- Const. Thickened Edge Sidewalk (C4.1)
- Const. Accessible Striping per MUTCD & ICC/ANSI A117.1 (Latest Edition) (See Accessible Details and Notes) (C2.3)
- Const. Accessible Ramp per ICC/ANSI A117.1 (Latest Edition) (See Grading Detail Sheets) (C2.2)
- Const. Accessible Sign per MUTCD & ICC/ANSI A117.1 (Latest Edition) (See Accessible Details and Notes) (C2.3)
- Const. Accessible VAN Sign per MUTCD & ICC/ANSI A117.1 (Latest Edition) (See Accessible Details and Notes) (C2.3)
- Const. 4" White Paint Stripe (Typ.) Contractor shall provide 15 mils min. Dry Thickness (Two Coats) (C4.1)
- Const. Conc. Paving (C4.3)
- Sawcut; Provide Smooth Clean Edge
- Const. Dumpster Enclosure (See Architectural Plans)
- Const. Directional Arrows per MUTCD (C4.3)
- Const. Bike Rack (C4.3)
- Const. Conc. 6" Curb Wall (C4.3)
- Const. Stop Sign per MUTCD R1-1
- Conn. & Match Existing Improvements
- Const. Benches
- Const. Raised Drive-Thru Islands (See Architectural Plans) - 6" Max. Height (C4.1)
- Const. Concrete Sidewalk per UDOT Stds. (C4.1)

General Site Notes:

- All dimensions are to back of curb unless otherwise noted.
- Fire lane markings and signs to be installed as directed by the Fire Marshal.
- Alle markings, directional arrows and stop bars will be painted at each driveway as shown on the plans.
- Const. curb transition at all points where curb abuts sidewalk, see detail.
- Contractor shall place asphalt paving in the direction of vehicle travel where possible.
- Limits of demolition/disturbed areas shown on the plans may not be an exact depiction. It is the contractor's responsibility to determine the means and methods of how the work will be completed. The contractor shall determine the area of construction impact. The contractor is responsible to restore all impacted areas and all restoration shall be part of the contract bid.

Construction Survey Note:

The Construction Survey Layout for this project will be provided by Anderson Wahlen & Associates. The Layout Proposal and Professional Services Agreement will be provided to the General Contractor(s) for inclusion in base bids. The Survey Layout proposal has been broken out into Building Costs and Site Costs for use in the Site Work Bid Form.

Survey Control Note:

The contractor or surveyor shall be responsible for following the National Society of Professional Surveyors (NSPS) model standards for any surveying or construction layout to be completed using Anderson Wahlen and Associates ALTA Surveys or Anderson Wahlen and Associates construction improvement plans. Prior to proceeding with construction staking, the surveyor shall be responsible for verifying horizontal control from the survey monuments and for verifying any additional control points shown on an ALTA survey, improvement plan, or on electronic data provided by Anderson Wahlen and Associates. The surveyor shall also use the benchmarks as shown on the plan, and verify them against no less than three existing hard improvement elevations included on these plans or on electronic data provided by Anderson Wahlen and Associates. If any discrepancies are encountered, the surveyor shall immediately notify the engineer and resolve the discrepancies before proceeding with any construction staking.

PRIVATE ENGINEER'S NOTICE TO CONTRACTORS

The Contractor agrees that he shall assume sole and complete responsibility for job site conditions during the course of construction of this project, including safety of all persons and property; that this requirement shall apply continuously and not be limited to normal working hours; and that the contractor shall defend, indemnify, and hold the owner and the engineer harmless from any and all liability, real or alleged, in connection with the performance of work on this project, excepting for liability arising from the sole negligence of the owner or the engineer.

Preliminary Site Plan

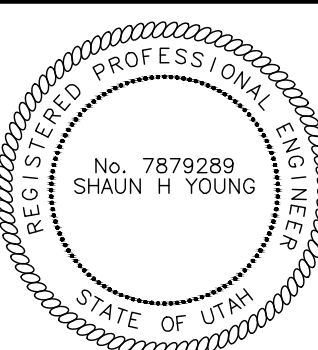
MACU North Ogden

East 2600 North between North 300 East and North 400 East Ogden, UT

ANDERSON WAHLEN & ASSOCIATES
2010 North Redwood Road, Salt Lake City, Utah 84116
(801) 321-8529 - NWengineering.net

Designed by: Name
Drafted by: Name
Client Name:
Client

22-100 SP

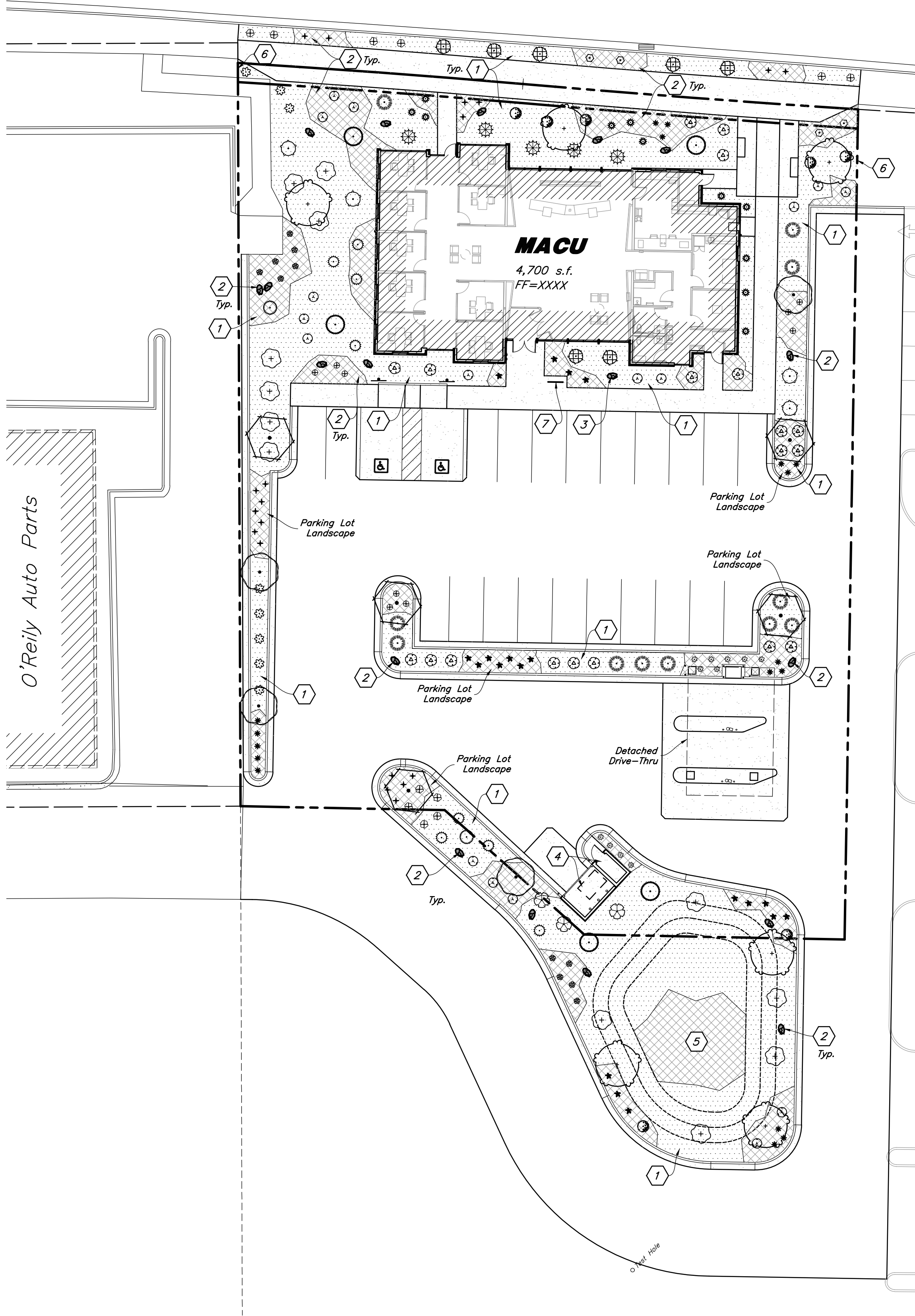


29 Mar, 2023

SHEET NO.

C1.1

2600 North Street



General Landscape Notes:

- Plant material quantities are provided for bidding purposes only. It is the contractor's responsibility to verify all quantities listed on the plans and the availability of all plant materials and their specified sizes prior to submitting a bid. The contractor must notify the Landscape Architect prior to submitting a bid if the contractor determines a quantity deficiency or availability problem with specified material. The contractor shall provide sufficient quantities of plants equal to the symbol count or to fill the area shown on the plan using the specified spacing. Plans take precedence over plant schedule quantities.
- Contractor shall call Blue Stake before excavation for plant material.
- Prior to construction, the contractor shall be responsible for locating all underground utilities and shall avoid damage to all utilities during the course of the work. It shall be the responsibility of the contractor to protect all utility lines during the construction period, and repair any and all damage to utilities, structures, site appurtenances, etc. which occurs as a result of the landscape construction.
- The landscape contractor shall examine the site conditions under which the work is to be performed and notify the general contractor in writing of unsatisfactory conditions. Do not proceed until conditions have been corrected.
- The contractor shall provide all materials, labor and equipment required for the proper completion of all landscape work as specified and shown on the drawings.
- See civil and architectural drawings for all structures, hardscape, grading, and drainage information.
- Contractor safety and cleanup must meet OSHA standards at all times. All contractors must have adequate liability, personnel injury and property damage insurance. Clean-up must be performed daily, and all hardscape areas must be washed free of dirt and mud on final cleanup. Construction must occur in a timely manner.
- All new plant material shall conform to the minimum guidelines established by the American Standard for Nursery Stock Published by the American Association of Nurserymen, Inc. In addition, all new plant material shall be of specimen quality.
- The Owner/Landscape Architect has the right to reject any and all plant material not conforming to the plans and specifications.
- Any proposed substitutions of plant species shall be made with plants of equivalent overall form, height, branching habit, flower, leaf, color, fruit and culture only as approved by the Landscape Architect.
- It is the contractor's responsibility to furnish all plant materials free of pests or plant diseases. It is the contractor's obligation to maintain and warranty all plant materials.
- The contractor shall take all necessary scheduling and other precautions to avoid winter, climatic, wildlife, or other damage to plants. The contractor shall install the appropriate plants at the appropriate time to guarantee life of plants.
- The contractor shall install all landscape material per plan, notes and details.
- Plant names are abbreviated on the drawings, see plant schedule for symbols, abbreviations, botanical, common names, sizes, estimated quantities and remarks.
- No grading or soil placement shall be undertaken when soils are wet or frozen.
- Existing and/or imported topsoil shall be used for all landscape areas. The topsoil must be a premium quality dark sandy loam, free of rocks, clods, roots, and plant matter. The landscape contractor shall perform a soil test on the imported topsoil and amend per soil test recommendations. The soil test shall be done by a certified soil testing agency.
- Prior to placement of topsoil in all landscaping areas, all subgrade areas shall be loosened by scarifying the soil to a depth of 6 inches in order to create a transition layer between existing and new soils. Remove all construction debris and foreign material.
- Provide an eight (8) inch depth of imported topsoil in all shrub areas and twelve (12) inches in parking islands.
- All plant material holes shall be dug twice the diameter of the rootball and 6 inches deeper. Excavated material shall be removed from plant and tree pit and replaced with plant backfill mixture. The top of the root balls, shall be planted flush with the finish grade.
- Plant backfill mix shall be composed of 3 parts topsoil to 1 part soil pep, and shall be mixed at the planting hole. Deep water all plant material immediately after planting. Add backfill mixture to depressions as needed. Fine ground wood mulch shall be installed in the plant well and extend up near the base of the plant. The wood mulch shall be covered with the specified stone and the remainder of the planter.
- All new plants shall be balled and burlapped or container grown, unless otherwise noted on plant schedule. Container grown trees shall have the container cut and removed. Trees in ball and burlap shall have the strips, burlap or plastic cut and pulled away from the trunk exposing 1/3 of the root ball. For trees in wire baskets, cut and remove the wire basket.
- Upon completion of planting operations, all landscape areas with trees, shrubs, and perennials, shall receive specified stone over Dewitt Pro5 weed barrier. Stone shall be evenly spread on a carefully prepared grade free of weeds. The top of stone should be slightly below finish grade and concrete areas.
- All deciduous trees shall be double staked per tree staking details. Tree stakes shall be wood and ties shall be V.I.T. One Size Tree #0132. It is the contractor's responsibility to remove tree staking after one year.
- Bury 2 inches of boulder height into soil, keeping best visual side above ground. Use care to minimize marring and scratching.
- Landscape installer shall repair or replace plantings and accessories that fail in materials, workmanship, or growth within specified warranty period. Failures include, but are not limited to, the following: Death and unsatisfactory growth, except for defects resulting from abuse, lack of adequate maintenance, or neglect by Owner, or incidents that are beyond installer's control. Warranty period shall be 12 months and begin at date of final project acceptance. Dead plant material shall be replaced in a timely manner. From the time the landscape contractor is notified of dead plant material, the contractor has two weeks to replace dead plant material. If plant material is not replaced by the two week time frame MACU will have plants replaced and bill the installing company.

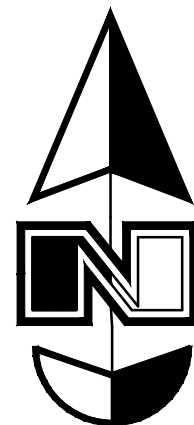
PLANT SCHEDULE

| TREES | QTY | BOTANICAL / COMMON NAME | SIZE |
|---------------------|-----|---|-------------|
| | 6 | Acer tataricum 'Hot Wings' / Hot Wings Tatarian Maple * | 2" Caliper |
| | 4 | Liquidambar styraciflua 'Slender Silhouette' / Slender Silhouette Sweet Gum | 2" Caliper |
| | 5 | Picea glauca pendula / Weeping White Spruce | 6' Min. Ht. |
| | 5 | Zelkova serrata 'Musashino' / Musashino Zelkova | 2" Caliper |
| SHRUBS | QTY | BOTANICAL / COMMON NAME | SIZE |
| | 19 | Caragana frutex 'Globosa' / Globe Russian Peashrub | 5 gal |
| | 11 | Cornus sericea 'Kelsey' / Kelsey Dogwood | 5 gal |
| | 11 | Juniperus sabina 'Buffalo' / Buffalo Juniper | 5 gal |
| | 7 | Juniperus squamata 'Blue Star' / Blue Star Juniper | 5 gal |
| | 2 | Ligustrum vicaryi / Golden Privet | 5 gal |
| | 3 | Physocarpus opulifolius 'Summer Wine' / Summer Wine Ninebark | 5 gal |
| | 4 | Picea pungens 'Globosa' / Dwarf Globe Blue Spruce | 5 gal |
| | 8 | Pinus mugo 'Slowmound' / Slowmound Mugo Pine | 5 gal |
| | 5 | Pinus sylvestris 'Hillside Creeper' / Hillside Creeper Scotch Pine | 5 gal |
| | 12 | Rhus aromatica 'Gra-Low' / Gra-Low Fragrant Sumac | 5 gal |
| | 17 | Rosa x 'Meigalpio' / Red Drift Rose | 5 gal |
| | 7 | Spiraea x bumalda 'Goldflame' / Goldflame Spirea | 5 gal |
| ORNAMENTAL GRASSES | QTY | BOTANICAL / COMMON NAME | SIZE |
| | 8 | Calamagrostis x acutiflora 'Karl Foerster' / Feather Reed Grass | 2 gal |
| | 11 | Helictotrichon sempervirens 'Sapphire' / Blue Oat Grass | 2 gal |
| PARK STRIP PLANTING | QTY | BOTANICAL / COMMON NAME | SIZE |
| | 4 | Sphaeralcea ambigua / Desert Globemallow | 1 gal |
| PERENNIALS | QTY | BOTANICAL / COMMON NAME | SIZE |
| | 9 | Hemerocallis x 'Red Hot Returns' / Red Hot Returns Daylily | 1 gal |
| | 17 | Hemerocallis x 'Stella de Oro' / Stella de Oro Daylily | 1 gal |
| | 11 | Hosta fortunei 'Fire and Ice' / Fire & Ice Hosta | 1 gal |
| | 19 | Nepeta x faassenii 'Dropmore' / Catmint | 1 gal |
| | 19 | Rudbeckia fulgida 'Goldstrum' / Black Eyed Susan | 1 gal |
| | 11 | Salvia x superba 'May Night' / May Night Salvia | 1 gal |

MATERIAL SCHEDULE

- 1" to 2" Dia. Decorative Stone #1 - Install a Four (4) inch depth over Dewitt Pro5 Weed Barrier; Stone Shall be Used in all Shrub Areas and Washed Prior to Installation; Remove all Soil From Weed Barrier Prior to Laying Stone; Stone Shall be Fractured Earth Tone/Tan Colors From Utah Landscaping Rock (South Towne) Detail: 4/L3.1
- 4" to 8" Dia. Decorative Cobble Stone #2 - Install over Dewitt Pro5 Weed Barrier and Make Sure It Covers Weed Barrier; Carefully Place Around Plant Material; Stone Shall be Used in all Planting Areas and Washed Prior to Installation; Remove all Soil From Weed Barrier Prior to Laying Stone; Stone Shall be From Utah Landscaping Rock (South Towne) Detail: 4/L3.1
- Landscape Accent Boulders - Boulders Shall be 3-4' in Diameter, Fractured and Match Proposed Stone; Boulders Shall be Recessed into the Stone Two (2) Inches and Not Set on Top of Stone; No Boulder Shall be Placed Adjacent to a Curb Where a Car Could Potential Hit With Bumper; Boulder for Eagle Statue Shall be Selected by MACU (Brown's Canyon); Eagle Statue Boulder Shall be Installed a Minimum of 4.5' Out of the Ground Above Stone Detail: 5/L3.1

Scale: 1" = 20'



Landscape Data

Zone: CC-DT (Community Commercial Downtown)
Site Area = 33,460 s.f. (0.768 ac.)
Landscape Area Required = 6,692 s.f. (20%)
Landscape Area Provided = 8,310 s.f. (25%)
Offsite Landscape Area Provided = 4,276 s.f.
Perimeter Trees = 1 Tree per 40 l.f. *
Street Trees = 1 Tree per 40 l.f. (4 Provided) *

Parking Lot Landscape: See Plan for Labeled Parking Lot Landscape; Plant Material at Maturity Shall Provide 50% Coverage in Parking Landscape

*** Perimeter at Street Trees Consist of a Mixture of Deciduous and Evergreen Trees**

Landscape Notes:

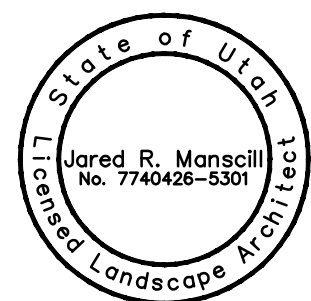
- See Sheet L3.1 for Planting Details.
- All Landscape Material Shall be Fully Irrigated by an Automatic Irrigation System. Drip for Planting Areas and Spray for Lawn Areas. See Irrigation Sheets L2.1 for Layout and Sheet L3.1 for Details.
- Adjust Landscape Material as Needed to Allow Access to all New and Existing Utilities. Irrigation Components Shall be Spaced Between Plant Material to Allow Easy Access for Maintenance.
- All Areas Disturbed by Construction Shall be Landscaped and Not Left Undone.
- The Landscape Contractor Shall be Selected at Time of Bidding.
- After Landscape Contractor is Selected, the Landscape Contractor Shall Provide a Soil Test From a Certified Agency on Existing and/or Imported Topsoil in Landscape Areas.
- Equipment Cannot Stay Longer Than Two Weeks on Jobsites Unless Otherwise Approved by MACU Corporate Real Estate-Facilities Team.
- From the Beginning of the Project Through the Final Walk Thru Parking Lots, Sidewalks and Gutters Shall be Free of Dirt and Debris at the End of Each Day.
- See Landscape Notes for Details regarding Landscape Maintenance Period.

Landscape Keynotes

- Install Shrub Planter with Weed Barrier and Decorative Stone - See Material Sch. for Stone Type
- Install Landscape Boulder
- Install Landscape Accent Boulder with Eagle Statue
- Dumpster Enclosure and Maintenance Building with Plant Screening
- Detention Pond - See Grading Plan for More Detail
- Provide Nice Clean Edge Between New and Undeveloped Lot
- Bike Rack - See Arch. Plans

ANDERSON WAHLEN & ASSOCIATES
2010 North Redwood Road, Salt Lake City, Utah 84116
(801) 521-8529 - awhengineering.net

Landscape Plan
MACU North Ogden
East 2600 North between North 300 East and North 400 East
Ogden, UT



29 Mar, 2023

SHEET NO.
L1.1



Staff Report to the North Ogden City Planning Commission

SYNOPSIS / APPLICATION INFORMATION

Application Request: Consideration and action regarding an administrative application, site plan approval of the North Ogden City Trailhead located at approximately 2750 N. Mountain Road.

Agenda Date: April 19, 2024

Applicant: North Ogden City

File Number: SPR 2023-06

PUBLIC NOTICE:

Mailed Notice:

City Website: April 14, 2023

PROPERTY INFORMATION

Address: Approximately 2750 N. Mountain Road

Project Area: 1.2 Acre Approximately

Current Zoning: Civic Zone (C)

Proposed Land Use: Civic Use - Public Safety Building

Parcel ID: Portions of 16-049-0010, 16-049-0054, and 16-049-0057 (a forthcoming subdivision will be completed to establish the right-of-way for Mountain Road)

ADJACENT LAND USE

| | |
|---------------------------------|--------------------------------|
| North: Residential Vacant | South: Civic Equestrian Center |
| East: Vacant Mountain Foothills | West: Residential |

STAFF INFORMATION

Scott A. Hess
Community and Economic Development Director
shess@nogden.org
(801) 737-9841

APPLICABLE ORDINANCES

North Ogden Zoning Ordinance 11-2-9 Site Plan Review
North Ogden Zoning Ordinance 11-9L Civic Zone C
North Ogden Zoning Ordinance 11-11-6 Exterior Lighting
North Ogden Zoning Ordinance 11-19 Parking and Loading; Traffic and Access

TYPE OF DECISION

When the Planning Commission is acting in an administrative capacity, it is acting as a land use authority, and has limited discretion. Examples of administrative applications are conditional use permits, design reviews, and subdivisions. Administrative applications must be approved by the Planning Commission, if the application demonstrates compliance with the approval criteria.

BACKGROUND

North Ogden City is in the process of developing a new Trailhead at 2750 N. Mountain Road. This new paved and improved facility will replace an existing dirt trailhead that currently exists. The trailhead improvements will allow the City to provide enhanced access to the City trail network.

The property will be subdivided in the future with a Planning Commission process. The Subdivision will establish the Mountain Road right-of-way, and clarify the property boundaries between the trailhead and the equestrian center owned by the City.

ZONING ORDINANCE COMPLIANCE

The Planning Commission will be considering how this proposal meets the North Ogden City Zoning Ordinance:

11-9L (CIVIC ZONE C)

Staff Comment: The Civic Zone is intended for all North Ogden owned and operated parcels and facilities. The property rezone request is being reviewed by the Planning Commission at the current meeting, April 19, 2023.

11-2-9 (SITE PLAN APPROVAL REQUIRED)

B. Site Plan Approval Required. Site plans are required for all permitted and conditional uses. Permits for signs also require a site plan. Site plan applications are available on-line and at the City Offices.

C. Approval Criteria. To promote appropriate development of property within the City, no application for site plan review shall be approved unless it is demonstrated that the application meets the standards of this Title, including performance criteria in 11-2-8 (E).

Staff Comment: The site plan is required to be reviewed by the Planning Commission and is included as an exhibit (See Exhibit A).

11-8A-2 SITE DEVELOPMENT STANDARDS

- A. Minimum Lot Area: No minimum lot area.
- B. Minimum Lot Width: No Minimum lot width, however, frontage access on a public street is required.
- C. Minimum Yard Setbacks for Structures:
 - 1. Front: Twenty feet (20')
 - 2. Side: Ten feet (10'), or as approved by the Planning Commission when adjacent to a residential boundary.
 - 3. Rear: Twenty feet (20').
- D. Building Height:
 - 1. Minimum: One story.

2. Maximum: Two and one-half (2 ½) stories or thirty five feet (35') or as approved by the Planning Commission .
- E. Open Space: Civic Building 20%, Public Parks 50%, or as approved by the Planning Commission.

Staff Comment: The trailhead as shown on the plan meets all required setbacks. There is proposed to be a future restroom facility on the northeast portion of the property, and will conform to the 10 foot minimum side setback.

11-11-6 (EXTERIOR LIGHTING):

- A. All fixtures must be fully shielded or full cutoff and downward directed so that no light is projected above the horizontal plan of the fixture.
- B. The color temperature rating of fixtures lamps shall not exceed 2000 Kelvin.
- C. All lighting fixtures shall limit horizontal light levels such that no direct light falls onto adjacent property.

Staff Comment: A balance must be struck between providing safety and security for the trailhead while being sensitive to the surrounding residential neighbors.

Lighting must be designed in a way to shield excess glare from surrounding residential properties. Parking lot lights shall be downward pointing and shielded from excess glare.

11-19 (PARKING AND LOADING; TRAFFIC AND ACCESS):

11-9L-10: Parking: Uses within the Civic zone are subject to CCNO 11-18. The number of required parking stalls shall be approved by the Planning Commission as part of the site plan review approval process.

Staff Comment: There is no schedule of required parking spaces for Trailhead uses. The City is maximizing the site to provide for vehicular parking, equestrian/trailer parking, and vehicular circulation. The current Site Plan conforms to the parking requirements regarding stall size, spacing, landscaping islands, and storm detention.

11-19-4(G): SCHEDULE:

- a. For parks the National Recreation and Parks Association guidelines will be consulted for the number of required stalls. The Planning Commission shall approve the number of onsite and offsite stalls after evaluation of the park uses and needs.

Staff Comment: Staff Reviewed a variety of organizations parking recommendations for trails and hiking areas. The American Planning Association has provided a report on Standards for Outdoor Recreational Areas: <https://www.planning.org/pas/reports/report194.htm>

Hikes of one day or less:

| | |
|------|--------------------------|
| Type | hikes of one day or less |
|------|--------------------------|

| | |
|-------------|---|
| Development | well defined and maintained trail, up to ten feet in width, grades not to exceed five percent average with a maximum of 15 per cent. |
| Parking | minimum parking for 25 cars at any one access point. On short scenic, well known trails, the parking area might be expanded to 100 automobile parking spaces. |

Horseback Riding:

| | |
|-------------|---|
| Type | rides of one day or less |
| Development | well graded wide tracks with interconnecting loop trails and numerous access points. Average grade should be five per cent and not exceed 15 percent. |
| Parking | a minimum space for 10 cars and stock trailers and a loading ramp or platform. |

The recommendations in the report vary depending if the hiking is intended to be day-long or overnight. The majority of hiking access from the 2750 N. Trailhead is single trip within one day. There are 20 vehicle parking spaces proposed, and 11 equestrian and trailer parking stalls. The site is constrained on the north side by a creek, and on the south side by the equestrian center. Staff has attempted to balance the needs of all users.

11-17-2: GENERAL REGULATIONS:**A. Parking Space Size:**

1. Regular Parking Space: A regular parking space shall mean an area of not less than one hundred seventy one (171) square feet, with a minimum width of nine feet (9'), and minimum depth of nineteen feet (19'), which is specifically designated for, and used for, the parking of an automobile or light truck, exclusive of all driveways and accessways.

Staff Comment: This standard is met.

11-19-3: DESIGN AND LOCATION OF PARKING SPACES:

(Full list of requirements have been reviewed but not added to this staff report)

Staff Comment: There are a myriad of parking standards in this section of Code. The standards have been met for location of parking, setback from streets, and drive aisle widths and locations.

11-19-9: PARKING LOT LANDSCAPING:

A. Amount Required.

1. Interior Parking Lot Landscaping. A landscape island shall be installed every ten (10) parking spaces with a minimum width of nine (9) feet. Each island shall contain at least one deciduous shade tree with shrubs and groundcover to include at least 50% live material.
2. Perimeter Parking Lot Landscaping. The perimeter of all parking areas shall contain deciduous shade trees planted at an average spacing of forty (40) feet on center as well as, shrubs, ground cover, pedestrian walkways, and plazas.
3. Screening. All parking lots shall screen vehicle headlights with a berm or landscaping running along all street frontages. The screen is intended to create a more walkable streetscape and shall be located in the landscaped area between the sidewalk and parking lot pavement. The berms shall not be steeper than one foot (1') vertical for each three (3) horizontal feet of landscaped area and shall be a minimum height of two feet (2') and a maximum of three feet (3'). The height shall be measured from the top of the street curb. Off street parking areas serving single-family dwellings, two-family dwellings and churches are excluded from this regulation.

B. Location. The landscaping should be located in protected areas, such as along walkways, in center islands, at the ends of bays or between parking stalls. All landscaping in parking areas and on the street, frontage shall be placed so that it will not obstruct sight distance.

C. Plant Type. A mixture of hardy flowering and deciduous trees shall be planted. The area between trees shall be mulched, planted with shrubs, or ground cover, or covered with paving material. Any area that will be under the overhang of vehicles shall be mulched or covered with paving materials.

Staff Comment: The parking area is a circular drive with central trailer parking and perimeter vehicular parking. The parking stalls are greater than 20 feet from the property lines. The design currently meets landscape requirements.

ADDITIONAL REVIEW INFORMATION:

Staff Comment: This parking lot will provide a new permanent asset for North Ogden City. Staff has consider the myriad of uses this site could see. There has been a location proposed for a vendor or sales space. This could be used in the future for a food vendor, bike or snow shoe rental, or some other local business who may be able to leverage the amazing outdoor access and provide an economic development benefit to the City.

The parking area is also being removed from the current location in order to free up the 2750 N. road right-of-way for future development opportunities. Relocating the trailhead now will allow residents and visitors to maintain trail access when future development comes in and removes the existing informal dirt trailhead.

RECOMMENDED CONDITIONS OF APPROVAL

- Lighting must be designed in a way to shield excess glare from surrounding residential properties. Parking lot lights shall be downward pointing and shielded from excess glare.
- Conditions specified in the Engineer's report, unless superseded by the requirements listed in this report.

CONFORMANCE WITH THE GENERAL PLAN

The General Plan map shows this area as: "Residential Low Density." Civic uses including parks, trails, and access points are consistent with that designation.

PLANNING COMMISSION CONSIDERATION

- Is the proposal consistent with the General Plan?
- Does the proposal meet the North Ogden Zoning ordinance standards?

RECOMMENDATION

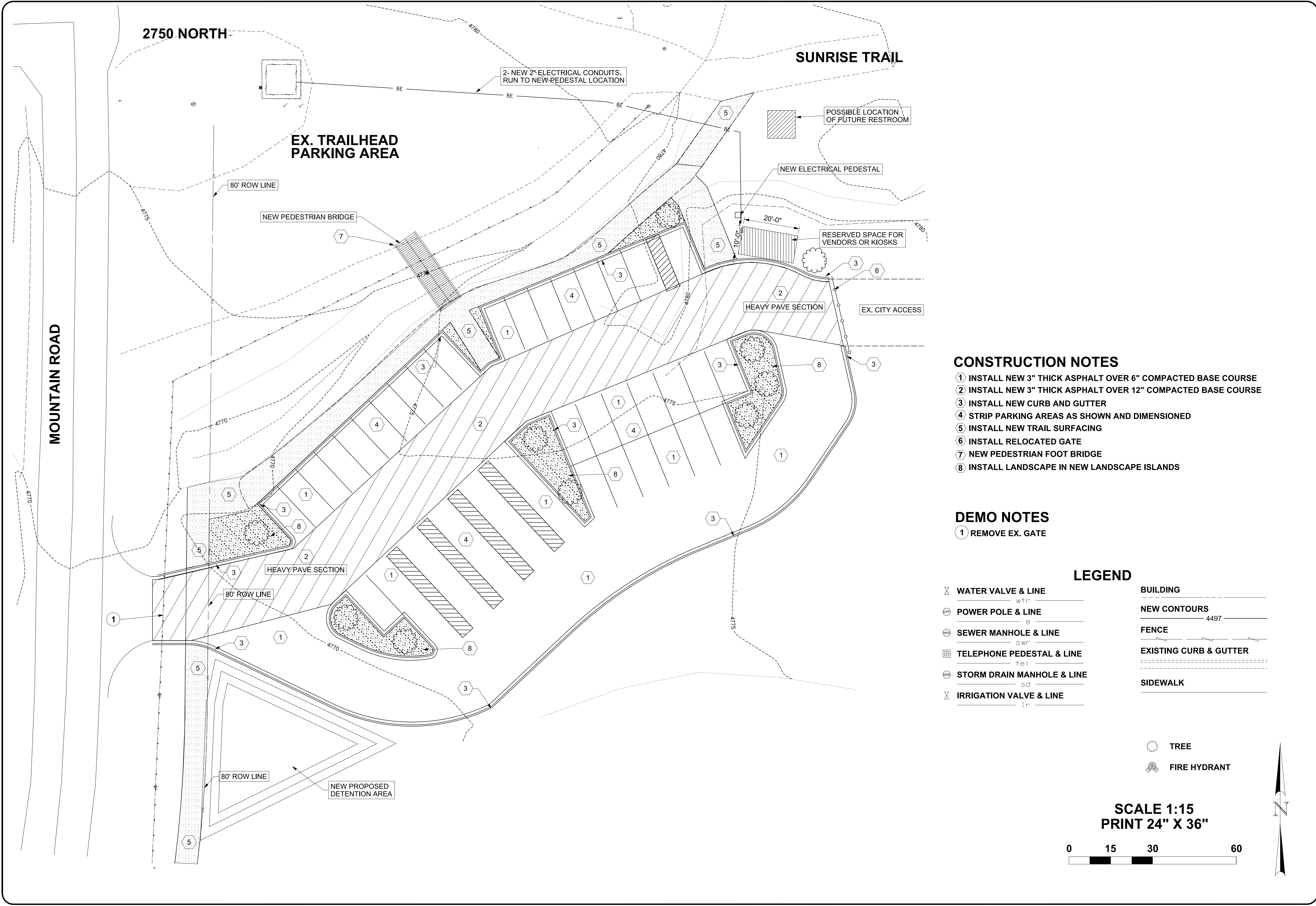
Staff recommends approval of the site plan subject to the conditions listed in this staff report.

EXHIBITS

- A. Site Plan

AREA MAP (approximately)



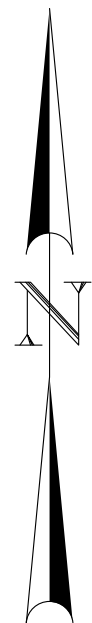
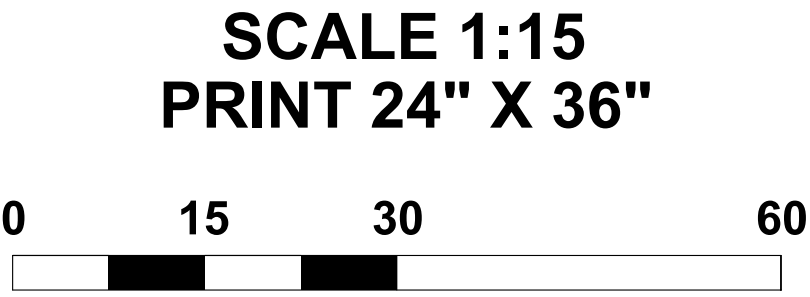


- CONSTRUCTION NOTES**
- 1 INSTALL NEW 3" THICK ASPHALT OVER 6" COMPACTED BASE COURSE
 - 2 INSTALL NEW 3" THICK ASPHALT OVER 12" COMPACTED BASE COURSE
 - 3 INSTALL NEW CURB AND GUTTER
 - 4 STRIP PARKING AREAS AS SHOWN AND DIMENSIONED
 - 5 INSTALL NEW TRAIL SURFACING
 - 6 INSTALL RELOCATED GATE
 - 7 NEW PEDESTRIAN FOOT BRIDGE
 - 8 INSTALL LANDSCAPE IN NEW LANDSCAPE ISLANDS

- DEMO NOTES**
- 1 REMOVE EX. GATE

LEGEND

| | |
|----------------------------------|------------------------|
| WATER VALVE & LINE wtr | BUILDING |
| POWER POLE & LINE e | NEW CONTOURS 4497 |
| SEWER MANHOLE & LINE swr | FENCE |
| TELEPHONE PEDESTAL & LINE tel | EXISTING CURB & GUTTER |
| STORM DRAIN MANHOLE & LINE sd | SIDEWALK |
| IRRIGATION VALVE & LINE ir | |
| | TREE |
| | FIRE HYDRANT |



| | |
|--|--|
| DATE: APPR. MARK: | |
| DESCRIPTION: | |
| | |
| ESI ENGINEERING CONSULTING ENGINEERS AND LAND SURVEYORS 4141 WEST 2400 SOUTH, SUITE 100 WEST VALLEY CITY, UT 84120 801-263-1752 • FAX 801-263-1780 | |
| | |
| DESIGNED BY: BFC DRAWN BY: BFC CHECKED BY: CBP DATE: 03-28-2023 | |
| TRAILHEAD PARKING LOT NORTH OGDEN CITY 2750 NORTH MOUNTAIN ROAD NORTH OGDEN, UT | |
| C-101 OVERALL SITE PLAN PROJECT # 23-042 | |

Staff Report to the North Ogden Planning Commission

SYNOPSIS / APPLICATION INFORMATION

Application Request: Public hearing, consideration, and recommendation on a legislative amendment to consider amending the North Ogden Code Title 11-21: Sign Regulations.

Agenda Date: April 19, 2023

Applicant: Planning Department

File Number: ZTA 2023-02

PUBLIC NOTICE:

Mailed Notice:

Newspaper:

City Website: April 14, 2023

STAFF INFORMATION

Scott A. Hess
Community and Economic Development Director
shess@nogden.org
(801) 737-9841

APPLICABLE ORDINANCES

11-21: Sign Regulations

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

Staff received a Sign Application for an architectural feature of a building that did not meet the requirements of the City Code Sign Regulations.

ANALYSIS

After further review, email discussion on the Utah Chapter of the American Planning Association, and discussing approval of a similar architectural feature in a Salt Lake County community, staff determined that there was a different interpretation possible.

The revised interpretation is that the feature in question is determined to be an architectural element, and not a sign. This change in interpretation no longer necessitates an amendment to the Sign Code.

CONFORMANCE WITH THE GENERAL PLAN

No ordinance amendment is being recommended, so there is no analysis of Conformance with the General Plan.

SUMMARY OF LAND USE AUTHORITY CONSIDERATIONS

No ordinance amendment is being recommended, so there is not a summary of land use authority considerations.

RECOMMENDATION

Staff recommends that the Planning Commission conduct the public hearing, consider any information from the public, and provide Staff with input and feedback to the existing ordinance.

EXHIBITS

None

Staff Report to the North Ogden Planning Commission

SYNOPSIS / APPLICATION INFORMATION

Application Request: Public hearing, consideration, and recommendation on a legislative amendment to consider amending the North Ogden Code Title 11-19-9: Parking Lot Landscaping Regulations.

Agenda Date: April 19, 2023

Applicant: Planning Department

File Number: ZTA 2023-03

PUBLIC NOTICE:

Mailed Notice:

Newspaper:

City Website: April 14, 2023

STAFF INFORMATION

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APPLICABLE ORDINANCES

11-10-9: Parking Lot Landscaping Regulations

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

Staff has been reviewing the requirements for parking lot landscaping, specifically the space required for parking landscape islands and total percentage of landscaping. The City's 2750 N. Trailhead, City Hall, Community Center, and other Park area parking lots have come into question regarding the necessity and applicability of these regulations given the overall constraints on the site, and their inherent public nature.

ANALYSIS

Some zoning standards are prepared based on an overall design aesthetic. There can be a need to balance aesthetics, landscaping, and providing essential services for the public. In some cases, the City has constrained area within which to put public parking in parks, trailheads, and civic facilities. These parking areas are often surrounded by open space that exceeds the underlying zoning requirements but may or

may not be counted towards “parking lot landscaping”. The provided open space, coupled with the need to provide for public parking may require flexibility in the standards.

Staff is of the opinion that our current parking lot landscape requirements meet the needs of our commercial and residential zoning areas. However, these standards may be overly restrictive in maximizing parking on constrained sites for public benefit within the Civic Zone.

Staff proposes leaving the standards as they are written, but writing Code language that provides an alternative means of compliance with the overall intent of the Parking Code for areas of public use and enjoyment within the Civic Zone. An example and an “Alternative Compliance method” is attached from Maricopa, Arizona as Exhibit A. The Planning Commission should hold the public hearing, weigh the provided information, and direct staff on language to bring forward to the City Council.

CONFORMANCE WITH THE GENERAL PLAN

Goals from the General Plan that may relate to this proposed ordinance amendment identified by Staff are as follows:

Parks, Trails, and Recreation

The City’s General Plan is silent on parking for parks, trails, and recreation. There is discussion about access to parks, proximity of parks from homes and other uses, and information on future amenities desired within specific areas and parks.

The City are stewards of public lands and facilities and as such need to strike a balance between providing reasonable access, costs, and improvements. Often, the added costs of things like parking lot islands may impact the ability of the City to provide additional needed or requested amenities within public spaces. In order to carefully spend and care for public funds, staff is recommending the Planning Commission consider certain alternative pathways to compliance with parking ordinances.

SUMMARY OF LAND USE AUTHORITY CONSIDERATIONS

There are some guiding principles that should be considered before there is a change in code standards.

- Is the request a positive change for the City?
- Is there additional language that is appropriate for this ordinance?
- Is the proposal consistent with the General Plan?

RECOMMENDATION

Staff recommends that the Planning Commission conduct the public hearing, consider the information, and provide Staff with input and feedback to the existing ordinance.

EXHIBITS

- A. Maricopa, AZ – Alternative Compliance Ordinance

18.90.060 Alternative compliance.

An applicant who can demonstrate that the intent of this chapter can be exceeded, in whole or in part, may submit an alternative landscape plan (ALP) prepared in accordance with this section. The ALP shall include a narrative that clearly details the modifications being requested and explains how they enhance the landscape design principles listed below.

A. *Required Elements.* In order to qualify for consideration, an ALP shall demonstrate compliance with the following:

1. *Use of Drought-Tolerant or Native Vegetation.* Preservation or incorporation of drought-tolerant or native vegetation.
2. *Compatibility with Surrounding Uses and Desert Environment.* A greater degree of compatibility with surrounding uses and the desert environment than a standard landscape plan would offer. The number of shrubs and trees proposed depends on the type of shrub or tree planted and size at full maturity.
3. *Water Efficiency.* Use of water-efficient irrigation systems and xeriscaping at appropriate locations is essential.

B. *Approval and Required Findings.* ALPs may be submitted in conjunction with any development application, including PAD plans. An ALP may be approved by the reviewing body upon finding that:

1. There are unique characteristics of the property, site design, storm water management, or use that warrant special consideration to modify or deviate from the requirements of this chapter and that these characteristics are not self-created.
2. The ALP meets or exceeds the minimum standards for plant materials of this chapter, while recognizing the unusual site design or use restraints on the property and specific characteristics of the landscape design justify declaration from specific members or pre-approved plans established for standard landscape plans.
3. Approval of an ALP will provide for both increased consistency and compatibility with adjacent properties and the natural desert environment.

-
4. The ALP demonstrates innovative use of plants and efficient use of water. [Res. 21-09; Ord. 21-05 § 2; Res. 14-36 § 404.06; Ord. 14-12 § 1.]

The Maricopa City Code is current through Ordinance 23-09, passed March 7, 2023.

Disclaimer: The city clerk's office has the official version of the Maricopa City Code. Users should contact the city clerk's office for ordinances passed subsequent to the ordinance cited above.

[City Website: www.maricopa-az.gov](http://www.maricopa-az.gov)

[City Telephone: \(520\) 568-9098](tel:(520)568-9098)

[Code Publishing Company, A General Code Company](#)

Staff Report to the North Ogden City Planning Commission

APPLICATION INFORMATION:

Applicant Request: Consideration and action on a Legislative application to rezone properties at Lomond View Park, approximately 200 E. Elberta Drive, and the Trailhead at 2750 N. Mountain Road from Rural Residential RE-20, Single-family Residential Zones R-1-12.5, R-1-8AG, and R-1-8, to Civic Zone (C).

Agenda Date: April 19, 2023

Applicant: North Ogden City

File Number: ZMA 2023-07

PUBLIC NOTICE:

Mailed Notice:

Newspaper:

City Website: April 7, 2023

PROPERTY INFORMATION

Address: Lomond View Park, approximately 200 E. Elberta Drive, and Trailhead, approximately 2750 N. Mountain Road

Area: Lomond View Park – 8.92 acres
Trailhead (combined parcels) – approx. 21 acres

Current Zoning: R-1-8AG, R-1-8, R-1-12.5, RE-20

Proposed Zoning: Civic Zone (C)

Existing Land Uses: City Park, City Trailhead, Equestrian Center, and Greenwaste Pit

Proposed Land Use: Land use to remain generally the same with improvements.

Parcel ID Numbers: 17-038-0026, 16-049-0054, 16-049-0009, 16-049-0010, 16-049-0011, 16-049,0060, 16-049-0061.

Adjacent land uses: The adjacent land uses for this rezone Include residential, agricultural, and vacant foothill lands at the base of the mountain.

STAFF INFORMATION

Scott A. Hess
Community and Economic Development Director
shess@nogden.org

APPLICABLE ORDINANCES

North Ogden Zoning Ordinance Title 11-2-17: ZONE MAP AND/OR TEXT AMENDMENT

North Ogden Zoning Ordinance 11-8-2: BOUNDARIES OF ZONES

North Ogden Zoning Ordinance Title 11-9L: CIVIC ZONE (C)

TYPE OF 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

The applicant, North Ogden City, is requesting a zone change for several parcels within the city. These sites include Lomond View Park, and the 2750 N. Trailhead, Equestrian Center, and Greenwaste pit.

In accordance with zoning ordinance amendment ZTA 2020-15 adopted July 14, 2020, the city is actively seeking to redefine civic land use. The property is being rezoned to comply with the standards defined in ordinance title 11-9L Civic Zone.

REZONE ANALYSIS

CONFORMANCE WITH THE GENERAL PLAN

The proposed zoning adjustment meets the requirements of applicable North Ogden zoning ordinances and conforms to the North Ogden City General Plan. The General Plan map identifies Lomond View Park and Equestrian Center as “Parks” which are essentially a Civic Use. The remaining parcels are indicated as low intensity single-family zoning.

ZONING AND LAND USE POLICY

The following policy consists of general statements to be used as guidelines. Such guidelines may on occasion conflict, when several are compared. In such cases, the Planning Commission should prioritize the guidelines as they pertain to the specific parameters of the issue which is pending. All zoning requests should first be evaluated for their compliance with the General Plan.

General Guidelines:

- A definite edge should be established between the types of uses to protect the integrity of each use, except where the mixing of uses is recommended in the General Plan.

Staff Comment: These parcels will retain a definitive edge between public uses and the surrounding private properties. The sites are being considered for improvements, and as such, the City is bringing them into the Civic Zone to reflect their public use and purpose.

- Zoning should reflect the existing use of property to the greatest extent possible, unless the area is in transition or is in conflict with the General Plan.

Staff Comment: The civic zone is compatible with the existing and proposed civic uses.

- Where possible, properties which face each other across a local street, should be the same or a similar zone. Collector and arterial roads may be sufficient buffers to warrant different zones.

Staff Comment: The public land use of this property distinguishes itself and is compatible with the surrounding commercial and private residential properties. The uses are complementary to the surrounding residential uses and zoning, and provide open space and recreation opportunities for residents and visitors.

- Zoning boundaries should not cut across individual lots or developments (i.e., placing the lot in two separate zones). Illogical boundaries should be redrawn to follow property or established geographical lines.

Staff Comment: The proposed zoning boundaries do not cut across individual lot lines. The proposed zoning boundary would conform to the existing and proposed property boundaries.

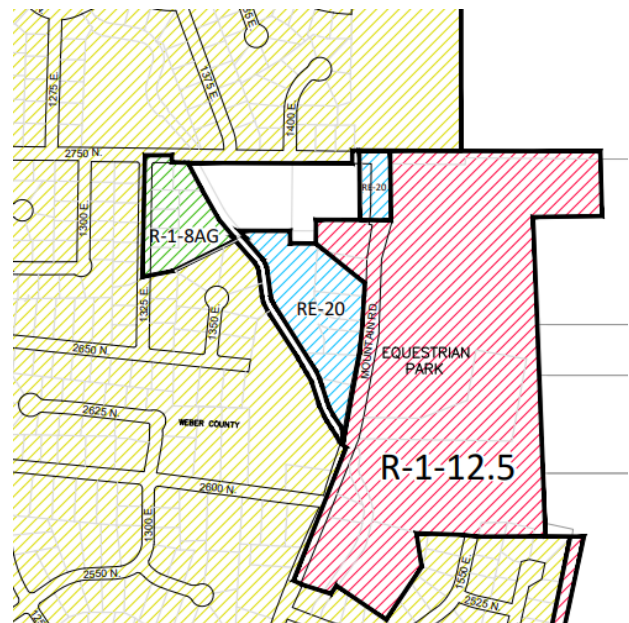
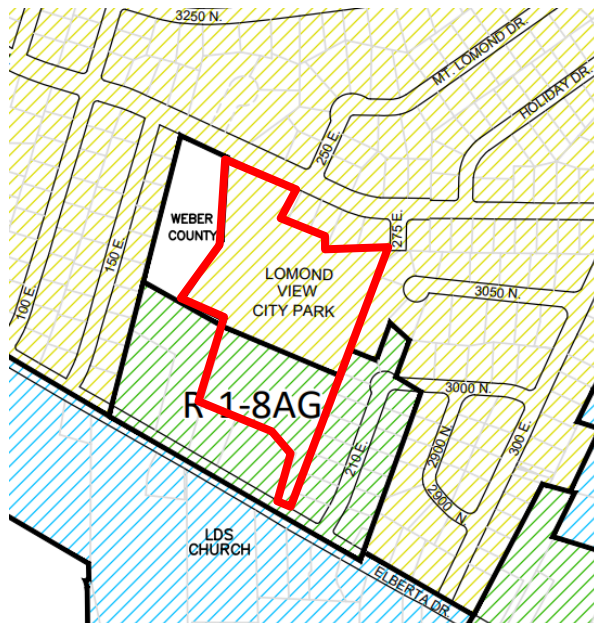
LAND USE AUTHORITY CONSIDERATION

- Is the proposal consistent with the General Plan?
- Does the proposal meet the North Ogden Zoning ordinance standards?
- How does the proposal relate to the Zoning and Land Use Policy guidelines?

STAFF RECOMMENDATION

Staff recommends that the Planning Commission conduct the public hearing and receive public comment, consider the General Plan rezoning guidelines, and make a recommendation to the City Council. Staff recommends that the Planning Commission find that this application is consistent with the General Plan, and recommends approval of the rezone areas from R-1-8AG, R-1-8, R-1-12.5, RE-20 zones to the Civic Zone (C).

MAP



EXHIBITS

- A. ZMA 2023-01 Draft Rezone Ordinance

ORDINANCE 2023-__

AN ORDINANCE OF NORTH OGDEN CITY AMENDING THE NORTH OGDEN CITY ZONING MAP BY CHANGING PROPERTIES AS FOLLOWS: LOMOND VIEW PARK, APPROXIMATELY 200 E. ELBERTA DR. AND TRAILHEAD, APPROXIMATELY 2750 N. MOUNTAIN RD. TO THE CIVIC ZONE (C)

WHEREAS; North Ogden City has adopted a General Plan; and

WHEREAS; the North Ogden City General Plan has designated the aforementioned properties as Park and Residential; and

WHEREAS; the Civic Zone was established to encompass civic land uses;

NOW THEREFORE, BE IT ORDAINED by the North Ogden City Council that the North Ogden City zoning map be amended.

SECTION 1: The properties which are outlined in red on Attachment A are hereby changed from R-1-12.5, R-1-8AG, and R-1-8, to Civic Zone (C). Containing a combined area of approximately 29.92 acres.

As part of this zoning amendment, the Civic zone boundary line shall extend to the centerline of streets dividing zoning designations as shown on Exhibit A.

SECTION 2: This ordinance shall take effect at the time of adoption.

PASSED and ADOPTED this th **day of** _____ **2021.**

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 Ekstrom: | _____ | _____ |
| Council Member Dalpiaz: | _____ | _____ |
| Council Member Swanson: | _____ | _____ |
| (In event of a tie vote of the Council): | | |
| Mayor Berube | _____ | _____ |

ATTEST:

Susan L. Nance, CMC
City Recorder

