

**NORTH OGDEN PLANNING COMMISSION
MEETING MINUTES
April 19, 2023**

The North Ogden Planning Commission convened in a regular meeting on April 19, 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 April 14, 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 | excused |
| Nicole Nancarrow | Commissioner | |
| Johnson Webb | Commissioner | |
| Cody Watson | Commissioner | |
| Nissa Green | Commissioner | |

STAFF:

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| Jon Call | City Manager/Attorney |
| Scott Hess | Community and Economic Development Director |

VISITORS:

| | | |
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| Merrill Sunderland | Brooke Bean | Chris Pulver |
| Corbin | Lee Cox | |

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

1. ROLL CALL

Chairman Thomas conducted roll call and indicated Commissioner Barker has been excused; all other Commissioners were present.

2. MINUTES CONSIDERATION

Consideration and action to approve the February 15, 2023 Planning Commission Meeting minutes.

Vice Chairman Mason made a motion to approve the February 15, 2023 Planning Commission Meeting minutes. Commissioner Nancarrow seconded the motion.

Voting on the motion:

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|-------------------------------|---------------|
| Chairman Thomas | aye |
| Vice Chairman Mason | aye |
| Commissioner Barker | absent |
| 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 asked if any Commissioners had ex parte communications or conflicts of interest to disclose. No disclosures were made.

4. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

There were no public comments.

ADMINISTRATIVE ITEMS

5. 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

Community and Economic Development Director Hess explained Mrs. Bond has submitted a Business License Application to operate a pre-school out of her home located at 1866 North 150 East. Daycares and preschools are required by City Code to complete the Site Plan Review process prior to operating. He summarized staff's analysis of the application and finds 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. Staff recommends Site Plan Approval of the Kelli's Little Learners Daycare with the following condition.

- 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.

Vice Chairman Mason made a motion to approve site plan of Kelli's Little Learners Pre-school, based on the findings and subject to the conditions listed in the staff report. Commissioner Green seconded the motion.

Voting on the motion:

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

The motion carried.

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

Community and Economic Development Director Hess explained 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. Mr. Hess discussed staff's analysis of the application to determine zoning compliance relating to matters such as design standards, exterior lighting, trash enclosures, streetscape standards, and parking, loading and traffic access. Staff finds 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. Recommended conditions of approval include:

- 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

Vice Chairman Mason asked if there was a recommendation to create two street facing entrances on the building. Mr. Hess answered yes and added that there is also a recommendation for sidewalk on the northwest side of the building.

Chairman Thomas asked if there will be a cross access easement for this building. Mr. Hess stated there is an existing cross access easement in the area, but he will check to be sure that it continues east to the subject property.

Vice Chairman Mason asked how the site will be accessed from the roadway. Mr. Hess stated that the access is behind O'Reilly's.

Commissioner Webb addressed the color scheme and noted that he cannot recall another Mountain America Credit Union that has the same scheme. Vice Chairman Mason stated there is one other branch that has the same color scheme. Commissioner Webb asked for staff's opinion on the color scheme and if it will be cohesive with other developments in the City. He added that the building is in a fairly prominent area. Mr. Hess stated that he is hesitant to provide an opinion on what could be considered a legislative matter; he feels that the color scheme can meet the definition of 'earth tones', which is cited in the land use code.

Chairman Thomas invited input from the applicant.

Brooke Bean, Sanders Associates Architects, stated she is representing the applicant, who is looking forward to building a branch in the North Ogden community.

Commissioner Webb asked if the package that has been presented for this project is a standard package. Ms. Bean stated there are certain elements that her firm tries to keep consistent for all branches, but the roofline has been adjusted and more glass has been added in order to ensure compliance with the City's land use code.

Chairman Thomas invited public input.

There were no persons appearing to be heard.

Commissioner Nancarrow made a motion to grant approval of application SPR 2023-05, administrative application, Site Plan approval for the construction of a branch of Mountain America Credit Union, located at approximately 352 East 2600 North, based on the findings and subject to the conditions listed in the staff report. Vice Chairman Mason seconded the motion.

Voting on the motion:

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

The motion carried.

7. SPR 2023-05 CONSIDERATION AND ACTION ON AN ADMINISTRATIVE APPLICATION, SITE PLAN APPROVAL OF THE NORTH OGDEN CITY TRAILHEAD, LOCATED AT APPROXIMATELY 2750 NORTH MOUNTAIN ROAD

Community and Economic Development Director Hess explained 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. Mr. Hess summarized staff's analysis of the site plan to determine conformance with the zoning ordinance relating to site development standards, exterior lighting, parking and loading, traffic and access, project schedule, and parking lot landscaping. Recommended conditions of approval include:

- 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.

Staff recommends approval of the site plan subject to the conditions listed above.

Commissioner Green stated that item nine, which is a legislative item, may impact this application in terms of the number of parking spaces that could be provided in the parking area for the trailhead. Mr. Hess answered yes; if that item would have a dramatic impact on this site plan, the application will be brought back to the Commission for further consideration. Commissioner Green stated she simply thought it would be best to maximize the parking area. Mr. Hess agreed.

Chairman Thomas suggested the trail spaces be angled in a way that drivers can exit the parking area as easily as possible. The Commission agreed, and added that otherwise they like the design and feel it will deter vehicle theft. Commissioner Webb asked if security cameras will be added to the parking area. City Manager/Attorney Call stated that when the restroom facility is eventually built, cameras will be added to the exterior of that building.

Brief discussion among the Commission centered on the popularity of the trails and commended staff for their smart planning of this property.

Chairman Thomas invited public input.

Merrill Sunderland, North Ogden resident, stated that he did not attend the meeting where ideas were provided for this park, but he would not park his horse trailer in this area when the equestrian park is just 800 feet away. He recommended that trailer parking spaces not be included in the park unless there is a requirement to do so. He then noted that just 1,000 feet away is another bathroom facility and he is unsure it is necessary to build a restroom at this trailhead as well.

Vice Chairman Mason asked if the equestrian park and its bathroom facilities are always open. Mr. Call stated they are open until 10:00 p.m.; however, the bathroom facilities are quite old and will need to either be abandoned or replaced in the future. The idea behind building another restroom in this location was to place one in an area where it will be used by those using the trail system.

Mayor Berube stated he feels strongly about the project that has been proposed; this trailhead is one of the most visited places in North Ogden and he wants the design of the project to be representative of the community. He has personally been pushing for a bathroom facility at the trailhead because he has heard from many residents that is something they desire. He does not think that portable toilets are adequate for the amount of use that the trail experiences.

There were no additional persons appearing to be heard.

Commissioner Watson inquired as to the long-term plan of the equestrian park. Mr. Call stated the long-term General Plan still anticipates the equestrian park in its current location. Commissioner Watson agreed that it may not be necessary to include trailer parking at this site given the close proximity of the equestrian park and associated parking area. Chairman Thomas stated that there are just five trailer spots, and it may be that they are used by other types or trailers besides horse trailers; there could be a group that hauls their mountain bikes in a trailer, and they could use the spaces. He added that making it nice and convenient for people to access the trail will improve safety and keep people from parking on the street. Vice Chairman Mason agreed.

There was brief discussion about the timing of the construction of the bathroom facility; Mr. Call stated it is a prebuilt facility that will be placed at the site in the fall.

Commissioner Nancarrow made a motion to approve application SPR 2023-06, Site Plan approval of the North Ogden City trailhead, located at approximately 2750 N. Mountain Road, based on the findings and subject to the conditions listed in the staff report, with a recommendation to staff to investigate the option of angling the trailer parking spaces. Commissioner Webb seconded the motion.

Voting on the motion:

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

The motion carried.

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

Community and Economic Development Director Hess explained 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. No ordinance amendment is being recommended, so there is no analysis of conformance with the General Plan. Staff recommends that the Planning Commission conduct the public hearing, consider any information from the public, and provide Staff with input and feedback on the existing ordinance.

a. Chairman Thomas opened the Public Hearing at 6:54 p.m.

There were no persons appearing to be heard.

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

Voting on the motion:

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

The motion carried.

The Public Hearing was closed at 6:55 p.m.

b. Consideration and recommendation

The Commission discussed other businesses that have included architectural features that help to identify their business and indicated they feel the proposal is appropriate.

City Manager/Attorney Call indicated that no motion or recommendation to the City Council is necessary if the Commission accepts Mr. Hess's recommendation that the ice cream feature be considered an architectural element rather than a sign.

**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**

Community and Economic Development Director Hess explained 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. 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 areas 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 the City's 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 a public hearing, weigh the provided information, and direct staff on language to bring forward to the City Council. He noted that 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. Staff recommends that the Planning Commission conduct the public hearing, consider the information, and provide Staff with input and feedback to the existing ordinance.

Chairman Thomas stated that he opposed the City's initial Public Works facility site plan because it did not have enough landscaping. However, he feels parking lots for a City park are different and this type of exception is appropriate; there is already a great deal of open space and landscaping at a park and including additional landscaping in the parking lot is unnecessary. However, he does not feel that exception should apply to all civic uses; the Aquatic Center has a large parking lot devoid of landscaping and it is not aesthetically pleasing. The Commission discussed this concept and agreed with Chairman Thomas. They indicated each use may need to be considered on a case-by-case basis to determine the civic uses in which landscaping may be reduced.

a. Chairman Thomas opened the Public Hearing at 7:12 p.m.

Mayor Berube agrees that the City should exempt itself from standard landscaping regulations in all cases; the City should set an example rather than try to avoid the same requirements placed on other property owners. He supports Chairman Thomas's suggestion to consider the use of the civic property in order to determine the amount of landscaping that should be required.

Chris Pulver, North Ogden resident, stated that he also agrees with the general statements that have been made regarding landscaping of civic uses; he suggested that the City also consider the fiscal implications of pursuing xeriscaping or waterwise landscaping of City properties.

There were no additional persons appearing to be heard.

Vice Chairman Mason 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 | absent |
| Commissioner Nancarrow | aye |
| Commissioner Webb | aye |
| Commissioner Watson | aye |
| Commissioner Green | aye |

The motion carried.

The Public Hearing was closed at 7:15 p.m.

b. Consideration and recommendation

City Manager/Attorney Call stated that staff has not provided a recommendation for the Planning Commission to vote on; if the Commission is comfortable doing so, they can make a motion to give staff some direction for drafting an ordinance, or staff can work from the feedback provided during discussion of this item to write the language for consideration at a future meeting. The Commission indicated they feel staff has a strong enough grasp on the Commission's feelings about this subject matter and they asked them to draft an ordinance to be considered for a recommendation to the Council in a future meeting.

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-1-8AG, AND R-1-8, TO CIVIC ZONE

City Manager/Attorney Call explained the City is requesting a zone change for several parcels within the City. These sites include Lomond View Park, the 2750 North 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. He discussed the improvement plans for each of the properties, after which he summarized staff's analysis of the proposed zone change, including conformance with the General Plan and the zoning and land use policy. No private properties will be impacted by the zone change and 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).

a. Chairman Thomas opened the Public Hearing at 7:27 p.m.

There were no persons appearing to be heard.

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

Voting on the motion:

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

The motion carried.

The Public Hearing was closed at 7:28 p.m.

b. Consideration and recommendation

Vice Chairman Mason made a motion to forward a positive recommendation to the City Council for application ZMA 2023-01, 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. Commissioner Nancarrow seconded the motion.

Voting on the motion:

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

The motion carried.

11. PUBLIC COMMENTS

There were no public comments.

12. REMARKS - PLANNING COMMISSIONERS:

Vice Chairman Mason stated that he ate dinner at an Indian restaurant in Layton recently and he spoke with the owner who expressed desire to open another restaurant in North Ogden, but he has not been able to find a property that will work for him at this time. Vice Chairman Mason stated he offered to try to spread the word about this opportunity so that property owners can reach out to him if they have space for a restaurant. He then referenced the presence of a fence on 2700 North that obstructs view of traffic when trying to make a left turn; he asked if that fence can be adjusted at this time. City Manager/Attorney Call stated that the fence will likely be removed as part of the next phase of commercial development in that area, but the City should have asked the Utah Department of Transportation (UDOT) to consider that fence as part of recent projects in the area.

Commissioner Green stated there are a number of spots in North Ogden that could be a good location for a large mural, and she asked if the City has a program that involves these types of arts projects. Mr. Call stated there is one mural in the City and there may be opportunities to pursue other mural projects.

The Commission discussed upcoming training opportunities.

Commissioner Webb wondered if the North Ogden Plaza has a building that would be a good location for the Indian restaurant referenced by Vice Chairman Mason. Mayor Berube stated there is a developer working on that project. Vice Chairman Mason stated he provided the restaurant owner with Mr. Call's phone number so he can reach out and try to get information on any viable properties.

13. REPORT – COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR:

Community and Economic Development Director Hess was not present to provide a report.

14. REMARKS – CITY MANAGER/ATTORNEY

City Manager/Attorney Call provided a report on recent flooding events in the community and engaged in discussion with the Commission regarding the City's response and ongoing planning efforts to prepare for additional flooding events. The State of Utah has declared a state of emergency, which will increase the resources available to the City for responding to areas that are experiencing flooding. Mayor Berube announced an event that has been scheduled to recognize the Public Works Department for increased workload due to snow removal demands and now responding to flooding in the community.

15. ADJOURNMENT

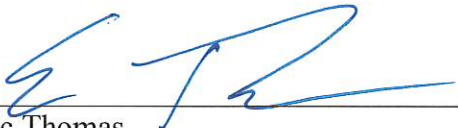
Commissioner Nancarrow made a motion to adjourn the meeting. Commissioner Green seconded the motion.

Voting on the motion:

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

The motion carried.


The meeting adjourned at 7:45 p.m.



Eric Thomas
Planning Commission Chair



Joyce Pierson
Deputy City Recorder



Date Approved