



# NORTH OGDEN CITY

SETTLED 1851

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## Staff Report to the North Ogden City Council

### SYNOPSIS / APPLICATION INFORMATION

Application Request: Public hearing, consideration, and recommendation on a legislative amendment to consider amending North Ogden Code Title 11-19-3, C, 5 Design and Location of Parking Spaces to reduce the required parking setback on Washington Boulevard.

Agenda Date: February 21, 2024 (PC)  
March 26, 2024 (CC)

Applicant: Jason Westbroek, Big O Tires Business Owner

File Number: ZTA 2024-02

### PUBLIC NOTICE:

Mailed Notice: N/A

Newspaper: N/A

City Website: February 9, 2024 (PC)

City Website: March 21, 2024 (CC)

### STAFF INFORMATION

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### APPLICABLE ORDINANCES

11-19-3, C, 5 Design and Location of Parking Spaces

### 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

Jason Westbroek representing North Ogden business Big O Tires, located at 1893 N. Washington Blvd., needs additional parking space. When the site was originally developed, the City restricted parking along Washington Blvd. based on a required setback. The current ordinance, 11-19-3, C, 5 retains a twenty-foot (20') setback from property line for parking stalls along this major roadway. The applicant has applied to amend the ordinance and reduce the setback in order to construct additional parking on the east side of the site.

## ANALYSIS

Zoning standards may be based on an overall design aesthetic, to address safety, or to meet other functional needs of the community. There is a need to balance aesthetics, landscaping, and design flexibility for the public and businesses. In some cases the City has developed setbacks for visual consistency, or to avoid parked cars in close proximity to a major roadway. In the case of Washington Blvd. the restriction requires 20 feet of separation from the property line to the nearest parking area. This standard has been applied to several years' worth of developments including Smiths, Walgreens, Maverick, Zion's Bank, Taco Time, Pizza Pie Café, and most recently Bank of Utah. The image below shows Washington Blvd. with the approximate setback highlighted in red.



Staff's opinion is that the city's current parking lot landscape requirements meet the needs of our commercial zoning areas. The 20-foot setback area provides visual relief along the corridor, and parked cars remain back from the high-speed travel lanes. Staff recommends leaving the standards as they are written.

However, it is an applicant's right to apply for amendments to the city's Zoning Code, and as such, Jason Westbroek has requested the Code language in section 11-19-3, C, 5. be amended. The applicant's recommendation is to reduce the required parking setback along Washington Blvd. to six feet (6') away

from property line instead of twenty feet (20'). below (see Exhibit A):

#### **11-19-9, C, 5**

Design. All areas of the parking lot, with the exception of necessary points of ingress and egress, shall be no closer than ~~twenty~~ **six** feet (20' **6'**) from the front property line. That unoccupied area shall be landscaped and maintained with trees, shrubs, ground cover, undisturbed natural growth, pedestrian walkways, and plazas.

#### **CONFORMANCE WITH THE GENERAL PLAN**

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

##### **Southtown Area Goals:**

- Increase safety along Washington Boulevard

##### Strategies:

- Evaluate existing crossings for pedestrian use and safety through a traffic study.
- Provide more handicap ramps, bulb outs, medians, and pedestrian activated signals.

The City's General Plan is silent on parking for commercial areas. There is discussion about the design of public spaces, safety, and pedestrian facilities, but no specific call outs to parking or its location along corridors.

The city is the steward of public lands and facilities and needs to strike a balance between providing reasonable access, reasonable costs, and required improvements. Staff is recommending the Planning Commission consider whether a reduced setback for parking is compliant with the General Plan goals. Staff believes that the Planning Commission can find either proposal compliant with the Goals and Strategies of the General Plan.

#### **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?

#### **PLANNING COMMISSION ECOMMENDATION**

On February 21, 2024 the Planning Commission held a Public Hearing on the requested Rezoning Text Amendment. Staff provided a recommendation and the applicant presented their information. The PC discussion can be found in the Draft Minutes from February 21, 2024 (see Attachment B). After discussion and deliberation, the Planning Commission recommended that the City Council retain the 20-foot parking setback along Washington Blvd, and further recommended that Staff bring back ordinance language that allows a reduced parking setback on side streets off of Washington Blvd that would accommodate parking closer to 1900 N. for the applicant.

Staff recommends that the City Council consider the Planning Commission's recommendation, conduct the public meeting, and act on the Ordinance (see Exhibit C).

**EXHIBITS**

- A. Application
- B. Planning Commission Minutes, February 21, 2024
- C. Ordinance Amendment