

North Ogden Zoning Ordinance Title 11-9: ARTICLE N: CENTURY FARM ZONE

North Ogden Zoning Ordinance Title 11-9: ARTICLE E & F: MULTI-FAM RESIDENTIAL ZONE R-3 & R-4

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, requires compatibility with the general plan and existing codes.

BACKGROUND

In 2021 and 2022 John Hansen group worked with North Ogden City to develop the Century Farm Zone for the subject property. This zone permits small lot single-family housing. The developer has worked diligently to bring a small lot single-family product to market but has been unable to develop the property. Based on information provided in a narrative (see Exhibit A), the developer has revised the property proposal and is now asking to rezone the property to multi-family. A concept of a townhome development is attached (see Exhibit B).

The developer met with the Planning Commission in a work session on March 20, 2024 to gather feedback prior to the formal Public Hearing on April 3, 2024.

GENERAL PLAN GUIDELINES

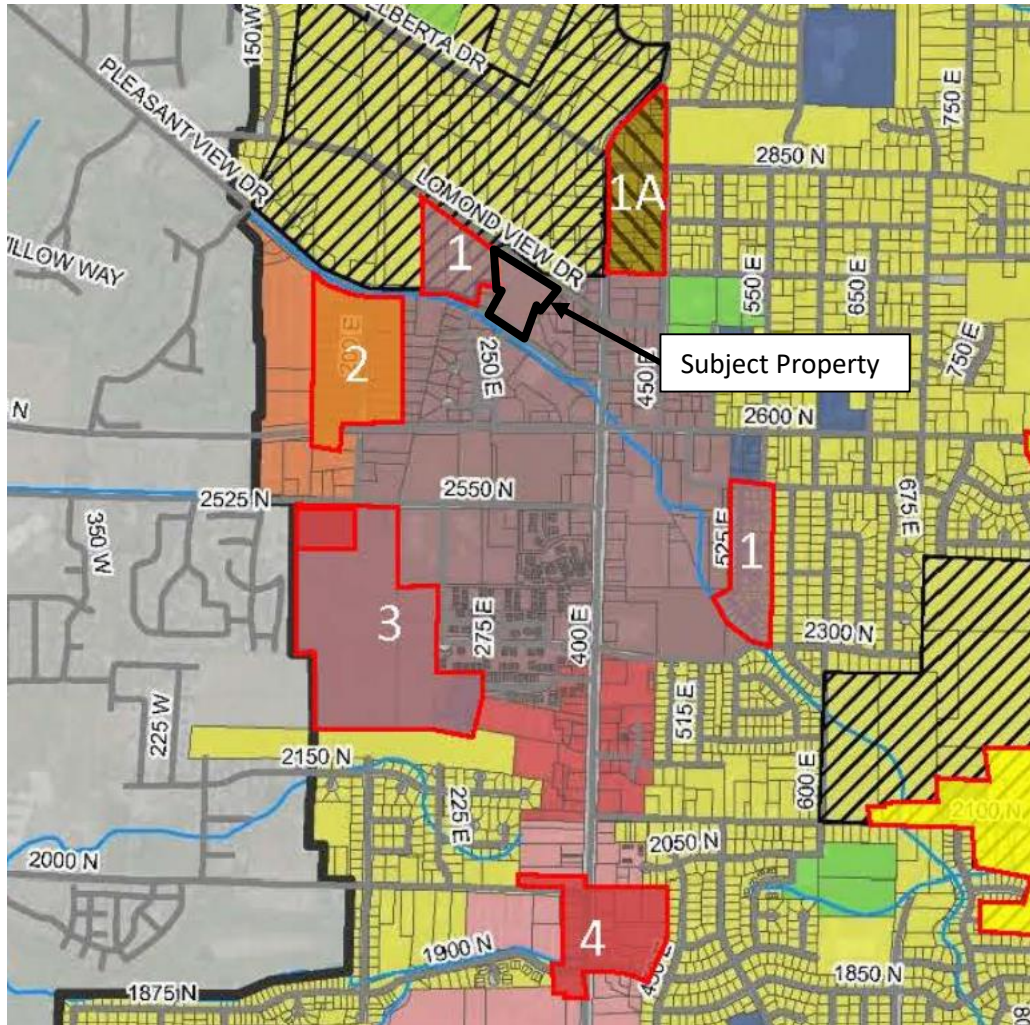
Zoning and Land-Use Policy

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: The proposed use sits within the [General Plan “Down Town Mixed Use” land use category](#). The property is on the northern edge of that land use designation with the definite edge being Lomond View Drive on the north. Lomond View is the line established in the General Plan between “Down Town Mixed Use” and “Residential Low Density” as seen on the screen shot below. The proposed rezone would change the zoning district for the property from small lot single-family Century Farm Zone to Multi-Family R-4 Zone. The General Plan permits several zoning districts within the broader land use categories, and multi-family zones are listed in the General Plan as potential zones. This does not obligate the Planning Commission or City Council to complete the legislative act of rezoning, but the Planning Commission and City Council can find the rezone to be in compliance with the General Plan.



- 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: This is a long-standing farm property. This area of the City has been transitioning over the past several years. There continue to be new housing and commercial developments in the area as property owners sell and develop their land. Projects like Cherry Springs Villas to the west, and the City’s desire to develop the 2600 North corridor as commercial are both taking place on former farmland. As the City grows in population these areas will inevitably change. In staff’s opinion this area has been in transition and continues to transition.

- 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: This rezoning would establish Lomond View Drive as the separation between zones on the north, and Pleasant View Drive as the separation between zones on the south. The developer should consider how the multi-family project faces the street on Lomond View Drive to reduce impacts on the large lot single family homes across the street. There are areas within our community where these transitions must take place. Zoning cannot exist in a bubble, and at times there will be compatible but different uses adjacent to each other. Along this same corridor there

are already commercial uses on near Washington Boulevard, Civic Uses with the Public Works Site, and unincorporated Weber County land. There is a mix of uses in the immediate area, and Staff's opinion is that townhomes along Lomond View Drive can be found compatible with the single-family homes across the street.

- 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 zone change would not cut across individual lots.

Residential Guidelines:

- Avoid isolating neighborhoods.

Staff Comment: The proposed zone change remains residential and will be an extension of the residential to the north. Multi-family housing is a viable buffer between commercial and single-family areas. The development will not isolate any existing neighborhoods.

- Require excellence in design.

Staff Comment: The developer is known to produce quality work and design. The developer is currently working with various home builders to assure they have a viable product to bring to market that fits the concept plan shown in Exhibit B.

- Consider development agreements to assure higher quality development.

Staff Comment: The Century Farms small lot single-family zone has a Development Agreement outlining open space requirements and a contribution for a park from the developer. Staff recommends retaining those requirements and specifying them in a new Development Agreement tied to the property (see Exhibit E).

STAFF RECOMMENDATION (to Planning Commission)

Conduct the public hearing, consider the information presented, and make a recommendation the City Council for approval or denial of the requested rezone.

PLANNING COMMISSION RECOMMENDATION

Planning Commission held a public hearing on April 3, 2024. The audio of this meeting is available here: https://www.northogdencity.com/sites/default/files/audio/240403_0120edit.mp3. The item begins at 5:10. A copy of the Draft PC Minutes are attached (see Exhibit D). Staff presented the item with the staff report above. Staff wants to note that this area of the City is close in proximity to two grocery stores, the Civic Center, an elementary and junior high school, the city's only bus line, and our largest transportation facilities (Washington Blvd. and 2600 N). Linking housing options with transportation improvements is one of the best ways we can leverage the major investments we have made in our roads and community.

During the Public Comment, several property owners and neighbors from the surrounding area made public comments. Many were in support of small lot single-family, and feel that it would fit into the area. There were concerns raised about traffic, lack of road improvements on Lomond View Drive, and turn movements from Pleasant View Drive and Lomond View Drive onto Washington Blvd. The public was generally against multi-family in this area.

The Planning Commission discussed the area and what the General Plan says. The Planning Commission was in support of multi-family for this parcel in 2021, and once again found that this area of the City makes sense for some amount of density.

1:14:12 Commissioner Nancarrow made a motion to recommend approval to rezone property located at approximately 281 East Pleasant View Drive from Century Farm Zone to Multi-family Residential (R-4) Zone with the condition that the Development Agreement retains requirements for open space and park space and that no driveways would come off of 300 East, Pleasant View Drive and Lomond View Drive. This recommendation will be forwarded to the City Council. Vice Chairman Mason seconded the motion.

Staff is asking the City Council to hold a public meeting, consider the application, and the Planning Commission recommendation and act on the Legislative Rezone request.

EXHIBITS

- A. Applicant Narrative and Explanation
- B. Concept Plan
- C. Weber County Plat
- D. Draft PC Minutes 04-03-2024
- E. Shaw Farms Development Agreement (as part of Century Farms Rezone in 2022)
- F. Rezone Ordinance Draft

AREA MAP

