

- SETTLED 1851 ----

NORTH OGDEN PLANNING COMMISSION MEETING MINUTES

April 3, 2024

The North Ogden Planning Commission convened on April 3, 2024, at 6:05 p.m. at the North Ogden City Public Safety Building at 515 East 2600 North.

Notice of time, place, and agenda of the meeting was posted on the bulletin board at the municipal office and posted to the Utah State Website on March 29, 2024.

Notice of the annual meeting schedule was posted on the bulletin board at the municipal office and posted to the Utah State Website on December 13, 2023.

Note: The time stamps indicated in blue correspond with the recording of this meeting, which can be located on YouTube: https://www.youtube.com/channel/UCriqbePBxTucXEzRr6fclhQ/videos or by requesting a copy of the audio file from the North Ogden City Recorder.

COMMISSIONERS:

Eric Thomas Chairman

Brandon Mason Vice-Chairman Nicole Nancarrow Commissioner Johnson Webb Commissioner

Cody WatsonCommissionerexcusedNissa GreenCommissionerexcused

Chad Bailey Commissioner

STAFF:

Jon Call City Manager/Attorney

Scott Hess Community and Economic Development Director

Ryan Nunn Planner

Eric Casperson City Engineer (Zoom)

VISITORS:

Karmen Sanone Kay Johnson Genneva Blanchard Robert Krupp Phil Swanson Charles Chamberlain

John Hansen Rick Scadden Diane Childs Dan Carter David Shupe Chris Pulver

Jerry Shaw

Chairman Thomas called the meeting to order at 6:05 p.m. Commissioner Bailey offered the thought and Commissioner Nancarrow led the Pledge of Allegiance.

CONSENT AGENDA

1. ROLL CALL

0:03:39 Chairman Thomas excused Commissioner Watson and Commissioner Green. All other Commission Members were in attendance.

2. CONSIDERATION AND ACTION TO APPROVE THE MARCH 6, 2024, AND MARCH 20, 2024, PLANNING COMMISSION MEETING MINUTES

0:03:48 Commissioner Nancarrow made a motion to approve the March 6, 2024, and the March 20, 2024, Planning Commission Meeting minutes. Vice Chairman Mason seconded the motion.

Voting on the motion:

Chairman Thomas	aye
Vice Chairman Mason	aye
Commissioner Nancarrow	aye
Commissioner Webb	aye
Commissioner Watson	absent
Commissioner Green	absent
Commissioner Bailey	aye

The motion carried.

3. EX PARTE COMMUNICATIONS OR CONFLICTS OF INTEREST TO DISCLOSE

0:04:26 Chairman Thomas asked if any Commissioners had ex parte communications or conflicts of interest to disclose. No disclosures were made.

LEGISLATIVE ITEMS

4. PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA

There were no public comments.

5. ZMA 2024-01 PUBLIC HEARING, CONSIDERATION AND RECOMMENDATION ON A LEGISLATIVE AMENDMENT TO REZONE PROPERTY FOR LAND LOCATED AT APPROXIMATELY 281 EAST PLEASANT VIEW DRIVE FROM CENTURY FARM ZONE TO MULTI-FAMILY RESIDENTIAL (R-4)

0:05:48 Community and Economic Development Director Scott Hess introduced the agenda item concerning the proposed development at approximately 281 East Pleasant View Drive. This project has a history dating back to 2021 when the developer initially requested multi-family zoning, which was recommended by the Planning Commission but questioned by the City Council, leading to exploration of alternative options to preserve single-family residences in the area. Despite efforts to market a small lot and single-family zoning proposal, challenges including market conditions and property issues hindered progress. The developer presented three conceptual designs for attached unit townhomes, seeking a rezoning. Scott highlighted the downtown mixed-use designation of the area in the General Plan, emphasizing the suitability of multi-family zoning in proximity to amenities and public transit. Discussion ensued regarding zoning map details and previous decisions. Scott responded to inquiries regarding density allowances and constraints, referencing past public feedback that favored multi-family development in the area. Chairman Thomas reiterated the rationale behind previous recommendations for rezoning.

Chairman Thomas invited the applicant to address the Commission.

0:18:11 John Hansen, Pleasant View City resident and Applicant, expressed appreciation for the consideration of the Planning Commission to alter this zoning, emphasizing the primary goal of providing affordable housing for young couples. He proceeded to present financial projections comparing single-family homes to townhomes, highlighting the challenges young couples face in affording homes under current market conditions. John emphasized the need to offer more affordable options to ensure residents can remain in North Ogden. Additionally, he outlined the layout of the proposed development, including plans for a donated park and retention basin. John addressed concerns about the townhomes, noting minimal differences from single-family homes and highlighting advantages such as rear-loading garages and increased usable green space. He concluded by sharing examples of young couples struggling with housing affordability and urged the Planning Commission to consider the proposal in light of current market challenges.

a. Chairman Thomas opened the Public Hearing at 6:31 p.m.

0:26:50 Karmen Sanone, North Ogden City resident, expressed her concerns regarding the development of the property, particularly focusing on the potential increase in traffic and security issues. As a nearby property owner with Century Farm, Karmen highlighted the existing traffic congestion issues, especially with difficulty accessing Washington Boulevard during peak times. She also raised concerns about vandalism and trespassing, citing incidents on her own property, including fence cutting and attempted break-ins. Karmen emphasized the importance of maintaining security and preventing harm to both people and animals. Additionally, Karmen sought clarification on the responsibility for providing fencing and expressed a desire for reassurance regarding how the increased development would be managed, especially in terms of traffic control.

0:30:59 David Shupe raised concerns about the installation of a sidewalk on his property. David expressed frustration over being expected to clean and assume liability for the sidewalk, which was built by the City without his consent. He questioned whether the sidewalk was constructed in anticipation of future development or for other reasons. He called for fair warning to property owners facing similar situations, highlighting the need for transparency and accountability in City planning and development processes.

0:33:20 Robert Krupp, North Ogden City resident, expressed concerns about the proposed development on Pleasant View Drive, particularly regarding traffic implications. He highlighted the potential increase in traffic with 66 units, estimating around 132 cars, which could disrupt the current atmosphere of the area. Robert suggested finding a compromise that satisfies everyone's needs, acknowledging the challenges posed by the current economic situation. He proposed exploring alternatives, such as developing properties similar to the quiet area near the golf course with fourplexes, which might be more acceptable to residents. Robert emphasized his preference for maintaining the existing character of the neighborhood and expressed his uncertainty about the proposed changes.

0:36:15 Dan Carter, North Ogden City resident, asked about the maintenance responsibility for Pleasant View Drive off of 400 East. It was clarified that Pleasant View Drive is a City road, owned and maintained by the City. Dan raised concerns about the narrowness of the road and its current condition, particularly where it becomes a county road and around sharp turns. Dan emphasized the need for better maintenance and future design considerations for Pleasant View Drive to ensure safety and convenience for motorists.

0:42:03 Kay Johnson, North Ogden City resident, expressed concerns about the potential impact of the proposed development on the children who would eventually reside in the new homes. She highlighted the existing issues with traffic around Washington Boulevard, particularly concerning access to the nearby junior high and elementary schools. Kay questioned whether high-density housing would exacerbate these traffic problems and suggested that single-family homes might be a more suitable option for the area. Additionally, she raised concerns about the potential impact on the property values of existing single-family homes, including her own, if high-density housing were to be introduced. Kay also mentioned the narrowness of streets in the Cherry Springs neighborhood, where residents currently have difficulty maneuvering due to the limited space, especially when backing out onto the street. She worried that increased density would only increase these traffic and accessibility issues, making it challenging for residents to enjoy a quality living environment.

0:45:39 Jerry Shaw, North Ogden City resident, sought clarification on how his acreage would be affected by the rezoning. Scott Hess explained that while his acreage isn't directly part of the rezoning, it's connected to the overall development plan. Scott outlined the need for further resolution regarding the subdivision plat and potential adjustments for Jerry's remaining acreage. Jerry expressed mixed feelings about the situation, acknowledging the inconvenience but also recognizing the potential benefits of the development. He highlighted the desire for the development to enhance the neighborhood's appearance, contrasting it with existing apartment complexes nearby. He concluded by expressing confidence in the developers' commitment to creating a positive impact on the community.

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

Voting on the motion:

Chairman Thomas aye
Vice Chairman Mason aye
Commissioner Nancarrow aye
Commissioner Webb aye
Commissioner Watson absent
Commissioner Green absent
Commissioner Bailey aye

The motion carried.

The Public Hearing was closed at 6:57 p.m.

0:51:46 John Hansen, Applicant, expressed gratitude for residents attending and voicing their concerns. He suggested that by having front yards on all properties along Pleasant View Drive, the specific problem mentioned by one resident could be mitigated as there would be no cars backing up. John also speculated that residents in the area would likely access their homes via Pleasant View Drive or 2700 North, rather than through the concerned area, and similarly when commuting to work. Drawing from past experience, he referenced a traffic study conducted during the development of Pheasant Landing, a nearby area, which found no significant issues and indicated that the road could handle more traffic. John expressed confidence that as the road widens, traffic concerns will be alleviated further. Additionally, he acknowledged the trust placed in them by local residents due to their longstanding involvement in City development.

0:53:23 Chairman Thomas then facilitated discussion among the Commission regarding the Zoning Map Amendment. The public's concerns about traffic were highlighted, emphasizing the need for compliance with City requirements, particularly regarding road design and widening. The discussion also touched on the long-range traffic plan, which involves connecting 300 East to Elberta Drive to alleviate traffic congestion. Approval for a new intersection with traffic lights was mentioned, potentially improving traffic flow.

Commissioner Webb mentioned the importance of considering the impact on home values and the need for a smooth transition between different housing types in the area. The discussion delved into the appropriate density for the neighborhood, considering its proximity to supermarkets, the fire station, and larger estate-type homes. Concerns were raised about maintaining quality construction standards to avoid cookie-cutter developments and ensure marketability.

Chairman Thomas emphasized the importance of diverse housing options for affordability and community development, acknowledging the challenges in balancing market demands with long-term City planning goals. The discussion concluded with considerations for retaining open space

requirements and park contributions in the Development Agreement, along with recommendations for rear-entry garages to enhance traffic flow and neighborhood aesthetics.

b. Consideration and recommendation

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.

Voting on the motion:

Chairman Thomas	aye
Vice Chairman Mason	aye
Commissioner Nancarrow	aye
Commissioner Webb	aye
Commissioner Watson	absent
Commissioner Green	absent
Commissioner Bailey	aye

The motion carried.

6. ZTA 2024-05 PUBLIC HEARING, CONSIDERATION AND RECOMMENDATION ON A LEGISLATIVE AMENDMENT TO CONSIDER AMENDING NORTH OGDEN CODE TITLE 11-9M-8, D, 4 ACCESSORY BUILDINGS TO REMOVE THE REQUIRED 4/12 ROOF PITCH FOR ACCESSORY BUILDINGS OVER TWO HUNDRED (200) SQUARE FEET IN FLOOR AREA

1.20:09 Ryan Nunn, Planner, provided background information on an application regarding a revised building plan for an accessory pool house. Last year, the applicant received approval for a building permit, but subsequent changes to the design, including a flatter roof pitch, prompted the need for revisiting the requirements for accessory buildings. Staff considered various factors, including design and materials, and highlighted the importance of meeting safety standards while also addressing concerns about aesthetics and neighborhood compatibility.

Scott Hess added further context, explaining that standards for accessory buildings, such as roof pitch and material, were established in response to past neighborhood feedback. However, he acknowledged that these standards may have unintentionally limited creativity and imposed unnecessary restrictions. The discussion emphasized the need to balance safety requirements with aesthetic considerations, recognizing that alternative designs can still meet building code regulations.

1:25:26 Chairman Thomas raised concerns about the requirement for specific roof pitches in accessory building regulations. He questioned the rationale behind such requirements, particularly in relation to protecting neighbors. Chairman Thomas argued that the primary focus of accessory building regulations should be on preventing obstruction of views and impeding neighboring properties, rather than dictating roof pitch. He expressed confusion over the inclusion of this requirement in the code, especially considering the various limitations already in place for accessory buildings. He pointed out discrepancies between roof pitch requirements for accessory buildings and those for primary residences, highlighting a potential inconsistency in zoning regulations.

1:27:16 Scott Hess responded and highlighted the absence of State codes regulating aesthetics for single-family homes, emphasizing their removal due to concerns from developers about increased costs and restrictions. He mentioned the previous stringent aesthetic codes in cities and how they have now disappeared. He questioned the choice of a 3/12 roof pitch for accessory buildings, suggesting it might not align with desired aesthetics. Commissioner Bailey added insights about asphalt shingle manufacturer specifications and raised concerns about the necessity of matching accessory buildings to homes. Chairman Thomas expressed agreement with the need for a discussion on aesthetics.

1:30:46 Rick Scadden, applicant, presented photos of the design he intended to achieve for his pool house, emphasizing the desire to preserve their view over the City and ensure aesthetic harmony with their surroundings. Rick advocated for discretion in permit decisions to allow for better design choices and highlighted the cost difference between metal and asphalt shingle roofs. He suggested that such decisions could lead to better-tailored solutions and enhance the overall appeal of buildings in the area.

(See attachment: Item #6 Exhibit)

1:34:14 Commissioner Bailey expressed support for amending the roof pitch ordinance but raised concerns about potential conflicts with aesthetic matching requirements in the City Code. He reiterated his support for amending the ordinance but emphasized the importance of avoiding further conflicts for applicants.

a. Chairman Thomas opened the Public Hearing at 7:43 p.m.

1:38:22 Phil Swanson, North Ogden City resident, commended the Commissioners for their dedication to maintaining the community's quality and urged caution in legislating aesthetics, recognizing the subjectivity of individual preferences. He emphasized the importance of respecting private property rights while acknowledging the need for limited regulatory intervention. While he supported the proposed change in roof pitch regulations, he expressed concern about the process, citing instances where individuals built structures in violation of existing codes and then sought retroactive changes. Phil argued for adhering to proper procedures, suggesting that code changes should precede the permitting process to ensure compliance from the outset. He cautioned against circumventing existing codes and then seeking amendments for retroactive compliance, recommending that the Commission refrain from approving changes under such circumstances.

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

Voting on the motion:

Chairman Thomas aye
Vice Chairman Mason aye
Commissioner Nancarrow aye
Commissioner Webb aye
Commissioner Watson absent
Commissioner Green absent
Commissioner Bailey aye

The motion carried.

The Public Hearing was closed at 7:47 p.m.

1:43:32 Chairman Thomas expressed confidence in the decision-making process regarding code changes, emphasizing the need to address issues as they arise. He noted that while it can be frustrating to handle matters retroactively, each case should be evaluated based on its merits rather than past mistakes. Commissioner Bailey echoed the sentiment, suggesting that simplifying regulations could benefit both the City and its residents. He emphasized the importance of considering the broader impact of code changes and argued that removing restrictions on roof pitch would facilitate easier construction of accessory buildings for homeowners. Commissioner Nancarrow cautioned against viewing code changes through a punitive lens, emphasizing the need to focus on the merits of each proposal.

b. Consideration and recommendation

1:48:21 Vice Chairman Mason made a motion to recommend approval to amend North Ogden Code Title 11-9M-8, D, 4 Accessory Buildings to remove the required 4/12 roof pitch for accessory buildings over two hundred (200) square feet in floor area. This recommendation will be forwarded to the City Council. Commissioner Webb seconded the motion.

Voting on the motion:

Chairman Thomas aye
Vice Chairman Mason aye
Commissioner Nancarrow aye
Commissioner Webb aye
Commissioner Watson absent
Commissioner Green absent
Commissioner Bailey aye

The motion carried.

7. ZTA 2024-04 PUBLIC HEARING, CONSIDERATION AND RECOMMENDATION ON A LEGISLATIVE AMENDMENT TO CONSIDER WATER WISE LANDSCAPING AMENDMENT TO THE TITLE 11 LAND USE CODE

1:49:16 Scott Hess, Community and Economic Development Director, provided information on the Weber Basin Water Improvement District's program, in which Pineview is a partner, responsible for a significant portion of the City's irrigation. He mentioned the community's interest in financial incentives for landscape conversion and highlighted the existing \$2.50 per square foot program for lawn removal and water-efficient landscaping. The program extends beyond park strips to encompass entire yards but entails stringent requirements for both homeowners and the City regarding fund allocation. Scott outlined the City's need for an ordinance, emphasizing restrictions on lawn areas and the need for compliance with State codes regarding landscaping in parking strips.

Scott discussed conversations with Layton and Kaysville Cities regarding similar ordinances, noting challenges in administering such programs due to limited staff resources and expertise. While acknowledging the noble intent behind the proposed ordinance, he cautioned about its practical implementation, suggesting it could be challenging to enforce. He emphasized the need for a balance between encouraging water-wise landscaping and respecting property owners' preferences. Scott underscored the importance of having the ordinance in place to provide access to incentive programs for residents while acknowledging potential difficulties in enforcing it strictly. He presented the draft ordinance based on Kaysville's model, highlighting key points such as limitations on grassy areas and irrigation system requirements. He also addressed the challenges of inspecting single-family homes post-occupancy and emphasized the need for additional resources to effectively enforce the ordinance. Scott expressed hope that secondary water providers would assist in reviewing and implementing the ordinance to promote water conservation efforts.

a. Chairman Thomas opened the Public Hearing at 8:02 p.m.

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:

Chairman Thomas aye
Vice Chairman Mason aye
Commissioner Nancarrow aye
Commissioner Webb aye
Commissioner Watson absent
Commissioner Green absent
Commissioner Bailey aye

The motion carried.

The Public Hearing was closed at 8:03 p.m.

1:58:00 Chairman Thomas expressed concerns about water companies imposing restrictions on water usage without reducing the required amount of water for development projects. He highlighted the discrepancy between the regulations and the need for water conservation and proposed that if water companies want to stretch water usage further, they should consider reducing the water requirement for development projects. Chairman Thomas argued that imposing restrictions without corresponding adjustments in water requirements puts an undue burden on the City to manage water resources. He supported the idea of implementing regulations that would require a change in water usage for developers seeking credits but cautioned against across-the-board changes that may not effectively address the issue. Chairman Thomas expressed reservations about poorly written programs and the need to incentivize rather than simply replace landscaping.

b. Consideration and recommendation

1:59:47 Vice Chairman Mason made a motion to recommend to the City Council not to adopt this Code amendment at this time. Commissioner Webb seconded the motion.

Voting on the motion:

Chairman Thomas	aye
Vice Chairman Mason	aye
Commissioner Nancarrow	aye
Commissioner Webb	aye
Commissioner Watson	absent
Commissioner Green	absent
Commissioner Bailey	aye

The motion carried.

ADMINISTRATIVE ITEMS

8. SPR 2024-04 CONSIDERATION AND ACTION REGARDING AN
ADMINISTRATIVE APPLICATION, SITE PLAN APPROVAL OF THE NORTH
OGDEN CITY POLICE STATION AND SENIOR CENTER PARKING LOTS
LOCATED AT APPROXIMATELY 505 EAST 2600 NORTH

2:02:54 Scott Hess, Community and Economic Development Director, addressed concerns about pedestrian access from the parking lot to the front door of City Hall, highlighting a significant grade change between the parking lot and the sidewalk. To address this issue, staff proposed enhancing hardscape landscaping to create a pathway from the parking lot to the main doors of City Hall. This pathway, while not designed to be ADA accessible or snow plow-friendly, aims to reduce trampled plants and improve access. The proposal was presented as a compromise to

address the grade change without extensive regrading work. Regarding accessibility, Scott explained that there would be two ADA accessible points on the west side, with limited grade changes to meet ADA slope requirements. Scott explained that this was the only hanging item left on the approval of this Site Plan for the parking lots.

2:09:45 Commissioner Nancarrow made a motion to approve Site Plan of the North Ogden City Police Station and Senior Center Parking lots, subject to conditions in the Staff Report. Commissioner Bailey seconded the motion.

Voting on the motion:

Chairman Thomas aye
Vice Chairman Mason aye
Commissioner Nancarrow aye
Commissioner Webb aye
Commissioner Watson absent
Commissioner Green absent
Commissioner Bailey aye

The motion carried.

9. SPR 2024-06 CONSIDERATION AND ACTION REGARDING AN
ADMINISTRATIVE APPLICATION, SITE PLAN APPROVAL OF THE NORTH
OGDEN CITY WATER WORKS PARK LOCATED AT APPROXIMATELY 346 E
PLEASANT VIEW DRIVE

2:10:36 Ryan Nunn, Planner, presented plans for a public park located on the City's Public Work's site, which falls within the Civic Zone, making it a suitable location for a park. The park will feature amenities such as a spring, a square, and a sidewalk, with access points provided for both pedestrians and vehicles. The park will be fenced with a six-foot fence, and off-street parking will be available, with additional parking permitted on the Public Work's site. This project is part of the Century Farms development, with donations and grant funds contributing to its realization.

2:13:52 Discussion revolved around the proposed fencing for the park, with differing opinions among Commissioners. Some expressed concerns about the necessity of fencing, particularly regarding aesthetics and accessibility, while others emphasized safety and boundary delineation. Suggestions were made to limit fencing on certain sides of the park, especially where it borders the Public Work's site and Pleasant View Drive, to prevent unwanted access and ensure child safety. The importance of maintaining a balance between safety and open access was highlighted, with considerations for future developments in the surrounding area.

2:22:27 Commissioner Nancarrow made a motion to approve Site Plan of the North Ogden City Water Works Park subject to conditions in Staff Report and with fencing on west side being considered if needed when neighboring park is developed. Commissioner Webb seconded the motion.

Voting on the motion:

Chairman Thomas aye
Vice Chairman Mason aye
Commissioner Nancarrow aye
Commissioner Webb aye
Commissioner Watson absent
Commissioner Green absent
Commissioner Bailey aye

The motion carried.

10. PUBLIC COMMENTS

2:24:06 Karmen Sanone, North Ogden City resident, sought clarification on whether an identified source was indeed a spring, citing past instances where water access was compromised. She expressed concerns about potential impacts on existing water rights and emphasized the need to maintain water pressure. She highlighted the importance of addressing potential issues proactively to avoid future complications. Jon Call, City Manager/Attorney confirmed the validity of an artesian well on the property in question, emphasizing its importance as a reliable water source.

11. REMARKS - PLANNING COMMISSIONERS:

There were no further comments.

12. REPORT – COMMUNITY AND ECONOMIC DEVELOPMENT DIRECTOR

2:26:54 Scott Hess, Community and Economic Development Director, announced his upcoming attendance at the National American Planning Association Conference in Minnesota, alongside Planner Ryan Nunn. He highlighted the conference's significance, with thousands of attendees expected, and emphasized its importance for municipalities across the country. Scott expressed his commitment to learning and promised to share insights upon their return. He anticipated fruitful discussions with attendees from various Utah cities and looked forward to exploring new topics together.

Scott Hess also provided information about the upcoming APA conference, mentioning that it would be held in Cedar City in the middle of May, and offered to provide specific dates later. He noted that there was a training budget available and expressed willingness to explore options for sending interested Planning Commission members to the conference.

13. REMARKS – CITY MANAGER/ATTORNEY

Date Approved

2:29:36 Jon Call mentioned a recent discussion with the Citizens Budget Subcommittee, where Scott Hess shared insights about the importance of continued education by City employees. Jon noted the accessibility of the Subcommittee meeting recordings on YouTube for those interested.

Jon also provided important information regarding the new meeting room's safety features, noting that the exit doors to the right have crash bars that trigger alarms upon contact and unlock after 15 seconds for easy evacuation. Badges will be distributed for access through these doors, allowing entry and parking in designated areas. Additionally, he mentioned the directional nature of the microphones, advising participants on how to adjust them for optimal use.

	wing entry and parking in designated areas. Additionally, he mentioned the directional nature he microphones, advising participants on how to adjust them for optimal use.
14.	<u>ADJOURNMENT</u>
	Commissioner Webb motioned to adjourn the meeting.
	The meeting adjourned at 8:39 p.m.
	Thomas uning Commission Chair
•	te Pierson uty City Recorder