PLANNING COMMISSION MEETING
JULY 1, 2020 AT 6:30 PM
505 EAST 2600 NORTH
NORTH OGDEN, UT 84414

Please click the link to join the webinar: https://us02web.zoom.us/j/84690843932
or Telephone: 312 626 6799 or 646 558 8656 or 301 715 8592
Webinar ID: 846 9084 3932

Welcome: Chairman Thomas
Invocation: Commissioner Arner
Pledge of Allegiance: Commissioner Lunt

1. Roll Call

2. Minutes Consideration:
   a. Consideration and action to approve the June 3, 2020, Planning Commission Meeting minutes
   b. Consideration and action to approve the June 17, 2020, 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. SUB 2020-09 & SUB 2018-18 Consideration and action regarding preliminary approval of the Webb Subdivision (3 lots) and a revision to Mountain Valley Villas, Phase 2 final approval
   Presenter: Rob Scott, Planning Director

LEGISLATIVE ITEMS

6. ZMA 2020-04 Public hearing, consideration and recommendation regarding rezoning property located at approx. 800 E 2850 N from R-1-8 to R-1-8(AG) to RE-20
   Presenter: Rob Scott, Planning Director
   a. Public Hearing
   b. Consideration and Recommendation

7. ZMA 2020-03 Public hearing, consideration and recommendation regarding rezoning property located at approx. 800 E 2600 N from RE-20 to R-1-8 and R-1-8 (AG)
   Presenter: Rob Scott, Planning Director
   a. Public Hearing
   b. Consideration and Recommendation

8. Remarks - Planning Commissioners

9. Report - Planning Director

10. Remarks - City Manager/Attorney

11. 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 25th day of June, 2020 at North Ogden City Hall, on the City Hall Notice Board, on the Utah State Public Notice Website, at http://www.northogdencity.com, and faxed to the Standard Examiner. The 2020 meeting schedule was also provided to the Standard Examiner on December 22, 2019. 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 Annette Spendlove, City Recorder, at 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.
The North Ogden Planning Commission convened in a regular meeting on June 3, 2020 at 6:32 p.m. in the North Ogden City Municipal Building, 505 E. 2600 N. North Ogden, Utah. 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 May 28, 2020. Notice of the annual meeting schedule was published in the Standard-Examiner on December 22, 2020.

COMMISSIONERS:

Eric Thomas        Chairman - Excused
Brandon Mason      Vice-Chairman
Lisa Arner         Commissioner
Scott Barker       Commissioner
Alan Lunt          Commissioner
Nicole Nancarrow  Commissioner
Don Waite          Commissioner

STAFF:

Rob Scott          City Planner
Lynne Bexell       Administrative Assistant
Jon Call           City Attorney/Administrator
Brandon Bell       Associate Planner
Kai Johnsen        Planning Tech
Evan Nelson        Planning Dept. Head
Lorin Gardner      City Engineer

VISITORS:

Geneva Blanchard  Pat Burns
John W. Hansen    Blake Welling
Mayor Neal Berube  Johnson Webb

REGULAR MEETING
Vice Chairman Mason called the meeting to order at 6:32 p.m. and offered the invocation and Commissioner Barker led the Pledge of Allegiance.

1. **ROLL CALL**

   Vice Chairman Mason conducted the roll call and noted that Chairman Thomas had been excused.

2. **MINUTES CONSIDERATION**

   a. Consideration to approve the May 20, 2020, Planning Commission Meeting minutes

   Commissioner Waite made a motion to approve the May 20, 2020 minutes. Commissioner Barker seconded the motion.

   **Voting on the motion:**

   - Chairman Thomas  excused
   - Vice Chairman Mason  aye
   - Commissioner Arner  aye
   - Commissioner Barker  aye
   - Commissioner Lunt  aye
   - Commissioner Nancarrow  aye
   - Commissioner Waite  aye

   The motion carried.

3. **OPENING MEETING STATEMENT**

   City Planner Scott read the opening statement.

4. **EX PARTE COMMUNICATIONS OR CONFLICTS OF INTERST TO DISCLOSE**

   Vice Chairman Mason asked if any member of the Commission needed to declare conflicts of interest or ex parte communications. No declarations were made.

5. **PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA**

   There were no public comments.

**ADMINISTRATIVE ITEMS:**


6. **SUB 2020-08 Consideration and action regarding final approval on The Towns at Patriot Pointe, Phase 1, located at approx. 150 E. 2300 N.**

A staff memo from Associate Planner Bell explained when the Planning Commission is acting as a land use authority, it is acting in an administrative capacity and has a limited degree of 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.

On December 19, 2019, North Ogden City signed a development agreement with Double Ott Ranch, LLC, to subdivide and develop the Property as a Master Planned Community consisting of 389 dwelling units on approximately 32.917 acres of Developable area and 6.621s acre in City Pond/Park for a gross area of 39.54 acres with integrated open space and related amenities. The overall density of this project that project is 11.8 units to the acre. A 2-lot subdivision has been recorded to prepare the ground to be developed, with buildings approved to be built on the property. This proposed subdivision is for the first phase of townhomes in the project, and includes 10 townhouse buildings numbered 101-110.

There is no minimum lot size for these lots. The proposed lots for this subdivision, are a result of the approved site plan. The proposed lots are the same basic configuration as the site plan that was approved as a part of the development agreement. There have been minor adjustments to road location to allow for a concrete apron transitioning from the street to the garages. The MPC zone allows for the Planning Director to make minor adjustments. These minor changes to the lots, etc. are understood to fall within those allowed adjustments.

The right of way along 150 East needs to have a 6’ sidewalk on the east side. A trail is required along both 150 East and 2300 North per the Trails Master Plan. These trails need to be of a 6’ wide walking path meeting the Parks and Recreation requirements per the submitted cross section. They are to be located on the east side of 150 East and north of 2300 North, east of 150 East. On a related note, the striping in the right-of-way along 150 East will need to be done by the applicant and include parking on one side and bike lanes on both sides, as specified in the design of the right-of-way shown in the improvement drawings.

Approval of the building locations will occur as part of the building permits, and will be based on the locations shown on the approved site plan. Building locations approved as part of a building permit will be required to meet the location shown on the approved site plan.

Also, the applicant should be aware that, if the property owner ever wants to sell off individual townhomes, they will need to do another subdivision, and possibly a condominium process.

Finally, Staff recommends that they be permitted to research and work with the applicant to finalize the dedication statement on the plat based on ownership of property. The dedication statement may need to be amended to address whether or not 2300 North should be included in that dedication statement.

**GENERAL PLAN**
The proposal is located in the Southtown neighborhood. The General Plan map calls for this property to be developed as Medium Density Residential, 6 to 18 units per acre. The proposed subdivision meets the requirements of applicable North Ogden City ordinances and conforms to the North Ogden City General Plan.

The memo offered the following summary of potential Planning Commission considerations:
- Does the proposed subdivision meet the requirements of the applicable City subdivision and zoning ordinances?

Recommended conditions of approval include:
- Approval of building location will occur as part of the building permits, and will be based on the approved site plan. Buildings must meet the location shown on the approved site plan.
- The striping in the right-of-way along 150 East will need to be done by the applicant and include parking on one side and bike lanes on both sides, as specified in the design of the right-of-way shown in the improvement drawings.
- Staff be permitted to research and work with the applicant to finalize the dedication statement based on ownership of property, and related issues. The dedication statement may need to be adjusted to address whether or not the 2300 North roadway should be included in the dedication statement.

The memo concluded staff recommends final approval of the Patriot Pointe Subdivision, Phase 1 subject to the recommended conditions in this Staff report, City Engineer’s review memo, Development Agreement, and Technical Review Committee Notes.

Mr. Bell reviewed his staff memo.

Commissioner Waite stated the memo indicates that the property is located in the Southtown neighborhood and he asked if that is accurate. Mr. Bell answered no and indicated that is an error in the memo.

Vice-Chairman Mason stated that during past discussions of this project there was a focus on the fact that the front of one lot would face the rear of another lot, but he does not see that layout reflected on the plat. He asked if that issue has been corrected. Mr. Bell stated the current version of the plat was based upon the approved site plan for the project; direction from the Planning Commission and staff are reflected upon the current version of the plat. Commissioners Lunt and Nancarrow indicated that the portion of the property that had front/rear abutting lots is in the phase to be built out on the northwest section of the subject property. The new development will face the backside of an existing townhome development. Vice-Chairman Mason stated that means the issue of the front of one lot abutting the rear of another lot is not present in the application being considered for approval tonight.

Vice-Chairman Mason invited public input. No public input was provided. Vice-Chairman Mason invited input from the applicant.

John W. Hansen, 1165 W. 4000 N., Pleasant View, stated that phase one of the project includes 58 lots and there are no issues with the front of one property facing the rear of an existing...
residence. That issue will not be encountered until phase 5 of the project. He indicated he has worked closely with City staff to formulate the current plat and he asked for approval from the Planning Commission.

Commissioner Lunt made a motion to grant approval of application SUB 2020-08, final approval on The Towns at Patriot Pointe, Phase 1, located at approx. 150 E. 2300 N., based on the findings and subject to the conditions listed in the staff report. Commissioner Nancarrow seconded the motion.

Voting on the motion:

Chairman Thomas  excused
Vice Chairman Mason  aye
Commissioner Arner  aye
Commissioner Barker  aye
Commissioner Lunt  aye
Commissioner Nancarrow  aye
Commissioner Waite  aye

The motion carried.

7.  SUB 2019-16 Consideration and action regarding preliminary approval for Pheasant Landing Subdivision (19 lots)

A staff memo from Planning Director Scott explained when the Planning Commission is acting as a land use authority, it is acting in an administrative capacity 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
The applicant is requesting preliminary approval for the Pheasant Landing subdivision (19 lots). The applicant requested that this item be continued at the May 5, 2020, Planning Commission meeting in order to investigate additional design options.

The property on which this proposed subdivision is located is currently vacant and is located at approximately 175 E Elberta Drive. The property was recently rezoned to the R-1-12.5 zone, on March 10, 2020 and is situated on 8.12 acres of land. The R-1-12.5 zone requires a minimum lot size of 12,500 square feet on all interior lots with a frontage requirement of 100 square feet. For corner lots in the R-1-12.5 zone, the required square footage is 13,500 square feet.

STAFF/REVIEW AGENCY COMMENTS
The Technical Review Committee met on April 9, 2020 regarding this proposed subdivision (See Exhibit C). The City Engineer submitted a revised review memo dated May 26, 2020. (See
Exhibit D). A will-serve letter for secondary water, and a geotechnical report for this subdivision have been submitted.

The applicant has investigated 5 design options for this subdivision as a result of discovering that there are existing sanitary sewer and storm drain lines that run along the west boundary of the proposal. The city prefers that utility lines be located within a public street in order to provide easy maintenance access. The City has also allowed for utility lines to be placed within trail locations. The applicant is negotiating with City leadership as to whether the City will participate in the relocation cost of these lines.

The following summary is provided for each option (See Exhibit B). The applicant prefers either option 1 or 2.

**Option 1**: The existing utilities remain along the west boundary of the subdivision to the south boundary of lot 14; the utilities then go east to the new street within an easement; no stub road to the west. The detention pond is along Lomond View.

Staff Comment: The easement will impact the location of any proposed fencing between lots 14 and 15. An additional option is to put in a pedestrian pathway over the easement.

**Option 2**: All utilities are relocated along Elberta Drive and into the new street; no stub road to the west. The detention pond is along Lomond View.

Staff Comment: This is the best alternative for future utility maintenance. It does not provide for connectivity to the properties to the west.

**Option 3**: The existing utilities remain in the existing location; an easement is provided between lots 14 and 15 for maintenance access. There is no stub street. The detention pond is along Lomond View.

Staff Comment: This option provides access for manhole maintenance but is the least desirable if there is ever a need for these lines to be replaced. The easement will impact the location of any proposed fencing between lots 14 and 15. An additional option is to put in a pedestrian pathway over the easement.

**Option 4**: The existing utilities remain in the existing location; with 38-foot stub street to the west. The detention pond is shifted to the west.

Staff Comment: Options 4 and 5 are Staff’s preferred option as they provide connectivity for both residents and emergency responders.

**Option 5**: Same as option 1; except with a stub street. The detention pond is shifted to the west.

Staff Comment: Options 4 and 5 are Staff’s preferred option as they provide connectivity for both residents and emergency responders.

**Ordinances**: The following excerpts are from the Subdivision ordinance that address the above options. A further discussion about providing clarity for when stub streets are required is part of a later item on this agenda. There does not appear to be a clear standard for requiring a stub to the west; however, a stub road is recommended as identified in the City Engineer’s report. This is an important feature for providing connectivity between residents and providing emergency access.
Staff recommends that if any of the options chosen include utility lines between lots 14 and 15 that a pathway should be built upon the easement with sufficient width as required by the City Engineer.

**12-6-3: Streets**

3. Topography And Arrangement:
   a. Streets shall be related appropriately to the topography. All streets shall be arranged so as to obtain as many as possible of the building sites at or above the grades of the streets. Grades of streets shall conform as closely as possible to the original topography. A combination of steep grades and curves shall be avoided. Specific standards are contained in the public works standards of the city.

b. All streets shall be properly integrated with the existing and proposed system of thoroughfares and dedicated rights of way established on the official map and/or general plan. Such integration shall take topographical conditions into consideration. The street arrangements shall not cause unnecessary hardship to owners of adjoining property when they plat their own land and seek to provide convenient access to it.

d. Minor streets shall be laid out to conform as much as possible to the topography, to discourage use by through traffic, to permit efficient drainage and utility systems, and to require the minimum number of streets necessary to provide convenient and safe access to property.

4. Blocks:
   a. Blocks shall have sufficient width to provide for two (2) tiers of lots of appropriate depths. Exceptions to this prescribed block width may be permitted in blocks adjacent to major streets, waterways or topography concerns.

   b. The lengths, widths and shapes of blocks shall be such as are appropriate for the locality and the type of development contemplated, but block lengths in residential areas shall not exceed one thousand three hundred twenty feet (1,320') nor be less than four hundred feet (400') in length. Wherever practicable, blocks along major streets and collector streets shall be not less than six hundred sixty feet (660') in length.

   c. In long blocks, the planning commission may require the reservation of an easement through the block to accommodate utilities, drainage facilities or pedestrian traffic. Pedestrian ways or crosswalks, not less than six feet (6') wide, may be required by the planning commission through the center of blocks more than eight hundred feet (800') long where deemed essential to provide circulation or access to schools, playgrounds, shopping centers, transportation or other community facilities. Blocks designed for industrial uses shall be of such length and width as may be determined suitable by the planning commission for prospective use.

Lot Design. The lots meet the required square footage for lots in the R-1-12.5 zone. However, verification is required for lot widths, at the 30’ setback line. The applicant also needs to provide the bearings of all proposed property lines (See Exhibit B).

Lindstrom Parcel. The plat currently shows a small remainder parcel between the Lindstrom property to the north and Lot 11 on the plat (See Exhibit B). This remainder parcel will need to be incorporated into the Lindstrom parcel with a boundary line adjustment or the Lindstrom parcel can be added as a lot to the Pheasant Landing subdivision. Either option will need to be accomplished prior to the recording of the Pheasant Landing subdivision.
On a related note, the applicant has also indicated to Staff that they are willing to put improvements in front of the Lindstrom property.

**Submittals.** The applicant has provided a will serve letter from Central Weber Sewer, and a will-serve letter for secondary irrigation. A geotechnical report has been provided. A note needs to be placed on the plat referencing the company, report number, and date. Also, the applicant is providing a land drain for a portion of the subdivision. Stormwater detention is being handled by a detention basin on the south side of the subdivision.

**Traffic Study.** A traffic study was performed to provide information regarding the impact of this proposed subdivision. That traffic study is provided as an exhibit to this report (See Exhibit E). As part of the rezone for this project a traffic study was done for both streets. There is also a 6’ sidewalk on the east side of the road. This fulfills a requirement for a trail connection in the General Plan.

**Utility Easements.** Any required utility easements need to be identified as approved by the City Engineer.

The memo offered the following summary of potential Planning Commission considerations:

- Does the proposed subdivision meet the requirements of the applicable City subdivision and zoning ordinances?
- Which design option is preferred?
- Is the proposed subdivision consistent with the General Plan?

**CONFORMANCE TO THE GENERAL PLAN**

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. The General Plan map calls for this property to be developed as low density residential and is in the Old Town neighborhood.

Recommended conditions of approval include:

- Requirements of the North Ogden City Engineer’s Report.
- Requirements of the Technical Review Committee Letter.
- Submittal of a geotechnical report. A note needs to be placed on the plat referencing the company, report number, and date of the geotechnical report.
- The applicant needs to provide verification regarding all lot widths.
- The bearings of all proposed property lines need to be added to the plat.
- The applicant needs to either include the Lundstrom parcel as a lot in the subdivision, or complete a separate boundary line adjustment between the Lundstrom parcel and the existing parcel, if this option is chosen then the boundary line adjustment will need to be recorded prior to the subdivision being recorded.
- The 6’ sidewalk on the east side of the road is required as part of the trail connection in the General Plan. An easement may need to be provided if a portion of the 6’ sidewalk encroaches onto the lots.
• If utilities remain along the west side of the subdivision a utility easement is required. The public utility easement on the east side of the street needs to meet city standards as approved by the city engineer.
• If an option is chosen with an easement or pedestrian walkway is chosen a notation regarding fencing will need to be included on the plat.

The memo concluded staff recommends that the Planning Commission approve either Option 4 or 5 for the Pheasant Landing subdivision. If an option is chosen with an easement to the west Staff recommends that a pedestrian walkaway be included. Additionally, that preliminary approval be granted subject to the conditions recommended in this Staff Report, the Engineer’s Report, and the Technical Review Committee Letter.

Mr. Scott reviewed his staff memo in conjunction with the plats for each of the five optional layouts for the project.

Commissioner Barker stated he can be supportive of option four of five based upon the fact that they prioritize safety for residents and emergency responders.

Commissioner Nancarrow inquired as to the block length with removal of the stub street, to which Mr. Scott answered 1,150 feet. Commissioner Nancarrow stated that is why options four or five are more viable as they reduce the block length. This led to discussion of the key differences between options four and five. Mr. Scott stated that option four allows for the utilities to remain located along the west boundary line rather than being relocated into the street. Option five allows for the utilities to remain along the west boundary line until the development of lot 14, which will trigger them being extended east into the new street.

Commissioner Barker asked if allowing a pedestrian walkway to be constructed in a utility easement is problematic. City Engineer Gardner stated allowing for a pedestrian walkway in a utility easement is fairly common. There are other projects in the City where a trail has been constructed over a utility line. Language is recorded on the plat to indicate that access to the utility infrastructure must be preserved.

Vice-Chairman Mason invited input from the applicant and asked him to voice his reasoning for his support of options one or two listed in the staff memo.

John W. Hansen, 1165 W. 4000 N., Pleasant View, stated that the reason he provided five optional layouts for the property is to allow for examination of every possibility for development. The property is irregularly shaped and the utilities on the west side are not located within the City’s utility easement. A retention basin likely cannot be constructed on lot 19 given the fact that the City’s utilities are located 15 feet outside the easement and this will make it difficult to provide the required slope for a detention basin. He is trying to keep the detention basin located on the lowest part of the property, which would be lot two on option four, and he wants lot 19 to be a buildable lot. He feels option two is the best option. It is the most expensive option, but he may request some participation from the City in realigning the utilities (possibly a 30/70 split). This would result in all utilities being located in public roads. Relative to block lengths and stub roads, the City ordinance provides for a maximum block length of 1,320 feet.
The block length in this project is 1,150 feet, which is compliant with the ordinance for a single block. He commonly creates stub roads in his projects to allow for continued development of raw ground, but for this project, the property to the west owned by the Bailey family, would allow for a block length of 1,276 feet north to south and they have plenty of frontage on Elberta Drive and Lomond View Drive for their utilities. He stated that he is within the ordinance and is not sure that requiring a stub road is necessary for this project. He reiterated he feels the best option is option two and he asked for support from the Planning Commission. This led to high level discussion among Mr. Hansen and Vice-Chairman Mason regarding the manner in which the block lengths were measured, after which Mr. Hansen noted he would rather spend the money to relocate the utilities than to create an unnecessary stub road. If the Bailey’s did not have adequate access or room for utilities, he would construct the stub road, but that is not the case and the stub road is not needed.

Vice-Chairman Mason invited public input.

Blake Welling, 1098 E. 3100 N., stated that he does not believe options one or two make sense. He does not see a safety benefit in relation to a stub road as there are already two main roads that provide access to the subdivision. Driving around the block to visit a neighbor should not be encouraged when there is the option to use one of the two main roads or to use the trail. He agreed with the developer that the stub road is not needed because if it is never utilized in the future, it will be used for other things, such as junk storage. He then asked about the process for this type of application. If it is approved tonight, will it be forwarded to the City Council or is it finalized and available for purchase? He also asked who is in charge of ongoing maintenance of the detention basin to make sure it is not a weed patch in a few years.

Vice-Chairman Mason stated that the applicant has applied for preliminary approval and if that is approved, the applicant will have some direction as to how to proceed in creating his final plat approval application. City Manager/Attorney Call added that any monetary contribution from the City in regard to relocation of the utilities would need Council approval. Ongoing maintenance of the detention basin would be handled by the City’s storm water division. There was a brief discussion among the Commission and staff regarding instances in the past in which the City has participated in utility relocation for this type of project. Mr. Call ultimately concluded the Commission can provide a recommendation on that matter, but it is at the Council’s discretion.

The Planning Commission then engaged in philosophical discussion of the five development options that have been presented, with a focus on the options preferred by staff. Commissioner Nancarrow stated that the City’s General Plan calls for connectivity wherever possible and that is why staff likely supported options four and five. She supports those options for the same reason. Vice-Chairman Mason stated he understands that viewpoint, but believes the stub road in this case is a ‘road to nowhere’; there is only one potential development to the west, but it can be developed without a stub road as explained by Mr. Hansen. Commissioner Barker agreed and stated he sees why options one and two are appealing. However, there are options for repurposing of the stub road if it were never extended as an actual road. He suggested it could be developed into a pathway. Debate of the merits of the requirement for a stub road continued, with Commissioner Waite noting that requiring the stub road will result in ‘chopping the property into smaller blocks’ unnecessarily. He does not believe there is a safety issue that
warrants the requirement for the stub road. Mr. Call offered aid in reaching a conclusion. The matter of cost-sharing associated with relocating utilities is not an item for the Commission to act upon. For that reason, it is appropriate for the Commission to focus solely upon the lot layout they feel is best for the project and forward that information to the City Council for a final determination. Vice-Chairman Mason stated that the Commission ultimately needs to decide if they want to require the stub road.

Mr. Hansen stated he appreciates the Commission’s feedback regarding whether to build a stub road. He stated that it has been his experience that stub roads in other projects have become a negative aspect of a development. He would prefer that the City focus on the appropriate relocation of utilities near the property rather than require a stub road. He reiterated his request that the Commission support option two.

Vice-Chairman Mason stated that stub roads and utilities are not mutually exclusive. He is in favor of option two, but he understands that others may be in favor of the options supported by staff. Commissioner Waite referenced the recent push for low impact development in the City, which includes reduced amounts of hard surfaces; requiring a stub road is contrary to that goal and he would rather see longer blocks and less asphalt instead of creating more roadways that increase the burden on the City for ongoing maintenance. The Commission debated this viewpoint and ultimately reached consensus to support option two. Mr. Scott stated that even with option two, he would support a pedestrian walkway that would provide connectivity. Commissioner Barker asked if the Commission needs to determine the location of the pedestrian walkway at this time. Mr. Scott answered no; rather, a motion to approve could include a condition that a pedestrian walkway be included in the final plat application. This will give the applicant the ability to adjust his plan accordingly. Vice-Chairman Mason stated he thinks the pedestrian walkway would be well suited next to lot 19, the detention basin. Commissioner Lunt stated that in option two, lot 19 is not the detention basin; rather, it is a standard building lot.

Mayor Berube noted that the City is willing to entertain option two with participation relocating utilities, but he does not believe the Commission should include that as a condition of approval of the current application.

Commissioner Lunt asked how the pedestrian walkway would be preserved. He asked if it will be recorded as an easement with the property incorporated into a lot until it is built. Mr. Scott stated there are several options for preserving the easement; however, it is best to construct that type of amenity when the subdivision is initially developed.

Commissioner Barker made a motion to grant approval of application SUB 2019-16, preliminary approval for Pheasant Landing Subdivision (19 lots), based upon the findings and subject to the conditions listed in the staff report, with support for option two and a recommendation that the applicant include a pedestrian walkway in his final plat approval application. Commissioner Arner seconded the motion.

Voting on the motion:

Chairman Thomas excused
Vice Chairman Mason  aye
Commissioner Arner  aye
Commissioner Barker  aye
Commissioner Lunt  aye
Commissioner Nancarrow  aye
Commissioner Waite  aye

The motion carried.

8. **SUB2018-18 Consideration and action regarding final approval for Mountain Valley Villas Subdivision, Phase 1 (10 lots).**

A staff memo from Planning Director Scott explained when the Planning Commission is acting as a land use authority, it is acting in an administrative capacity and has a limited degree of 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.

Preliminary approval was granted for the Mountain Valley Villas subdivision on August 22, 2018 (34 lots). The applicant is dividing the project into multiple phases. A minor subdivision was approved for three lots on the frontage of 850 East on March 5, 2020.

The applicant is requesting final approval of the Mountain Valley Villas subdivision, Phase 1, a 10-lot subdivision located at approximately 800 East 2600 North. The property is bisected by the future Monroe Boulevard (750 East). The property to the north is the Warren Estates, Phase 2 subdivision.

This subdivision phase is located on approximately 3.2 acres and is in the R-1-8 and RE-20 zones. The R-1-8 zone requires a minimum lot size of 8,000 square feet for interior lots and 9,000 square feet for corner lots, with a lot width requirement of 80 feet. (See Exhibits A and C) A rezone is required prior to recording this plat.

The subdivision includes a portion of the Johnson Webb property. Johnson Webb has submitted separate rezone and subdivision applications that will tie into the Mountain Valley Villas, Phase 1 subdivision of off 2625 North. These reviews will be done at an upcoming Planning Commission meeting. Johnson Webb will need to be a signatory on this plat.

The Warren Estates, Phase 2 subdivision, lot 8 is being amended to transfer a 30 foot by 4 to 6-foot parcel into lot 10 in order for lot 10 to meet the frontage requirements. An amended plat for the Warren Estates, Phase 2 subdivision needs to be approved prior this phase of the Mountain Valley Villas being recorded.

A Technical Review Committee meeting was held for this property on January 23, 2018. The City Engineer has submitted a report dated May 26, 2020. (See Exhibits B and D). The applicant has provided a geotechnical report and secondary water will serve letter for this subdivision.
The proposed lots have been verified to meet the lot width requirements and square footage requirements. Additionally, the applicant has provided the bearings (the angles) of all side lot boundaries.

The street right of way width is shown as 48 feet; not the standard 60 feet as a result of meeting the low impact design standards. (See Exhibit D) The Monroe Boulevard section is eligible for a payback of the center portion of the right of way difference between 66 feet and the 80 feet.

CONFORMANCE WITH THE GENERAL PLAN
The proposed subdivision 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 low density residential and is within the Old Town Neighborhood.

SUMMARY OF REQUIREMENTS
• Comply with the Staff Report Requirements
• Comply with the Engineer Report Requirements
• The Warren Estates, Phase 2, lot 8 amendment approved prior to recording
• Johnson Webb will need to be a signatory to this plat.
• The Johnson Webb property to be rezoned prior to recording
• The Johnson Webb property to be approved as a subdivision

The memo offered the following summary of potential Land Use Authority considerations:
• Does the proposed subdivision meet the requirements of the applicable City subdivision and zoning ordinances?
• Is the proposed subdivision consistent with the North Ogden City General Plan?

The memo concluded staff recommends final approval of the Mountain Valley Villas Subdivision, Phase 1 subject to the conditions in the Staff report.

Mr. Scott reviewed his staff memo.

Vice-Chairman Mason asked Mr. Scott to identify the parcel owned by Johnson Webb, which Mr. Scott did using the aid of the materials included in the meeting packet. A portion of the property owned by Mr. Webb is included in this project, which is why he must sign documentation approving the project.

Vice-Chairman Mason invited input from the applicant.

Pat Burns indicated he had nothing to add to Mr. Scott’s report, but expressed willingness to answer any questions the Commissioners may have.

Commissioner Nancarrow made a motion to grant approval of application SUB2018-18, final approval for Mountain Valley Villas Subdivision, Phase 1 (10 lots), based on the findings and subject to the conditions listed in the staff report. Commissioner Arner seconded the motion.
Voting on the motion:

- Chairman Thomas: excused
- Vice Chairman Mason: aye
- Commissioner Arner: aye
- Commissioner Barker: aye
- Commissioner Lunt: aye
- Commissioner Nancarrow: aye
- Commissioner Waite: aye

The motion carried.

LEGISLATIVE ITEMS:

9. **ZTA 2019-13** Public hearing, consideration, and recommendation regarding amending the City Code to create a Civic Zone.

A staff memo from Planning Director Scott explained 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

December 4, 2019 was the initial discussion with the Planning Commission. Since that time North Ogden City staff have been consulted on the draft amendment.

On April 15, 2020, the Planning Commission held a further discussion regarding the amendment. Comments were received from the public. Clarification was made that this zone assures that city owned facilities will follow city ordinances.

On May 6, 2020, the Planning Commission further considered the draft amendment and requested that a public hearing be set.

Amendment Summary

The following list is a summary of the amendment provisions:

- **Open Space Definition** – The definition of open space has trails, walking paths, and plazas added to this definition.

- **Establishment of Zones** – This provision adds Civic Zone CZ to the list of established zones.

Added Language

- **Purpose and Intent** – Regulations are intended to provide meaningful standards for civic uses
Permitted Uses – Uses are identified including accessory buildings, cemetery, civic buildings, civic complexes, public parks, and public utility substations

Site Development Standards – Minimum standards are provided with the Planning Commission given the authority to modify these standards if there are unique circumstances while insuring there are appropriate buffering provisions with adjacent uses.

Site Plan Approval – Civic uses are required to meet the standards of the site plan approval process

Site Plan Amendments – A standard for amending the site plan is provided

Sign Regulations – A comprehensive sign plan is required

Fence Regulations – Fencing is to be approved by the Planning Commission

Exterior Lighting – The exterior lighting standard is referenced

Trash Enclosures – The trash enclosure standard is referenced. The option for standard trash pickup is an option.

Parking Requirement – A parking requirement is established for parks and other civic uses. The Planning Commission is given authority to approve the required parking.

Public Utility Substation – Revisions are made to this existing provision

Development Plan – References are added referencing civic uses in this existing provision

CONFORMANCE WITH THE GENERAL PLAN

Housing Goals
Goal #1 – Increase Housing Quality and Variety
  • Establish and adhere to high quality building and design standards for all housing types so that development enhances the community character.

Strategies
  • Proactively evaluate current ordinances and policies to determine whether there are obstacles that can be removed or modified to achieve the community’s housing goals.
  • Create design standards to improve the overall quality of North Ogden’s housing.
  • Work with homeowners, landlords, and renters to maintain and improve existing properties.

The memo offered the following summary of potential Land Use Authority considerations:
  • What approval process and design standards should apply to civic uses?
  • Is the amendment consistent with the General Plan?
The memo concluded staff recommends the Planning Commission conduct a public hearing regarding the Civic Zone and make recommendation to the City Council. The Planning Commission can find that the amendment is consistent with the General Plan.

Mr. Scott reviewed his staff memo.

a. Public Hearing

Vice-Chairman Mason opened the public hearing at 8:17 p.m. There were no persons appearing to be heard.

Commissioner Waite made a motion to close the public hearing. Commissioner Barker seconded the motion.

Voting on the motion:

Chairman Thomas excused
Vice Chairman Mason aye
Commissioner Arner aye
Commissioner Barker aye
Commissioner Lunt aye
Commissioner Nancarrow aye
Commissioner Waite aye

The motion carried. The public hearing was closed at 8:18 p.m.

b. Consideration and Recommendation

Commissioner Barker stated he wished that this type of zoning ordinance had been in place several years ago before the City acquired and considered development of the property Barker Park and the amphitheater are now located.

Commissioner Waite made a motion to forward a positive recommendation to the City Council regarding application ZTA 2019-13 regarding amending the City Code to create a Civic Zone. Commissioner Nancarrow seconded the motion.

Voting on the motion:

Chairman Thomas excused
Vice Chairman Mason aye
Commissioner Arner aye
Commissioner Barker aye
Commissioner Lunt aye
Commissioner Nancarrow aye
Commissioner Waite aye
The motion carried.

10. **ZTA 2020-06 Discussion regarding revising standards for block length and connectivity.**

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 Planning Commission considered an application for the Pheasant Landing subdivision on June 3, 2020. As part of that discussion the issue of needing more clear and objective standards for block lengths and connectivity was identified. Staff would like to discuss options for these design standards with the Planning Commission for an amendment.

The following excerpts are from the Subdivision Title that address the standards for block lengths and connectivity.

**12-1-5: INTERPRETATION, CONFLICT AND SEPARABILITY**

A. Interpretation: In their interpretation and application, the provisions of these regulations shall be held to be the minimum requirements for the promotion of the public health, safety and general welfare.

B. Conflict With Public And Private Provisions:

   1. Public Provisions: These regulations are not intended to interfere with, abrogate or annul any other ordinance, rule or regulation, statute or other provision of law. Where any provision of these regulations imposes restrictions different from those imposed by any other provision of these regulations or any other ordinance, rule or regulation, or other provision of law, whichever provisions are more restrictive or impose higher standards shall control.

**12-1-10: RESUBDIVISION OF LAND**

A. Procedure: For any change in a map of an approved or recorded subdivision plat, if such change affects any street layout shown on such map, area reserved thereon for public use, or any lot line, or if it affects any map or plan legally reached prior to the adoption of any regulations controlling subdivisions, such parcel shall be approved by the planning commission and city council by the same procedure, rules and regulations as for a subdivision.

B. Future Resubdivision Indicated: Whenever a parcel of land is laid out and platted and the subdivision plat shows one or more lots containing more than one acre of land and there are indications that such lots will eventually be laid out and platted into small building sites, the planning commission may require that such parcel of land allow for the future opening of streets and the ultimate extension of adjacent streets. Easements providing for the future opening and extensions of such streets may be made a requirement of the plat.
12-6-3: Streets

3. Topography And Arrangement:
   c. Streets shall be related appropriately to the topography. All streets shall be arranged so as to obtain as many as possible of the building sites at or above the grades of the streets. Grades of streets shall conform as closely as possible to the original topography. A combination of steep grades and curves shall be avoided. Specific standards are contained in the public works standards of the city.
   d. All streets shall be properly integrated with the existing and proposed system of thoroughfares and dedicated rights of way established on the official map and/or general plan. Such integration shall take topographical conditions into consideration. The street arrangements shall not cause unnecessary hardship to owners of adjoining property when they plat their own land and seek to provide convenient access to it.
      1. Half streets proposed along a subdivision boundary or within any part of a subdivision shall not be permitted.
      2. Standard residential streets shall approach the arterial or collector streets at an angle of not less than eighty degrees (80°).
   e. All streets shall be properly related to special traffic generators such as industries, business districts, schools, churches and shopping centers; to population densities; and to the pattern of existing and proposed land uses.
   f. Minor streets shall be laid out to conform as much as possible to the topography, to discourage use by through traffic, to permit efficient drainage and utility systems, and to require the minimum number of streets necessary to provide convenient and safe access to property.

4. Blocks:
   d. Blocks shall have sufficient width to provide for two (2) tiers of lots of appropriate depths. Exceptions to this prescribed block width may be permitted in blocks adjacent to major streets, waterways or topography concerns.
   e. The lengths, widths and shapes of blocks shall be such as are appropriate for the locality and the type of development contemplated, but block lengths in residential areas shall not exceed one thousand three hundred twenty feet (1,320') nor be less than four hundred feet (400') in length. Wherever practicable, blocks along major streets and collector streets shall be not less than six hundred sixty feet (660') in length.
   f. In long blocks, the planning commission may require the reservation of an easement through the block to accommodate utilities, drainage facilities or pedestrian traffic. Pedestrian ways or crosswalks, not less than six feet (6') wide, may be required by the planning commission through the center of blocks more than eight hundred feet (800') long where deemed essential to provide circulation or access to schools, playgrounds, shopping centers, transportation or other community facilities. Blocks designed for industrial uses shall be of such length and width as may be determined suitable by the planning commission for prospective use.

The memo offered the following summary of potential Land Use Authority considerations:
• Should an amendment for block length and connectivity be processed?
• Is the amendment consistent with the General Plan?
The memo concluded staff recommends the Commission discuss the existing standards for block lengths and connectivity. Give direction to staff regarding a possible amendment.

Mr. Scott reviewed his staff memo and facilitated high level discussion among the Commission regarding appropriate amendments, if any, that should be pursued relative to block length and connectivity standards. The Commission engaged in philosophical discussion and debate regarding the manner in which extreme block lengths can impact the safety of residents by making it more difficult for emergency responders to access homes. The Commission expressed a need for strict standards, but also flexibility. Mr. Scott indicated that staff will use the feedback provided to formulate a document that can be considered to allow for amending the ordinance.

11. REMARKS FROM PLANNING COMMISSIONERS:

The Commission discussed the timing of resuming normal, in-person meetings. City Manager/Attorney Call noted that it can be difficult to accommodate a public body, public, and staff in the Council Chambers at City Hall. The Commission discussed options for pursuing a hybrid in-person/zoom meeting in the near future.

12. REPORT OF CITY PLANNER:

Mr. Scott reported on work being done by the City’s General Plan Steering Committee. He noted he will provide the Commission with a copy of documentation summarizing policy considerations being recommended by that group.

13. REMARKS FROM CITY MANAGER/ATTORNEY:

Mr. Call thanked the Commission for participating in the joint meeting with the City Council, which was held June 2.

14. ADJOURNMENT

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

Voting on the motion:

Chairman Thomas      excused
Vice Chairman Mason   aye
Commissioner Arner    aye
Commissioner Barker   aye
Commissioner Lunt     aye
Commissioner Nancarrow aye
The motion carried.

The meeting adjourned at 8:41p.m.

_______________________________________
Planning Commission Chair

_______________________________________
Administrative Assistant

_______________________________________
Date approved
The North Ogden Planning Commission convened in a regular meeting on June 17, 2020 at 6:34 p.m. in the North Ogden City Municipal Building, 505 E. 2600 N. North Ogden, Utah. 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 June 11, 2020. Notice of the annual meeting schedule was published in the Standard-Examiner on December 22, 2020.

COMMISSIONERS:

Eric Thomas  Chairman  Excused
Brandon Mason  Vice-Chairman
Lisa Arner  Commissioner
Scott Barker  Commissioner
Alan Lunt  Commissioner
Nicole Nancarrow  Commissioner
Don Waite  Commissioner

STAFF:

Rob Scott  City Planner
Lynne Bexell  Administrative Assistant
Jon Call  City Attorney/Administrator
Brandon Bell  Associate Planner
Kai Johnsen  Planning Tech
Evan Nelson  Planning Dept. Head
Lorin Gardner  City Engineer

VISITORS:

Mayor Neal Berube
McKenna Christensen
Stefanie Casey

REGULAR MEETING
Vice Chairman Mason called the meeting to order at 6:34p.m. Commissioner Waite offered the invocation and Commissioner Nancarrow led the Pledge of Allegiance.

1. **ROLL CALL**

   Vice Chairman Mason conducted the roll call and indicated Chairman Thomas was not present.

2. **OPENING MEETING STATEMENT**

   Planning Director Scott read the opening statement.

3. **EX PARTE COMMUNICATIONS OR CONFLICTS OF INTERST TO DISCLOSE**

   Vice Chairman Mason asked if any member of the Commission needed to declare conflicts of interest or ex parte communications. No declarations were made.

4. **PUBLIC COMMENTS FOR ITEMS NOT ON THE AGENDA**

   There were no public comments.

**ADMINISTRATIVE ITEMS:**

5. **SPR 2020-07 Consideration and action regarding site plan approval of improvements to the parking area located at approx. 2560 N Washington Blvd.**

   A staff memo from Associate Planner Bell explained when the Planning Commission is acting as a land use authority, it is acting in an administrative capacity and has a narrow degree of 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 Crossroads at North Ogden project is making improvements to the parking area on the north end of the center, adjacent to 2600 North. In 2016, the site was purchased and the new owners stated they would be upgrading the shopping center in 2 phases. The first phase already occurred with the reskinning the building’s exterior. This application is being applied for in connection with the upcoming improvements to the intersection at 2600 North is the second of the two upgrades to the property.

**ZONING ORDINANCE COMPLIANCE**

   The Planning Commission will be considering how this proposal meets the North Ogden City Zoning Ordinance:
11-8B (PLANNED COMMERCIAL ZONE CP-2)  
Staff comment: The uses are already in place in this shopping center. This is an adjustment of the parking to better accommodate those uses.

11-8B-3 SITE DEVELOPMENT STANDARDS  
Staff Comment: The site plan shows the location of this project at the North end of the overall site just south of 2600 North. The minimum standards for lot area, width, setbacks, building height, are met. The lot coverage requirement of only 80% buildings and hardscape are met in the overall project. See the comments regarding landscaping below.

11-26-2 SITE PLAN APPROVAL REQUIRED  
Site plans are required for all permitted uses other than single family residences.

11-8D-2: SCOPE (A) (2)

11-8D-2: SCOPE  
All development proposals in commercial or manufacturing zones, including all new structures and parking lots and expanded structures, remodels and renovations when the cost of such expansion, remodel or renovation (as determined by the building inspector) is equal to or exceeds fifty percent (50%) of the current assessed value of the structure, shall be subject to the standards and regulations of this article. Such standards and regulations are intended to be in addition to existing standards and regulations of the underlying zone of the property and other applicable regulations of this title. In cases of expansion, remodel or renovation costing less than fifty percent (50%) of the current assessed value of the structure, though not required, it is recommended that these standards be considered.

A. This article establishes two (2) kinds of design criteria: design standards and design guidelines.
   1. Design standards are required in addition to all other standards set forth in this title and are indicated by the verb "shall". In the event of conflict between this article and other applicable provisions of this title, the more restrictive provision shall apply.
   2. It is the intent of the city that every development subject to this article be designed in conformity to the purpose and requirements of this article. However, the city also recognizes that it cannot anticipate all possible circumstances, nor the best means for dealing with them, in the preparation and adoption of these regulations. For example, criteria established herein may be more germane to larger projects than to smaller ones, depending on the individual characteristics of the site, such as size, configuration, topography and location.

Therefore, the approval authority, unless expressly stated to the contrary in this article, shall have reasonable discretion in implementing the purpose of this article by modifying both mandatory and recommended criteria as individual circumstances may merit. In deviating from the adopted standards, it shall be the responsibility of the applicant to show why the requirements would be an unreasonable burden, and how the project would still meet the purpose and intent of this article. In the same vein, the approval authority may also require that certain provisions of this article, which are not mandatory, be included in a project based on individual circumstances.
Staff Comment: Given the above ordinance, and that this is a renovation of a parking area of an existing shopping center, the following ordinances in the report below are the standards that Staff is of the opinion should be enforced in this specific situation. The intent of the project is to enhance the parking for the shopping center. The applicant has stated that the value of the work will be far less than 50% of the value of the buildings on site. The Planning Commission may ask the applicant how the project would meet the purpose of the design standards.

11-26-7: DEVELOPMENT PLAN

Staff Comment: A development plan must be approved by the Planning Commission. The submitted site plan shows the northern portion of the Crossroads at North Ogden project and this particular parking area.

Since the new ATM’s have been approved, the existing Wells Fargo drive-ups and ATMs will be demolished as part of this expansion of the 2600 North and Washington Boulevard. The bank building will remain in place while the ATMs are being relocated. There will not be any drive-up windows at the bank building in the new plan.

This site plan review includes a renovation of the northern parking area on this site. The contract that the applicant has with Smith’s requires a specific number of parking spaces. The site plan complies with the contractual obligation. The parking stalls will have increased on the site overall from 207 to 261 stalls, after this and the work in the newly approved ATM area are completed.

11-8D-5 LANDSCAPING

Staff Comment: The landscape plan for the Cross Roads at North Ogden complies with the 20% requirement if the city owned property that is landscaped is included. The city owned property landscaping is in place and is being maintained by the applicant. The applicant has stated that the total landscape amount being maintained in the project is 20.4%.

11-10-25 TRASH ENCLOSURES

A permanent enclosure for temporary storage of garbage, refuse and other waste materials shall be provided for every use, other than single-family dwellings and multiple-family dwellings of less than four (4) units. The enclosure shall be entirely surrounded by screen walls or buildings. Trash enclosures shall comply with the following regulations:

1. Construction: Trash enclosures shall be so constructed that contents are not visible from a height of five feet (5’) above grade from any abutting street or property, and shall be constructed of solid or ornamental pierced masonry walls with solid concrete floor sloped for drainage and maintenance of sanitary conditions. Enclosures shall be of sufficient height to conceal contents, including containers, but in no case shall any enclosure be less than four feet (4’) in height above grade. Gates are required and shall be solid or baffled, equal in height to the enclosure and equipped with latches to ensure closure when not in use.

2. Location: Trash enclosures shall not be located in any required front or side yard.

Staff Comment: Currently, there are 4 trash enclosures being used by the Crossroads at North Ogden project. The trash enclosures shown on this proposed plan are being moved from their current location on the east side of the access lane on the east side of the property, to the west side of that same access lane, and more to the north, closer to the buildings.
The side setback in the CP-2 zone is 10 feet. The proposed location is not in a required side yard.

Staff recommends that the Planning Commission delegate to Staff the review of the trash enclosure design, with the applicant being allowed to submit a design for the trash enclosures to Staff. The ordinance requires that the trash bins be gated, with either a solid or baffled gate, and that the gate be equal in height to the enclosure.

The memo offered the following summary of potential 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 part of the Downtown as a commercial center.

Recommended conditions of approval include:

- The Planning Commission delegate to Staff the review of the trash enclosure design, with the applicant being allowed to submit a design for the trash enclosures to Staff.
- The trash bins be gated, with either a solid or baffled gate, and that the gate be equal in height to the enclosure.
- The conditions listed in the Engineer’s report.

The memo concluded staff recommends approval of this adjustment to the site plan for the North Ogden Crossroads Center as identified in this Staff report and the Engineer’s Report.

Mr. Bell reviewed his staff memo and the exhibits referenced to identify adjustments being made to the site.

Commissioner Barker commented on his support for adjustments that will improve the trash enclosure area. This area needs to be cleaned up.

There was a brief discussion about the parking layout as well as traffic flow on the site; Mr. Bell stated that while the Commission has been provided with information about the overall site, the only item for consideration at this time is the adjustments to the northern parking area.

Vice-Chairman Mason invited input from the applicant.

McKenna Christensen, 748 W. Heritage Park Boulevard, Layton, expressed her willingness to answer any questions the Commission may have.

Vice-Chairman Mason asked Ms. Christensen to discuss the overall purpose of the application and why she feels the design is good. Ms. Christensen stated that the proposal to relocate the ATM on the site is based upon the design of the road widening project. When the road is widened, it will cut through the existing ATM drive-up. Other suitable locations for the ATM and drive-thru lane were evaluated and the only location that would work was on the west portion of the site. Vice-Chairman Mason asked if there will be a parking island on the north side
of the building that currently houses Fiiz that will facilitate 45-degree angled parking. Ms. Christensen answered yes. Many parking configurations were considered and the current design was most workable on the site.

Discussion then centered on the interaction between bank traffic and Fiiz traffic, with Ms. Christensen noting that she has discussed the proposal with Fiiz and they are supportive of the idea of stacking drive-thru vehicles around the back of their building. She added that Fiiz’s current lease will be expiring soon and her company is looking for other locations in the City that can better accommodate drive-thru traffic. Commissioners indicated they are not concerned about vehicle stacking, but they are concerned about retraining customers that patronize the businesses located on the subject property. The group discussed options for educating motorists of changes in traffic and parking patterns on the site.

Vice-Chairman Mason stated that the Planning Commission granted approvals relative to this site in the past and that included removal of existing trees with plans to replace them. However, he has not seen any new trees planted and he asked when that is going to occur. Mr. Bell stated that the City has been working with the applicant to pursue landscaping improvements on the site, but he is unsure of the timing of replacing the trees on the north end of the property. Ms. Christensen stated that there are plans to replant trees in the park strips near the Starbucks and Arby’s within the next month. The overall landscape plan also calls for trees to be planted in the park strip along 2600 North.

Vice-Chairman Mason stated he is supportive of the overall design that has been presented.

Commissioner Lunt made a motion to grant approval of SPR 2020-07, site plan approval of improvements to the parking area located at approx. 2560 N Washington Blvd., based on the findings and subject to the conditions listed in the staff report, which include delegating approval of trash enclosures to staff; the following condition of approval is also added:

- Use of vertical signs.

Commissioner Waite seconded the motion.

Voting on the motion:

<table>
<thead>
<tr>
<th>Voting</th>
<th>Result</th>
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<tbody>
<tr>
<td>Chairman Thomas</td>
<td>excused</td>
</tr>
<tr>
<td>Vice Chairman Mason</td>
<td>aye</td>
</tr>
<tr>
<td>Commissioner Arner</td>
<td>aye</td>
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<tr>
<td>Commissioner Barker</td>
<td>aye</td>
</tr>
<tr>
<td>Commissioner Lunt</td>
<td>aye</td>
</tr>
<tr>
<td>Commissioner Nancarrow</td>
<td>aye</td>
</tr>
<tr>
<td>Commissioner Waite</td>
<td>aye</td>
</tr>
</tbody>
</table>

The motion carried.

LEGISLATIVE ITEMS:

6. Discussion regarding Temporary Land Use Regulation for Downtown/Southern syllabus.
Planning Director Scott presented a document entitled “syllabus”, which is intended to communicate the City’s desires for the type of development that is appropriate along Washington Boulevard. He also shared a case study for Pinedale, Wyoming and their efforts to create a ‘sense of place’ in their community. This included things like a unique welcome sign and features on their main street that set it apart from others. There are some similarities between Pinedale and North Ogden. He then discussed some of the characteristics of the community that have been drawn upon to identify priorities for future development along Washington Boulevard. This includes celebration of the City’s history; preservation of public spaces that can accommodate community gatherings; and protection of public investments that have been made. Washington Boulevard has been divided into two sections: Downtown and Southtown. Different development themes have been identified for these two sections in the City’s General Plan and he is interested in hearing feedback from the Commission regarding the types of things they would like to highlight or emphasize in the two districts.

Commission discussion centered on creating a sense of place by preserving the community gathering area near ‘the stump’ drinking water well and possibly pursuing improvement of trails and ensuring connectivity to make the area more accessible and pedestrian/bike friendly. For the Southtown area, the Commission expressed a desire to preserve and build upon the historical uses and businesses along Washington Boulevard, such as the cannery and Kirt’s drive-in. Mr. Scott stated that it would be helpful to develop a comprehensive list of uses or use categories and then identify uses that are not allowed in certain zones or districts. He invited the Commission to communicate additional thoughts or to him via email.

Finance Director Nelson stated that much of the development that has occurred in North Ogden’s downtown area is auto-oriented as opposed to pedestrian-oriented. The General Plan calls for encouraging walkability, but that may be more difficult in the Downtown area than the Southtown area. He feels the City Council and Planning Commission have an opportunity to promote walkability by supporting designs that conceal motor vehicle activity and provide opportunities for pedestrian activity. Commissioner Barker agreed and stated he feels this is an attainable goal in the area near Village at Prominence Point. The City could support businesses that provide job opportunities for residents living there or create plazas that provide for community gathering in spaces that they can walk to. Vice-Chairman Mason agreed, but noted that when development applications are formalized by applicants, there is a hesitance to pursue walkability.

Associate Planner Bell noted that one of the things that is hard for a developer or a planner to do is to help the public visualize a development proposal. If a proposal can be tied into the existing identity of an area, it can be easier for the public to visualize. It can be helpful to build upon the visually prominent elements of the community that already exist. Also, if developers can be included in these types of discussions, it will be helpful to make them understand the local market and support for certain types of projects. It will also ensure that they are pursuing projects that are consistent with the vision that has been developed for North Ogden.

7. **REMARKS FROM PLANNING COMMISSIONERS:**

There were no additional remarks from Commissioners.
8. **REPORT OF CITY PLANNER:**

Mr. Scott stated that the Council would like to have additional joint work sessions with the Commission in July and August and he will send optional dates to the Commission when available.

9. **REMARKS FROM CITY MANAGER/ATTORNEY:**

Mr. Call reported the Planning Department is exploring options for digitizing development or land use applications.

10. **ADJOURNMENT**

Vice Chairman Mason made a motion to adjourn the meeting. Commissioner Nancarrow seconded the motion.

Voting on the motion:

- Chairman Thomas: excused
- Vice Chairman Mason: aye
- Commissioner Arner: aye
- Commissioner Barker: aye
- Commissioner Lunt: aye
- Commissioner Nancarrow: aye
- Commissioner Waite: aye

The motion carried.

The meeting adjourned at 7:57 pm
Staff Report to the North Ogden City Planning Commission

SYNOPSIS/APPLICATION INFORMATION
Application Request: Consideration and action on an administrative application for preliminary approval of the Webb Subdivision, (3 lots) and a revision to Mountain Valley Villas, Phase 2 final approval
Agenda Date: July 1, 2020
Applicant: Johnson and Kellie Webb
File Number: SUB 2020-09 and SUB 2018-18

PUBLIC NOTICE:
Mailed Notice: June 16, 2020
Newspaper: N/A
City Website: June 25, 2020

PROPERTY INFORMATION
Address: Approximately 800 East 2700 North
Project Area: Approximately 2.15 Acres (93,654 Sq. Ft.)
Zoning: Proposed Single Family Residential Zone (R-1-8) and (R-1-8 (AG)
Existing Land Use: Vacant/Residential
Proposed Land Use: Residential
Parcel ID: 170740023 and 170740064

ADJACENT LAND USE
North: Residential  South: Residential
East: Residential  West: Residential

STAFF INFORMATION
Robert O. Scott, AICP
rscott@nogden.org
(801) 737-9841

APPLICABLE ORDINANCES
North Ogden City Zoning Ordinance 11-7-B Single Family Residential Zone(R-1-8) and R-1-8(AG)
North Ogden Subdivision Ordinance Title 12 Subdivision Regulations

TYPE OF DECISION
When the Planning Commission is acting as a land use authority, it is acting in an administrative capacity and has a limited degree of 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 preliminary approval of the Webb subdivision (3 lots) located at approximately 800 East 2600 North. A portion of this parcel is being incorporated into lot 4 of the Mountain Valley Villas subdivision. As part of this application an adjustment is proposed with the Mountain Valley Villas, Phase 2 subdivision. A portion of the detention basin parcel is being incorporated into the Webb subdivision. The City Engineer has determined that this transfer will not impact the detention basin size while transferring some excess property into lot 3. This will allow the applicant to construct a detached accessory dwelling unit on lot 3.

This subdivision phase is located on approximately 2.15 acres. A companion rezone map amendment is being processed to the R-1-8 and R-1-8(AG) zones. The R-1-8 and R-1-8(AG) zones require a minimum lot size of 8,000 square feet for interior lots and 9,000 square feet for corner lots, with a lot width requirement of 80 feet. All of the proposed lots are interior lots. (See Exhibits A and C)

A Technical Review Committee meeting was held for this property on January 23, 2018.

The City Engineer has submitted a report dated June 25, 2020. (See Exhibits B and D). The City Engineer has identified that 2600 North is projected to be widened. There will be a need for some right of way dedication. The City Engineer will be investigating options and implications for this project. The City Engineer will coordinate with the applicant as part of a finalized requirement for final approval. Depending upon the amount of dedication this may have an impact on the area requirement for lots 1 and 2.

The geotechnical report that was part of the Mountain Valley Villas subdivision satisfies this requirement for the Webb subdivision. A secondary water will serve letter for this subdivision is required for final.

The proposed lots have been verified to meet the lot width requirements and square footage requirements. Additionally, the applicant is required to provide the bearings (the angles) of all side lot boundaries.

There are a number of existing accessory buildings on these parcels. See Exhibit E. The two accessory buildings shown in yellow will be incorporated into lots 1 and 2. The shed shown in red is going to be moved with the final determination to be coordinated through a land use permit. There is also a large accessory building located on the northeast corner of lot 3.

The street right of way width is shown as 48 feet; not the standard 60 feet as a result of meeting the low impact design standards. (See Exhibit D)

CONFORMANCE WITH THE GENERAL PLAN
The proposed subdivision 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 low density residential and is within the Old Town Neighborhood.

SUMMARY OF REQUIREMENTS

- Comply with the Staff Report Requirements
- Comply with the Engineer Report Requirements
- The Johnson Webb property to be rezoned prior to recording
- Land Use Permits to be obtained to verify the accessory building locations
- Obtain the secondary water will serve letter
- Identify the dedication right of way needed for the 2600 North expansion and incorporate this into the design for final approval
SUMMARY OF LAND USE AUTHORITY CONSIDERATIONS

- Does the proposed subdivision meet the requirements of the applicable City subdivision and zoning ordinances?
- Is the proposed subdivision consistent with the North Ogden City General Plan?

RECOMMENDATION

Staff recommends preliminary approval of the Webb Subdivision subject to the conditions in the Staff report to include the transfer of a portion of the detention basin parcel in the Mountain Valley Villas, Phase 2 subdivision into lot 3 of the Webb subdivision.

EXHIBITS

A. Application
B. Technical Review Committee Notes
C. Subdivision Plat
D. City Engineer Memo (6 25 2020)
E. Accessory Building Location Diagram
# LAND USE DEVELOPMENT APPLICATION

North Ogden City Planning Department  
505 East 2600 North  
North Ogden, UT 84414 (801)782-7211

---

**APPLICANT INFORMATION**

<table>
<thead>
<tr>
<th>Name:</th>
<th>Johnson J Kellie Webb</th>
<th>Company:</th>
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<tbody>
<tr>
<td>Address:</td>
<td>800 E 2600 N</td>
<td>North Ogden UT 84414</td>
</tr>
<tr>
<td>Email:</td>
<td><a href="mailto:kelliejoan@hotmail.com">kelliejoan@hotmail.com</a></td>
<td>Phone: 801-698-9874</td>
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</tbody>
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**OWNER INFORMATION**

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<tr>
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<td>Phone: 801-698-9874</td>
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**PROJECT INFORMATION**

| Project Name: | Johnson Webb Subdivision | |
| Project Address: | | |
| Parcel #: | | Subdivision: | |
| Acreage: | | Lot #: | |

**APPLICATION TYPE AND FEE *(CHECK ALL THAT APPLY):**

- [x] Subdivision: Preliminary Approval - $500 plus $50 per lot (3)
- [ ] Final Approval - $500 plus $30 per lot
- [ ] Minor Subdivision - $750
- [ ] Amendment or Vacation of Subdivision - $300
- [ ] Boundary Line Adjustment - $350
- [ ] Site Plan Review:  
  - [ ] With Technical Review - $1,100
  - [ ] No Technical Review - $350
- [ ] Zoning Amendment:  
  - [ ] Text - $725
  - [x] Map - $800
- [ ] Annexation City - $800 plus actual cost of postage and publication
- [ ] Hearing Officer:  
  - [ ] Variance - $400
  - [ ] Appeal - $400
- [ ] Conditional Use Permit:  
  - [ ] City Fee (with technical review) - $1,100
  - [ ] City Fee (no technical review) - $350
- [ ] Planned Residential Unit Development (PRUD) - $1,375

---

Applicant's Signature: 

![Signature]

Date: 5/19/20

Owner's Signature: 

![Signature]

Date: 5/19/20

---

To be filled out by North Ogden City

Date Received: May 22, 2020  
Received by LB  
Fees paid: $650.00

---

Updated: [Date]  
Page 34
SUBDIVISION APPLICATION
North Ogden City Planning Department
505 East 2600 North
North Ogden, UT 84414 (801)782-7211

PLEASE ATTACH TWO (2) COPIES OF A PRELIMINARY PLAT ON 24” x 36” SHEETS AND A PDF ELECTRONIC COPY WITH THE FOLLOWING INFORMATION:

- ✔️ 1. A Utah Registered Land Surveyor must prepare plans. Provide the name, address, and phone number of the land surveyor. *(Ernest D. Rowley 171781-2201)*
- ✔️ 2. Title of the plat which shall contain the name of plat, whether the plat is preliminary, amendment of final plat, date of plat, location by section, township and range with reference by dimension and bearing to a quarter section corner.
- ✔️ 3. North arrow, scale and dates of any subsequent revision.
- ✔️ 4. Location Map:
  - A. Surounding property and streets (by name) within 100 feet.
  - B. All adjoining developments. Indicate the name, book and page number of any recorded subdivision adjacent to, or having boundaries with, this plat
  - C. Reference to main arterial streets
  - D. Adjacent property zoning
- ✔️ 5. A surveyed boundary, in feet and decimals of feet, including distances, lengths, and bearings, and to total size of proposed subdivision. Sufficient data acceptable to the city engineer to readily determine the location, bearing and length of all lines, and to reproduce such lines upon the ground, and the location of all proposed monuments.
- ✔️ 6. Service letters from secondary water providers.

LOCATION INFORMATION

- ✔️ 7. Location, dimensions and areas, in feet and decimals of feet, of all proposed and existing lots and parcels, illustrating their relationship to surrounding properties. Number all of the lots and alphabetically letter each tract. Dimension line of lot width at required front setback. Where plats will consist of a number of units/ phases, utilizing the same subdivision name, the lot numbering shall be consecutive through the total number of lots or units. Show minimum setback lines. Where there are lots with more than four sides or whose shape may be considered atypical, show all setbacks.

CONTOUR INFORMATION

- ✔️ 8. Show existing and proposed contour lines in two (2) foot intervals. The contour shall be noted on the same maps as the subdivision layout and shall adequately reflect character and drainage patterns of the land. Slope analysis of the existing topography and slope area calculations. Show retaining wall locations, heights and construction materials. Final plans will require engineered wall details complete with proper drainage to prevent hydrostatic build-up.

*( Included w/ MVP)*

*Updated April 2017*
PROPOSED AND EXISTING FACILITIES

9. Show the location, width, length and dimensions of the following proposed and existing facilities within the proposed plat area:
   A. Streets
   B. Easements
   C. Water bodies, streams, wetlands, other pertinent features, etc.
   D. Buildings
   E. Parks
   F. Cemeteries
   G. Ditches (drainage or irrigation) indicated if open or covered
   H. Bridges
   I. Fences
   J. Existing structures
   K. Wells
   L. Trees
   M. Significant vegetation and rock outcroppings, all other features that could have a bearing on review
   N. FEMA flood zone

10. Show the sizes and locations of the existing and proposed water lines (including fire hydrant locations), sanitary sewer lines, and storm sewer lines. Show location of water meter boxes. Indicate the source of water, both culinary and secondary. Designate all land to be dedicated or reserved for open space, parks, detention/retention basins, well sites, substations, sewer lift stations, reservoirs, water pump stations or other public or private uses. Indicate whether such facilities are proposed to be public or private. State any conditions of the dedication or reservation.

11. Required Reports:
   A. Geotechnical - Addresses the suitability of the property for the proposed development. Also a geologic review of the site should be completed or included with the geotechnical report.
   B. Storm Drainage - Provide Storm Water Calculations. Storm Water Pollution Prevention Plan (SWPPP). Location, frequency, and extent of areas subject to flooding or storm runoff. Show what provisions are proposed for collecting and discharging surface water drainage.
   C. LID Report – Low Impact Development. Site Preservation Plan. Determine what low impact design technique is appropriate for this location.

12. Notation and explanation of:
   A. Drainage easements
   B. Irrigation easements
   C. Site easements
   D. Land reservations
13. Location, rights-of-way, street sections, and names of all dedicated streets and utility rights-of-way of public record which may exist around the perimeter of the site boundaries, in, through or across the site. Show any permanent structures that are to remain, including water wells and public or private utility lines, within or adjacent to the tract or subdivision. Show all driveways, streets and median opening within 325 feet of any proposed driveway or street intersection on opposite side of the perimeter streets.

14. Show the proposed street lighting plan. Streetlights are to be on every corner or on a 600-foot interval, whichever is closer.

15. CAD electronic copy.

16. Plan and Profile drawings, detail sheets.


18. Any required hazard studies.

19. Weber County Review.
Re: Powell Estates Subdivision

The North Ogden City Technical Review Committee met on January 16, 2018 regarding the proposed plans for the Powell Estates Subdivision. This Technical Review Committee Meeting primarily addressed the issue of determining standards to be proposed for road width, lot width, and other standards for a potential new zoning district, and not the technical standards and requirements that are typically specified, such as engineering, culinary water, sewer, and other requirements.

Consequently, an additional Technical Review Meeting will be required for this subdivision, in order to provide the opportunity for City Staff to specify the technical requirements which still need to be specified for this subdivision. The following comments and responses were made regarding the proposed subdivision, or have been contributed by City Staff since the meeting occurred (due to developments in the status of this project and issues related to it):

- Based on the plans you are proposing, including the lot sizes and lot widths, a zone change will need to be pursued.
- City ordinances are very specific that streets must be built to standard street cross-sections. The City will need to determine if there is a way forward for modifying road width. City ordinance specifies that ‘pavement width’ cannot be modified as part of a special exception process. As part of a potential new zoning district, a change in required road widths will be necessary to allow the road to have a width that is narrower than is currently specified in City ordinances (as is proposed on the current plat).
- LID Standards allow you to take away curb, gutter and and storm drain, if it can be demonstrated that 90% of water from storm event can be retained on each lot.
- The North Ogden City Engineer, Lorin Gardner, has concerns about the proposed road intersecting 850 E. and would like to see if it can be lined up with 900 East.
- City ordinance specifies that detention should be designed for a 50 year storm event.
- Weber County and North Ogden City own a small amount of property that may enable storm drain pipes to pass through to Monroe.
- If a narrower road width is specified in ordinance for a new zoning district, a special exception would likely not be required to address that issue.
- Staff needs to determine what the minimum road width that is necessary for safety, snow plowing, maintenance, traffic flow, etc., prior to crafting proposed ordinance, which ordinance will need to be reviewed by the Planning Commission and City Council. Sixty feet is the minimum width for the allowed public right-of-way at present.
The property that the project is proposed to be located on is identified in the North Ogden City General Plan (which per state law is advisory in nature) to be Low-Density residential, with a high end of 6 units per acre.

A new zone is being proposed by City Staff, by the name of ‘R-1-5’, with lot size requirements that are similar to the proposed plat. This proposed zone is scheduled to be discussed at the North Ogden City Planning Commission Meeting.

Given that this Technical Review Committee Meeting primarily addressed the issue of determining standards that are anticipated to be proposed for road width, lot width, and other standards for a potential new zoning district, the next Technical Review Committee Meeting will need to be held prior to consideration for preliminary approval of a preliminary plat for this subdivision, at a Planning Commission Meeting, in order to ensure that City Staff is able to specify requirements for utilities, storm water, engineering and other issues. When you are ready to begin work on a preliminary plat for this subdivision, upon the resolution of issues such as road width, required lot size, and a new potential zoning district, please contact the Planning Department, and we will ensure that another Technical Review Committee Meeting is scheduled.

If you have any questions or concerns, please contact Rob Scott, our City Planner at (801) 737-9841 or the Planning Department at (801)782-7211.

Sincerely,

Brandon Bell, CNU-A

Associate Planner, North Ogden City
505 East 2600 North
North Ogden, UT 84414
bbell@nogden.org
(801) 737-2216
1,575 sf
0.04 acres
LOT 265
118.03'
91.23'
17,200 sf
0.39 acres
LOT 1
47,926 sf
1.10 acres
LOT 3
9,213 sf
0.21 acres
LOT 2
106.74'
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84.27'
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DESIGN REVIEW MEMORANDUM

TO: Rob Scott, Planning Director
CC: Dave Espinoza, Public Works Director
FROM: Lorin Gardner, P.E, City Engineer
RE: Johnson Webb Subdivision
   ○ Concept
   ○ Preliminary
   ○ Final Review
DATE: June 25, 2020
Revised

DESCRIPTION:
3 Lots. The subdivision is located at approximately 800 E 2600 N, North Ogden, UT.

Comment

1. Street Improvements will be required along 2625 N. 2625 N is proposed as a 48’ ROW with LID improvements. Improvement shall also include LID and sidewalk, but are covered under approved improvement plans for Mountain Valley Villas.

2. Storm Water Detention facilities for Lot 3 will be provided for in conjunction with Mountain Valley Villas subdivision. Not being included in the original Storm water study, additional calculations will be necessary to determine the volume generated from Lot 3 and it’s share of any existing storage capacity or upsizing required to accommodate its runoff. The two lots existing on 2600 North do not require new detention as they are less than an acre and are existing.

3. 2600 North is currently only a 66’ wide right-of-way, being of a size for a Collector roadway. Additional roadway dedication may be required from the along 2600 North from the west property line to the east property line to accommodate its future designation as an Arterial Street. 2600 North east of Fruitland Drive will remain as a Major Collector Street. These roadway designations are shown on the Transportation Master Plan. The amount of this additional dedication will be investigated and determined prior to Final Approval.

4. It’s the developer’s proposal to include a portion of the Detention Basin, Parcel A as a part of Lot 3. Coordination with the Developer of Phase 2 of Mountain Valley Villas will be required for the property line adjustment.

5. The Geotechnical Report generated for Mountain Valley Villas shall be sufficient to provide recommendations for this new subdivision.


7. Currently no additional street improvements will be required along 2600 North except the replacement of any damaged curb, gutter or sidewalk.

8. Accommodate and provide easements for existing utility line which cross 5 E Lomond View Drive; North Ogden, UT 84414

Status as of June 25, 2020

- Outstanding, but covered by Mt Valley Villa plans.
- Outstanding
- Outstanding
- Outstanding
- Complete
- Outstanding
- Outstanding
- Outstanding

801-782-8111  Page 41
Lots 1 & 3.

9. Provide a 10' PUE across the new frontage of all three lots.

10. Provide AutoCAD file for addressing of the subdivision.

11. Lots 1 and 2 will be on different and separate culinary water pressure zones.

12. Outstanding

Outstanding

Completed.

Should you have any questions, please feel free to contact me.
Staff Report to the North Ogden City Planning Commission

SYNOPSIS / APPLICATION INFORMATION

Application Request: Public hearing, consideration and recommendation on a legislative application to rezone property for land located at approximately 800 East 2850 North from Residential R-1-8 and R-1-8(AG) to Residential Estate (RE-20)

Agenda Date: July 1, 2020
Applicant: Rod and Tera Carney
File Number: ZMA 2020-04

PUBLIC NOTICE:
Mailed Notice: June 16, 2020
Newspaper: June 20-21, 2020
City Website: June 26, 2020

PROPERTY INFORMATION
Address: Approximately 800 East 2850 North
Project Area: Approximately 3.59 Acres (156,380 Sq. Ft.)
Current Zoning: R-1-8 and R-1-8(AG)
Proposed Zoning: RE-20
Existing Land Use: Agriculture
Proposed Land Use: Residential
Parcel ID: 170740023

ADJACENT LAND USE
North: Agriculture  South: Residential
East: Residential  West: Residential

STAFF INFORMATION
Robert O. Scott, AICP
rscott@nogden.org
(801) 737-9841

APPLICABLE ORDINANCES
North Ogden Zoning Ordinance Title 11-1-4 (Changes and Amendments)
North Ogden Zoning Ordinance Title 11-6-2B (Boundaries of Zones)
North Ogden Zoning Ordinance Title 11-7 Suburban Residential Zone RE-20
North Ogden Zoning Ordinance Title 11-7B Residential (R-1-8 and R-1-8(AG))

**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 is requesting a zone change for the property located at approximately 800 East 2850 North from Residential R-1-8 and R-1-8(AG) to Residential Suburban (RE-20). The property has frontage on 2850 North. It also borders the future Monroe Boulevard extension on the west. The current zoning splits the parcel with the frontage being zoned R-1-8 and the rear zoned R-1-8(AG). (See Exhibits A and B)

The property owner purchased this agricultural property to build a new home and a large accessory building for a shop. The property is being rezoned to comply with the revised accessory building amendment and the RE-20 accessory building standards.

Since this parcel is not being subdivided once the zoning is in place a building permit for the home can be processed immediately. The accessory building permit will be processed once the zone change is approved.

**CONFORMANCE WITH GENERAL PLAN**

The proposed subdivision 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 low density residential and is within the Old Town Neighborhood.

**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 low density general plan designation calls for a variety of single family zones including the RE-20 zone.
- 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 large parcel at over 3 acres is compliant with the RE-20 zone and is more restrictive than the existing R-1-8 and R-1-8(AG) zones.
• 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 parcel fronts onto 2850 North a collector street and also the future Monroe Boulevard to the west. The single family homes to the east in the Scottish Highlands subdivision has the R-1-8 (AG) designation.

• 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 will remove the split zoning for this property with one zone designation.

**Residential Guidelines:**
• Avoid isolating neighborhoods.  
  **Staff Comment:** The proposed zone change will not isolate the existing neighborhood.

• Require excellence in design.  
  **Staff Comment:** A building permit will be processed for the future home and accessory building meeting city standards.

• Consider development agreements to assure higher quality development.  
  **Staff Comment:** No development agreement is proposed.

**SUMMARY OF PLANNING COMMISSION CONSIDERATIONS**
• Is the proposal consistent with the General Plan?
• How does the proposal relate to the Zoning and Land Use Policy guidelines?

**STAFF RECOMMENDATION**
Conduct the public hearing and receive public comment, consider the General Plan rezoning guidelines, and make a recommendation to the City Council. Staff recommends approval of the rezone from R-1-8 and R-1-8(AG) to the RE-20 zone. The Planning Commission can find that this application is consistent with the General Plan.

**EXHIBITS**
A. Application
B. Ordinance
C. Attachment A
LAND USE DEVELOPMENT APPLICATION

North Ogden City Planning Department
505 East 2600 North
North Ogden, UT 84414 (801)782-7211

*May be submitted by email to: lbexell@nogden.org (If you don't receive a response with confirmation of receipt - please call 801-737-2215)

APPLICANT INFORMATION

Name: Rod and Tera Carney
Address: 3255 N. 800 E. Ogden
Email: tera@allstate.com
Phone: 801-458-2229

OWNER INFORMATION

Name: Same
Address:
Email:
Phone:

PROJECT INFORMATION

Project Name: New Home
Project Address: 2850 N. 800E
Parcel #: 170110024
Subdivision:
Acreage: 3.59
Lot #: 
Current Zoning: R-1-8 AG

APPLICATION TYPE AND FEE *(CHECK ALL THAT APPLY):

- Subdivision:
  - Preliminary Approval - $500 plus $50 per lot
  - Final Approval - $500 plus $30 per lot
  - Special Exception Application - $200
- Minor Subdivision - $750
- Minor Subdivision without Technical Review - $500
- Amendment or Vacation of Subdivision - $300
- Boundary Line Adjustment - $200
- Site Plan Review:
  - With Technical Review - $1,100
  - No Technical Review - $350
- Zoning Amendment:
  - Text - $725
  - Map - $800
  - Annexation City - $800 plus actual cost of postage and publication
- Hearing Officer
  - Variance - $400
  - Appeal - $400
- Conditional Use Permit:
  - City Fee (with technical review) - $1,100
  - City Fee (no technical review) - $350
  - Planned Residential Unit Development (PRUD) - $1,375

Applicant's Signature

Owner's Signature

Date 5-20-20

Date

To be filled out by North Ogden City

Date Received May 25, 2020

Received by

Fees paid $00
ZONING ORDINANCE AMENDMENT
APPLICATION
North Ogden City Planning Department
505 East 2600 North
North Ogden, UT 84414 (801)782-7211

☐ MAP AMENDMENT  ☐ TEXT AMENDMENT*

STATE THE PHYSICAL DESCRIPTION OF THE AREA PROPOSED TO BE REZONED:
3.59 acres, 2850N. 800E, Parcel #170110024

STATE THE LEGAL DESCRIPTION OF AREA PROPOSED TO BE REZONED:
Parcel #170110024

CURRENT ZONING CLASSIFICATION(S): R-1-8 AG
PROPOSED ZONING CLASSIFICATION: RE-20

*PROPOSED TEXT (attach additional sheets, if needed):

*If the Master Planned Community Zone is being applied for, then the information listed in 11-7K-3 Process and Application requirements shall also be submitted.
PLEASE ATTACH TWO (2) PAPER COPIES AND ONE ELECTRONIC COPY OF A MAP PREPARED BY A UTAH REGISTERED LAND SURVEYOR SHOWING THE FOLLOWING:

1. A 24" X 36" map showing the particular property or properties for which the change of zoning is requested and substantially the adjoining properties and the public streets and ways within a radius of three hundred (300) feet of the exterior boundaries thereof.

2. A tentative development plan that shall show the following:

   a. Topographical description showing existing and proposed grades and drainage systems, and natural and manmade features with an indication as to which are to be retained and which are to be removed or altered.
   b. Proposed street system.
   c. Proposed block layouts.
   d. Proposed reservation for parks, parkways, playgrounds, recreation areas, and other open space.
   e. Off-street parking spaces.
   f. Types of uses of structures.
   g. Location of structures, garages, and/or parking spaces.
   h. A tabulation of the total number of acres in the proposed project and a percentage thereof designated for the proposed structures.
   i. Preliminary plans and elevations of the structure types. Single-family residential subdivisions are exempt from the requirement.

3. Reasons justifying the petition for rezoning.

4. A true statement revealing any conditions or restrictions of record (if any) which would affect the permitted uses of the property if rezoned as requested and the date, or dates (if any), of expiration thereof.

5. Such photographs, drawings, and other supporting documents (if any) as the applicant desires to present.

6. Please provide a list of names and addresses of surrounding property owners within 300 feet.

Under certain circumstances where the Planning Director finds that the nature of the rezoning request is such that it would be unnecessary or unfeasible for the applicant to prepare a plan in accordance with the above stated requirements, the Planning Director may waive certain items of the above requirements, but in all cases the applicant will be required to prepare and submit some type of site plan drawn to scale.

PROPERTY OWNER’S PERMISSION FOR REZONING REQUEST:

I (we) authorize _______________________________ to request a change in the Zoning classification of my (our) property from __________________________ to __________________________.

Rod Carney
Property Owner

Tera Carney
Property Owner

Applicant’s Signature: __________________________ Date: 5-20-20
NORTH OGDEN CITY
505 E 2600 N
NORTH OGDEN UT 84414 801-782-7211
Receipt No: 5.093121 May 22, 2020

Tera Carney

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CHECK
- Check No: 1245
- Total Applied: 800.00

Change Tendered: 0.00

05/22/2020 1:42 PM
ORDINANCE 2020-__

AN ORDINANCE OF NORTH OGDEN CITY AMENDING THE NORTH OGDEN CITY ZONING MAP BY CHANGING PROPERTY OWNED BY ROD AND TERA CARNEY, (OR A SUCCEEDING OWNER) AT APPROXIMATELY 2850 N 800 E FROM R-1-8 AND R-1-8(AG) TO SUBURBAN RESIDENTIAL RE-20

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

WHEREAS; the North Ogden City General Plan has designated the aforementioned property as Residential Low Density/Low Density Residential; and

WHEREAS; the Single Family Residential RE-20 zone is consistent with that designation, and would allow Low Density Residential according to the standard identified for such in the General Plan;

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

SECTION 1: The property which is outlined in red on Attachment A is hereby changed from Single Family Residential r-1-8 and R-1-8 (AG) to Suburban Residential RE-20, as shown and described on Attachment A. Contains approximately 3.59 acres.

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

PASSED and ADOPTED this xth day of July 2020.

North Ogden City:

______________________________
S. Neal Berube
North Ogden City Mayor

CITY COUNCIL VOTE AS RECORDED:

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<thead>
<tr>
<th></th>
<th>Aye</th>
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<tr>
<td>Council Member Barker:</td>
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<td>Council Member Cevering:</td>
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<td>Council Member Swanson:</td>
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<td>(In event of a tie vote of the Council):</td>
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<td>Mayor Berube</td>
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ATTEST:
Staff Report to the North Ogden City Planning Commission

SYNOPSIS / APPLICATION INFORMATION

Application Request: Public hearing, consideration and recommendation on a legislative application to rezone property for land located at approximately 800 East 2600 North from Residential Estate (RE-20) to Residential R-1-8 and R-1-8(AG)

Agenda Date: July 1, 2020
Applicant: Johnson and Kellie Webb
File Number: ZMA 2020-03

PUBLIC NOTICE:
Mailed Notice: June 16, 2020
Newspaper: June 20-21, 2020
City Website: June 26, 2020

PROPERTY INFORMATION
Address: Approximately 800 East 2600 North
Project Area: Approximately 2.15 Acres (93,654 Sq. Ft.)
Current Zoning: RE-20
Proposed Zoning: R-1-8 and R-1-8(AG)
Existing Land Use: Residential
Proposed Land Use: Residential
Parcel ID: 170740023

ADJACENT LAND USE
North: Residential Vacant
South: Residential
East: Residential
West: Residential

STAFF INFORMATION
Robert O. Scott, AICP
rscott@nogden.org
(801) 737-9841

APPLICABLE ORDINANCES
North Ogden Zoning Ordinance Title 11-1-4 (Changes and Amendments)
North Ogden Zoning Ordinance Title 11-6-2B (Boundaries of Zones)
North Ogden Zoning Ordinance Title 11-7 Suburban Residential Zone RE-20
North Ogden Zoning Ordinance Title 11-7B Residential (R-1-8 and R-1-8(AG))

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 is requesting a zone change for the property located at approximately 800 East 2600 North from Residential Suburban (RE-20) to Residential R-1-8 and R-1-8(AG). (See Exhibits A and B)

This property is being rezoned and a subdivision processed as an independent project; however, portions of this property are being coordinated with the Mountain Valley Villas subdivision which received final approval on June 3, 2020.

The subdivision design will account for the dedication of a portion of 2600 North as part of the future widening project. The final zone line between lots 1 and 2 and lot 3 will be determined as part of that decision.

A condition of approval for the Mountain Valley Villas subdivision is that this property be rezoned prior to recording.

The proposed subdivision divides the Webb property into three lots and transfers some property into the Mountain Valley Villas subdivision, lot 4 and a portion of the detention basin is being incorporated into lot 3 of the Webb subdivision. A new home and accessory dwelling unit will be constructed onto lot 3, the lot fronting 2625 North. The property fronting 2600 North has two existing homes that will be included in separate lots.

The lots that front onto 2600 North are proposed to be rezoned from RE-20 to R-1-8 making them conforming to those requirements. The third lot is proposed to be zoned R-1-8(AG) in order to retain the animals they currently have.

CONFORMANCE WITH GENERAL PLAN
The proposed subdivision 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 low density residential and is within the Old Town Neighborhood.

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 low density general plan designation calls for a variety of single family zones including the R-1-8 and R-1-8 (AG) zones. The zone boundaries reflect the nature of the proposed Webb subdivision.

- 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 properties in this area are transitioning from open space and agricultural lands to single family residential 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 proposed zones are consistent with adjacent property zoning.

- 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 will reflect boundaries consistent with the proposed Webb and Mountain Valley Villas subdivisions.

**Residential Guidelines:**

- Avoid isolating neighborhoods.  
  **Staff Comment:** The proposed zone change will not isolate properties within the existing neighborhood.

- Require excellence in design.  
  **Staff Comment:** A companion subdivision application is being processed for this project.

- Consider development agreements to assure higher quality development.  
  **Staff Comment:** No development agreement is proposed.

**SUMMARY OF PLANNING COMMISSION CONSIDERATIONS**

- Is the proposal consistent with the General Plan?
- How does the proposal relate to the Zoning and Land Use Policy guidelines?

**STAFF RECOMMENDATION**

Conduct the public hearing and receive public comment, consider the General Plan rezoning guidelines, and make a recommendation to the City Council. Staff recommends approval of the rezone from RE-20 to the R-1-8 and R-1-8(AG) zones. The zone line between lots 1 and 2 and lot 3 will be adjusted depending upon the amount of dedication required for the future 2600 North widening. The Planning Commission can find that this application is consistent with the General Plan.

**EXHIBITS**

A. Application  
B. Ordinance  
C. Attachment A
ORDINANCE 2020-
AN ORDINANCE OF NORTH OGDEN CITY AMENDING THE NORTH OGDEN CITY ZONING MAP BY CHANGING PROPERTIES AT APPROXIMATELY 800 EAST 2600 NORTH FROM SUBURBAN RESIDENTIAL RE-20 TO RESIDENTIAL R-1-8 AND R-1-8(AG)

WHEREAS; North Ogden City has adopted a General Plan; and
WHEREAS; the North Ogden City General Plan has designated the aforementioned property as Residential Low Density; and
WHEREAS; the North Ogden City General Plan classification of Residential Low Density allows for varying densities including the R-1-8 and R-1-8(AG) zones;
NOW THEREFORE, BE IT ORDAINED by the North Ogden City Council that the North Ogden City zoning map be amended.

SECTION 1: The property designated on Attachment A, is hereby changed from Suburban Residential RE-20 to Residential R-1-8 and R-1-8(AG) zones.

SECTION 2: This ordinance shall take effect upon adoption.

PASSED and ADOPTED this xth day of July, 2020.

North Ogden City:

S. Neal Berube
North Ogden City Mayor

CITY COUNCIL VOTE AS RECORDED:

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<th>Aye</th>
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ATTEST:

__________________________________________

7.
# LAND USE DEVELOPMENT APPLICATION

**North Ogden City Planning Department**
505 East 2600 North
North Ogden, UT 84414 (801)782-7211

## APPLICANT INFORMATION

<table>
<thead>
<tr>
<th>Name:</th>
<th>Johnson &amp; Kellie Webb</th>
</tr>
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<tbody>
<tr>
<td>Address:</td>
<td>800 E 2600 N North Ogden UT 84414</td>
</tr>
<tr>
<td>Email:</td>
<td><a href="mailto:kelliejoan@hotmail.com">kelliejoan@hotmail.com</a></td>
</tr>
<tr>
<td>Phone:</td>
<td>801-698-9874</td>
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## OWNER INFORMATION

<table>
<thead>
<tr>
<th>Name:</th>
<th>Johnson &amp; Kellie Webb</th>
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</thead>
<tbody>
<tr>
<td>Address:</td>
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</tr>
<tr>
<td>Email:</td>
<td><a href="mailto:kelliejoan@hotmail.com">kelliejoan@hotmail.com</a></td>
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<tr>
<td>Phone:</td>
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## PROJECT INFORMATION

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## APPLICATION TYPE AND FEE *(CHECK ALL THAT APPLY):*

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<td>□ Final Approval - $500 plus $30 per lot</td>
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<td>□ Zoning Amendment:</td>
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<td>□ Text - $725</td>
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<td>□ Map - $800</td>
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<td>□ Annexation City - $800 plus actual cost of postage and publication</td>
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<td>□ Minor Subdivision - $750</td>
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<td>□ Amendment or Vacation of Subdivision - $300</td>
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<td>□ City Fee (with technical review) - $1,100</td>
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<td>□ City Fee (no technical review) - $350</td>
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<td>□ Planned Residential Unit Development (PRUD) - $1,375</td>
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**Applicant’s Signature:** [Signature]

**Date:** 5/19/20

**Owner’s Signature:** [Signature]

**Date:** 5/19/20

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**To be filled out by North Ogden City**

**Date Received:** May 22, 2020  
**Received by:** LB  
**Fees paid:** $500.00
ZONING ORDINANCE AMENDMENT APPLICATION

North Ogden City Planning Department
505 East 2600 North
North Ogden, UT 84414 (801)782-7211

☑ MAP AMENDMENT ☐ TEXT AMENDMENT*

STATE THE PHYSICAL DESCRIPTION OF THE AREA PROPOSED TO BE REZONED:

800 E 2600 N
North Ogden UT 84414

788/778 E 2600 N (Non Conforming RE-20 LOT)
North Ogden UT 84414

STATE THE LEGAL DESCRIPTION OF AREA PROPOSED TO BE REZONED:


CURRENT ZONING CLASSIFICATION(S): RÊ-20

PROPOSED ZONING CLASSIFICATION: R-18(AG) ³ R-1-8

*PROPOSED TEXT (attach additional sheets, if needed):

*If the Master Planned Community Zone is being applied for, then the information listed in 11-7K-3 Process and Application requirements shall also be submitted.

Updated April 2017
PLEASE ATTACH TWO (2) PAPER COPIES AND ONE ELECTRONIC COPY OF A MAP PREPARED BY A UTAH REGISTERED LAND SURVEYOR SHOWING THE FOLLOWING:

1. A 24" X 36" map showing the particular property or properties for which the change of zoning is requested and substantially the adjoining properties and the public streets and ways within a radius of three hundred (300) feet of the exterior boundaries thereof.

2. A tentative development plan that shall show the following:
   a. Topographical description showing existing and proposed grades and drainage systems, and natural and manmade features with an indication as to which are to be retained and which are to be removed or altered.
   b. Proposed street system.
   c. Proposed block layouts.
   d. Proposed reservation for parks, parkways, playgrounds, recreation areas, and other open space.
   e. Off-street parking spaces.
   f. Types of uses of structures.
   g. Location of structures, garages, and/or parking spaces.
   h. A tabulation of the total number of acres in the proposed project and a percentage thereof designated for the proposed structures.
   i. Preliminary plans and elevations of the structure types. Single-family residential subdivisions are exempt from the requirement.

3. Reasons justifying the petition for rezoning.

4. A true statement revealing any conditions or restrictions of record (if any) which would affect the permitted uses of the property if rezoned as requested and the date, or dates (if any), of expiration thereof.

5. Such photographs, drawings, and other supporting documents (if any) as the applicant desires to present.

6. Please provide a list of names and addresses of surrounding property owners within 300 feet.

Under certain circumstances where the Planning Director finds that the nature of the rezoning request is such that it would be unnecessary or unfeasible for the applicant to prepare a plan in accordance with the above stated requirements, the Planning Director may waive certain items of the above requirements, but in all cases the applicant will be required to prepare and submit some type of site plan drawn to scale.

PROPERTY OWNER’S PERMISSION FOR REZONING REQUEST:

I (we) authorize ___Johnson___ & ___Kellie Webb___ to request a change in the Zoning classification of my (our) property from ___RE-20___ to ___R-18(AG)___.

___Johnson___
Property Owner

___Kellie Webb___
Property Owner

Applicant’s Signature: ___Johnson___ Date: ___5/19/20___