



NOTICE AND AGENDA
SOUTH OGDEN CITY PLANNING COMMISSION MEETING
Thursday, April 11, 2024

Notice is hereby given that the South Ogden City Planning Commission will hold a meeting on Thursday, April 11, 2024, beginning at 6:15 p.m. The meeting will be located at City Hall, 3950 Adams Ave., South Ogden, Utah, 84403, in the city council chambers. The meeting is open to the public; anyone interested is welcome to attend. Some members of the commission may be attending the meeting electronically. The meeting will also be streamed live over www.youtube.com/@southogdencity.

I. CALL TO ORDER AND OVERVIEW OF MEETING PROCEDURES - Chairman John Bradley

II. ZONING ITEMS

- A. Discussion on Timeline for Strategies 1 and 2 of the Moderate Income Housing Plan Found on Page 109 of the General Plan
- B. Request from City Council to Consider Whether Chickens Should Be Allowed in South Ogden City

III. SPECIAL ITEMS

- A. Consideration of Application for Second Driveway Located at 14 Sylvia Drive
- B. Planning Commission Conferences and Training Events Opportunities
- C. Overview of General Plan
- D. Nomination and Election of Planning Commission Vice-Chair

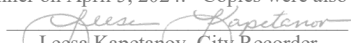
IV. APPROVAL OF MINUTES OF PREVIOUS MEETING

Approval of February 8, 2024 PC Minutes

V. STAFF REPORTS

Combined Planning Commission/City Council Meeting – April 30, 2024, 6-7:30 PM

The undersigned, duly appointed City Recorder, does hereby certify that a copy of the above notice and agenda was posted to the State of Utah Public Notice Website, on the City's website (southogdencity.gov) and emailed to the Standard Examiner on April 5, 2024. Copies were also delivered to each member of the Planning Commission.


Leesa Kapetanov, City Recorder

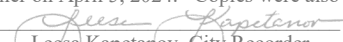
In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during the meeting should notify the City Recorder at 801-622-2709 at least 48 hours in advance.

VI. OTHER BUSINESS

VII. PUBLIC COMMENTS

VIII. ADJOURN

The undersigned, duly appointed City Recorder, does hereby certify that a copy of the above notice and agenda was posted to the State of Utah Public Notice Website, on the City's website (southogdencity.gov) and emailed to the Standard Examiner on April 5, 2024. Copies were also delivered to each member of the Planning Commission.


Leesa Kapetanov, City Recorder

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during the meeting should notify the City Recorder at 801-622-2709 at least 48 hours in advance.

STAFF REPORT



SUBJECT: Zoning Item – Proposed Changes to General Plan to Include Required Schedules for Strategies One and Two

AUTHOR: Mark Vlastic

DEPARTMENT: Planning

DATE: April 11, 2023

BACKGROUND

South Ogden adopted an updated general plan in 2023. The general plan addresses a range of future goals and envisioned changes as part of several chapters, including Chapter 5 – Housing. The housing chapter provides a comprehensive review of housing needs and demands, and is structured to meet Utah moderate income housing requirements. Utah Code 10-9a-403 describes those requirements, which include the following:

1. Provide for a realistic opportunity to meet the need for additional moderate-income housing within the next five years.
2. Three or more moderate income housing strategies (as defined in Utah Code) for implementation.
3. An implementation plan.

The requirements related to moderate-income housing are further defined in Utah Code 10-9a-408. This section requires the development of a Moderate-Income Housing Plan (MIHP) that provides a description of each housing strategy selected by the municipality and the implementation plan related to these strategies. In order to achieve the objectives of Utah Code related to the moderate-income housing element of the general plan and the MIHR, this report considers the following elements:

- An estimate of the existing supply of moderate-income housing located within the municipality.
- An estimate of the need for moderate income housing in the municipality for the next five years.
- A survey of total residential land use.
- An evaluation of how existing land uses and zones affect opportunities for moderate income housing.

- A description of the municipality’s program to encourage an adequate supply of moderate-income housing.
- A selection of strategies from a menu list outlined in state code.
- An implementation plan with timelines and benchmarks for the selected strategies.

State Code also requires that an annual report is submitted to the Department of Workforce Services by August, which should outline each MIHP strategy selected by the municipality along with an implementation timeline. The first report was submitted in 2023 according to submission requirements, and was thereupon reviewed by the state. Unfortunately, it was deemed that South Ogden City had not fully met the eligibility requirements, as only three of the city’s submitted strategies were found to be compliant. To qualify for Priority Consideration, five strategy progress reports would need to be found compliant as a community without fixed guideway transit stations. This deficiency resulted in the city losing Priority Consideration by of Transportation Commission funding for transportation projects within the boundaries of the municipality.

Strategies One (P) and Two (K) were found to be insufficient during the review, as they lack implementation plans with specific timelines as required. The City was recommended to address this deficiency in future reports adding timelines to the reports.

DISCUSSION

Staff has reviewed the report, and added timelines for implementation (See next page). Staff requests that the Planning Commission review these changes to the general plan. If they believe they are reasonable, the next step would be holding a public hearing for the proposed changes.



MODERATE INCOME HOUSING PLAN

HOUSING STRATEGIES AND RECOMMENDATIONS

To qualify for State transportation funding, the State requires municipalities to select three housing affordability strategies to implement in their community. In addition, the legislature is giving priority funding designation to those communities that adopt two additional strategies. South Ogden City has selected the following strategies for implementing moderate-income housing in the community.

The following strategies were selected for 2023. However, since the State requires the City to reevaluate these strategies annually, the City's most current Moderate-Income Housing Report should be referenced for the City's most current strategies.

STRATEGY 1: Demonstrate utilization of a moderate income housing set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency to create or subsidize moderate income housing (Menu Item P).

STRATEGY 2: Preserve existing and new moderate income housing and subsidized units by utilizing a landlord incentive program, providing for deed restricted units through a grant program, or establishing a housing loss mitigation fund (Menu Item K).

STRATEGY 3: Create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones (Menu Item E).

STRATEGY 4: Zone or rezone for higher density or moderate-income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers (Menu Item F).

STRATEGY 5: Rezone for densities necessary to facilitate the production of moderate-income housing (Menu Item A).

TRACKING & IMPLEMENTATION

To track and prioritize implementation measures for each strategy, the City will incorporate the five housing strategies into the South Ogden Strategic Plan. The Strategic Plan, annually adopted by the South Ogden City Council, outlines and prioritizes directives to guide policy decisions and prioritize community needs. The Strategic Plan identifies the required resources, the department personnel involved, a tentative due date, and the City's overall progress relative to each directive.

STRATEGY 1

DEMONSTRATE UTILIZATION OF A MODERATE INCOME HOUSING SET ASIDE FROM A COMMUNITY REINVESTMENT AGENCY, REDEVELOPMENT AGENCY, OR COMMUNITY DEVELOPMENT AND RENEWAL AGENCY TO CREATE OR SUBSIDIZE MODERATE INCOME HOUSING

South Ogden City has created the City Center Community Reinvestment Project Area and will utilize funds from the tax increment generated by the project area to aid in the development and/or subsidization of moderate-income housing (Menu Item P).

In 2019 the South Ogden City Community Development and Renewal Agency (CDRA) created the City Center Community Reinvestment Area (CRA). With support and participation from Weber County and Central Weber Sewer Improvement District, the City Center CRA was created to aid in the redevelopment of properties along Riverdale Road, Washington Blvd., Harrison Blvd. and 40th Street. The long-range vision, as demonstrated within the City's general plan, is for these properties to be redeveloped with a variety of mixed uses, at much higher densities, and with a more urbanized look and feel.

It is estimated the City Center CRA will generate approximately \$964,673 of incremental value over the next 20 years. These funds will be restricted for the Agency's use to help with the development/subsidization of moderate-income housing. The first year of tax increment was 2022, providing the Agency some housing monies through the project area through 2042.

IMPLEMENTATION

- Analyze the feasibility to develop moderate-income housing on the city-owned property at 40th and Evelyn. [\(Spring 2025\)](#)
- Seek LIHTC funding to help with construction of deeply affordable housing (30% AMI) or other income-restricted housing projects. [\(Spring 2025\)](#)



STRATEGY 2

PRESERVE EXISTING AND NEW MODERATE INCOME HOUSING AND SUBSIDIZED UNITS BY UTILIZING A LANDLORD INCENTIVE PROGRAM, PROVIDING FOR DEED RESTRICTED UNITS THROUGH A GRANT PROGRAM, OR ESTABLISHING A HOUSING LOSS MITIGATION FUND

South Ogden City desires to preserve existing and develop new moderate-income housing and subsidized housing units by utilization of a landlord incentive program, providing for deed restricted units through a grant program, or, notwithstanding Section 10-9a-535m establishing a housing loss mitigation fund (Menu Item K).

Utilizing tax increment generated through the City Center Community Reinvestment Project Area, South Ogden City will explore and implement program(s) to aid in the preservation and/or development of moderate-income housing, as well as ways the city can work with developers to incorporate moderate-income housing into new, market-rate projects through deed restrictions of a certain number of units. This would increase the number of moderate-income units throughout the city and would inter-mix these units with market-rate units within the same development/project.

IMPLEMENTATION

- Explore policies that would incorporate/require deed-restricted moderate-income housing units to be incorporated into new projects whenever a development agreement is utilized as a part of the projects' approval. [\(Spring 2025\)](#)
- Explore the cost/benefits of establishing a Housing Preservation Fund. [\(Spring 2025\)](#)
- Explore cost/benefits of creating a Housing Loss Mitigation Fund for the development or preservation of moderate-income housing. [\(Spring 2025\)](#)
- Explore ways to utilize housing funds from the City Center CRA to incentivize landlords to deed-restrict units, subsidize development-related fees, etc. [\(Spring 2025\)](#)

STRATEGY 3

CREATE OR ALLOW FOR AND REDUCE REGULATIONS RELATED TO INTERNAL ADUS

South Ogden has created regulations related to internal accessory dwelling units (ADUs) in residential zones (Menu Item E).

In 2021, South Ogden amended City code to allow for the interior ADUs as permitted uses in single-family residential, two-family residential, and multiple-family residential zones. In addition, the City created an “Accessory Dwelling Unit” section in their municipal code (Adopted 9/21/2021) to provide reasonable regulations for supplementary living accommodations in internal ADUs located in residential areas of the City.

IMPLEMENTATION

- Begin to track building permits and rental licenses related to ADUs (Spring 2023).
- Review “Accessory Dwelling Unit” code with City Council and Planning Commission to determine the feasibility of extending policy to allow for attached and detached ADUs (Winter 2023).
- Work with the Planning Commission and City Council on drafting and adopting ADU code amendment (Spring 2024).



STRATEGY 4

ZONE OR REZONE FOR HIGHER DENSITY OR MODERATE-INCOME RESIDENTIAL DEVELOPMENT

South Ogden has zoned or rezoned for higher density or moderate-income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers (Menu Item F).

The City's form-based code creates three districts:

1. **Neighborhood Commercial:** a number of smaller areas that provide convenient local commercial services for residents.
2. **Wall Avenue:** flexible mixed-use district that allows for a broad range of commercial uses and building types
3. **South Gateway:** flexible mixed-use district that allows for a broad range of commercial uses and building types.

The major districts are further broken down into subdistricts:

- **Gateway Core:** The Gateway Core Subdistrict is intended to be the City's most flexible and inclusive subdistrict, ensuring a place for all of South Ogden's commercial needs. It includes a range of building types that will allow for a vibrant, mixed-use commercial area.
- **Gateway General:** The Gateway General Subdistrict provides the same function as the Gateway Core Subdistrict, but with a lower intensity of building to provide a buffer between residential neighborhoods and commercial areas.
- **Neighborhood Commercial:** The Neighborhood Subdistrict allows for smaller nodes of commercial uses, the purpose of which is to provide residents with easy access to businesses which provide local services and goods.
- **Gateway Edge:** The Edge Subdistricts are made up of smaller scale residential buildings, which provide a buffer between existing single family residential neighborhoods and the Commercial Subdistricts. (Ord. 17-21, 11-21-2017, eff. 11-21-2017)

The rezone districts allow for density variations based on permitted uses.

IMPLEMENTATION

- Track the number of new housing units established from the City's form-based code districts (Neighborhood Commercial, Wall Avenue, and South Gateway) to monitor the number of units that qualify as moderate income housings units (Spring 2023 – Winter 2023).

STRATEGY 5

REZONE FOR DENSITIES NECESSARY TO FACILITATE THE PRODUCTION OF MODERATE-INCOME HOUSING

South Ogden has rezoned for densities to facilitate the production of moderate-income housing (Menu Item A).

The City has rezoned for mixed use and high density as part of the form-based code initiative. The rezone process was a complete review of existing zoning and the establishment of form-based code in order to promote redevelopment of commercial areas to mixed use zones suitable for higher density housing. This initiative included a steering committee, public review process, planning commission review, public hearing, and adoption by City Council and was completed over two-year period. The City will continue to update zoning to meet current demands.

The City created nine additional zones to facilitate the production of moderate-income housing:

1. 40th Street General
2. City Center General
3. City Center Core
4. Riverdale Road General
5. Edge
6. Gateway Core
7. Gateway General
8. Neighborhood Commercial
9. Gateway Edge Subdistricts

IMPLEMENTATION

- Review and update the zoning code to allow for higher density in redeveloping residential areas (Winter 2023 – Spring 2024).
- Work with Planning Commission, Community Development and Renewal Agency (CDRA), and the City Council to modify zoning in anticipation for redevelopment efforts (Spring 2024).

STAFF REPORT



SUBJECT: Discussion Item – Urban Chickens
AUTHOR: Mark Vlastic
DEPARTMENT: Planning
DATE: April 11, 2024

OVERVIEW

A city resident has launched an online petition with the aim of legalizing the keeping of birds like chickens, quails, ducks and geese by South Ogden residents. At present no livestock of any kind is allowed to be kept within the city limits. Since this is a planning issue, the City Council has since directed the Planning Commission to consider the request, and provide a recommendation for consideration by the council. **(see Standard Examiner article attached)**

BACKGROUND

A similar request was made in 2015 **(see highlighted minutes from two planning commission and one city council meeting as attached)**.

On October 8, 2015, the planning commission held a public hearing consider amending the Zoning Ordinance to allow chickens in the city. Former Chair Todd Heslop opened discussion and later held a public hearing on the item. Former Commissioner Pruess pointed out the current restrictions on the placement of the coop and how according to the restrictions, no lot in the City could currently comply with the restricted placement; it would take an acre or more for a coop to be allowed. He said the restrictions would have to change if chickens were allowed in residential zones. He suggested the number of chickens be limited according to the size of lots, suggesting a two chicken maximum for 7, 000 square foot lots, four for a 14, 000 square foot lots, etc. The commissioners discussed other aspects as well, including smell, noise and the numbers that might be permitted. During the public hearing nearly 20 members of the public spoke, the majority in favor of chickens. Upon consideration, the item was eventually tabled to the next meeting, after a motion to approve failed to pass.

On November 11, 2015, the planning commission continued discussion the item, with some commissioners in favor and others opposed. Commissioner Pruess moved to recommend

to the Council that chickens be allowed in the City with the parameters he had set forth in his motion at the last meeting as follows:

- No barn, coop, pen or corral could be kept or maintained closer than 75' to any street, 25' to any lot line, or 50' to any building on an adjacent lot.
- There should not be any more than 3 hens allowed on lots 7, 000- 14,000 square feet, and no more than 5 hens on 14, 000 square foot to half-acre lots
- Any person wishing to have chickens would have to get a permit and the permission of any neighbors on either side of the person wanting the hens (later withdrawn).
- No roosters or processing should be allowed.
- No eggs could be sold.

The motion eventually passed by a 3-2 vote.

On December 12, 2015 the South Ogden City Council considered whether to allow chickens in the city. Three positive and one negative comments were provided during the Public Comments segment of the meeting, and were followed by formal discussion by the city council. City Manager Dixon reminded the Council they had last discussed this matter in 2011, when they had determined not to change the city code to allow chickens. The discussion was now on the agenda in response to a resident application for an amendment to the city code to allow chickens. It was noted that the Planning Commission had reviewed the matter and recommended that chickens be allowed with certain restrictions in a 3- 2 vote. Staff, in considering the impacts on personnel and resources in licensing and enforcing chickens in the City, recommended that no change be made to the ordinance. Staff was looking for further direction from the Council as to how or if they should move forward on this issue. Council Member Orr stated she had kept chickens herself at one time, and she knew they attracted raccoons, stray dogs and rodents. If the City were going to consider allowing chickens, she would like more input from residents. She would also like to make sure that chicken coops were kept as far away from houses as possible and perhaps restrict them based on lot size. Council Member Smith said they had been approached about pigs, bees, and chickens in the City, and they needed to spend some time to look at the benefits and needs of allowing them and see if it made sense for the community. They needed to make a decision on all of them. Council Member Strate said he had raised chickens as a boy, but he had lived on 1.4 acres in the country. He did not think chickens were appropriate in the city and he was against allowing them in South Ogden. Council Member Porter said chickens may be appropriate for larger lots, but the people who wanted to have chickens seemed to live on smaller lots. He was not sure if they would work on smaller lots. He was afraid if they allowed chickens, people would then ask for pigs and then goats. At this point he was not against chickens, but he was very hesitant.

The Council discussed the matter further, determining the impacts needed to be studied, and whatever was determined, the City needed to enforce the code. City Manager Dixon asked the Council for direction. The Council asked staff to prepare a future work session on bees, chickens and pigs. Council Member Porter said he would like information on the impacts other cities had experienced by allowing chickens or bees in their city

DISCUSSION

Keeping chickens in the city has arisen on at least two occasions in the past (2011 and 2015), with no changes to ordinances made each time. The last occasion requested that a broader discussion of chickens, bees and other urban animals be undertaken, but it appears no follow up action was taken.

The current request is similar to the 2015 discussion: to permit chicken in the city. Some questions that the Planning Commission may want to discuss follow (although there may be others as well):

- It was indicated that South Ogden is only one of two cities that do not permit chickens in Utah. Is this true? Does this matter?
- For cities where the keeping of chickens is permitted, how is it controlled in their ordinances. What are the pros of keeping chickens in the city? Cons?
- Have conditions changed since the positive recommendation of 2015?
- If recommended for approval, what conditions, if any, should be imposed when keeping chickens in the city?
- If no changes are recommended, what are the reasons?

Once the planning commission has thoroughly discussed the item and received additional information from staff if desired, they should consider calling a public hearing to receive public input on the item.

NEWSPAPER ARTICLE:

South Ogden man seeking allowance of backyard chickens in city

By Ryan Aston - | Mar 22, 2024



*RANDI WESTON, Special to the Standard-Examiner
Chickens roam an enclosed backyard in Ogden.*

SOUTH OGDEN — A South Ogden man has taken up what has been a hot-button issue in local municipalities — the allowance (or lack thereof) of backyard chickens within his city’s boundaries.

Brian Smith launched [an online petition](#) with the aim of legalizing the keeping of birds like chickens, quails, ducks and geese by South Ogden residents. As it stands, no livestock of any kind is allowed to be kept within the city limits. Smith, who moved to Utah from Florida, kept ducks on his previous property and was surprised to discover that he couldn’t do so at his current residence.

“I used them for support for my mental health. It’s a very peaceful activity,” he told the Standard-Examiner. “When I moved to South Ogden, I was under the impression that every city in the county allowed it. But I discovered that South Ogden, along with its neighbor, Washington Terrace, are the only two that do not.”

Smith's petition espouses the benefits of consuming pasture-raised eggs, citing a [2010 Cambridge University study](#) suggesting that such eggs can have higher nutritional content than those from caged hens. The petition also notes residents of South Ogden "want to improve self-sufficiency" and that "the homesteading movement is gaining strength, enabling homeowners to grow and eat their own produce." Opponents have argued that allowing chickens in the city would place excess burden on animal services and that the animals would attract unwanted rodents.

In any case, Smith's petition had garnered nearly 300 signatures as of Wednesday, the majority of which have come from residents of the city. And while Smith says that some members of the City Council have been receptive to the notion of allowing chickens in South Ogden, he's looking for additional community support.

"I would just ask people to come support or offer their rebuttals at City Council meetings," Smith said. "The only way this is going to happen is with community support, and the City Council needs to be able to see that for all that it's worth.

"An online petition is online. They need to see their constituents," he added.

The Ogden City Council adopted an ordinance allowing backyard chickens in the city's residential neighborhoods in 2017. Meanwhile, the Washington Terrace City Council discussed urban chickens within city limits Tuesday.

**SOUTH OGDEN CITY
PLANNING COMMISSION BRIEFING MEETING MINUTES**

October 8, 2015
Council Chambers, City Hall
5:30 P.M.

PLANNING COMMISSION MEMBERS PRESENT

Chair Todd Heslop, Commissioners Mike Layton, Steve Pruess, Chris Hansen, and John Bradley

PLANNING COMMISSION MEMBERS EXCUSED

Commissioner Raymond Rounds

STAFF PRESENT

City Manager Matt Dixon and City Recorder Leesa Kapetanov

The briefing meeting began at 5:42 pm. Chair Todd Heslop excused City Planner Mark Vlasic who was on vacation.

Mr. Heslop then began discussion on the first item on the agenda, a public hearing and discussion on whether to allow chickens in the City. City Recorder Leesa Kapetanov rehearsed the chain of events that allowed the item to be on the agenda as well as an article in the newspaper. Commissioner Pruess pointed out the current restrictions on the placement of the coop and how according to the restrictions, no lot in the City could currently comply with the restricted placement; it would take an acre or more for a coop to be allowed. He said the restrictions would have to change if chickens were allowed in residential zones. He suggested the number of chickens be limited according to the size of one's lot. He suggested a two chicken maximum for 7,000 square foot lots, four for a 14,000 square foot lot, etc. The commissioners discussed many aspects of allowing chickens, including things like smell, noise and numbers.

They next discussed the subdivision amendment for Hinckley Commons. Commissioner Pruess stated there did not seem to be any issues with the subdivision. The commissioners then moved on to discussion of the site plan for Auto Zone. Commissioner Pruess asked if Auto Zone would be using the "Southwest" colors they had been approved for in a previous site plan application for a different site. Ms. Kapetanov reminded him the City did not have a say on the colors of buildings; he could ask if the colors were going to be used, but could not make it as a condition of approval. They discussed the site plan further, recognizing that the site plan was very well done and presented more information than required. Ms. Kapetanov also informed the commissioners that notices had been sent to Weber Basin Water, Rocky Mountain Power, Questar Gas, and Century Link concerning the subdivision amendment but none of those notified had responded. There were no concerns from the commissioners on the site plan review. Mr. Vlasic had recommended approval.

The next item discussed was whether food trucks should be allowed and regulated in the City. Ms. Kapetanov explained the differences between a food truck and a food cart. Mr. Pruess asked if the number of food trucks in the City should be limited; however the point was made that it would be too hard to regulate. They also discussed that there must be regulations for trucks parked on a public street as well as in parking lots which were private property. Ms. Kapetanov also noted that food truck events had been held in the City and

regulations for the gathering of many trucks at one place would need to be addressed as well. Other issues that needed to be addressed were what the cost of fees should be and how much other regulation should be imposed. The briefing meeting was then concluded.

I hereby certify that the foregoing is a true, accurate and complete record of the South Ogden City Planning Commission Briefing Meeting held Thursday, October 8, 2015.



Leesa Kapetanov, City Recorder

November 12, 2015
Date Approved by the Planning Commission

**MINUTES OF THE
SOUTH OGDEN CITY PLANNING COMMISSION MEETING**

Council Chambers, City Hall
Thursday, October 8, 2015 – 6:15 p.m.

PLANNING COMMISSION MEMBERS PRESENT

Chair Todd Heslop, Commissioners Mike Layton, Steve Pruess, Chris Hansen, and John Bradley

PLANNING COMMISSION MEMBERS EXCUSED

Commissioner Raymond Rounds

STAFF PRESENT

City Manager Matt Dixon and City Recorder Leesa Kapetanov

OTHERS PRESENT

Jeff Criddle, Keith Benson, Justin Hollis, Sean Stanley, Kathi Benson, Jeanne Ashby, Christina Vail, Josh Payne, Julie Brown, Jerry Cottrell, Charles Allen, Jessica Quigley, Wesley Stewart, Tim Von Bon, Lyle Williams, Julie Krause, Maira Arce, Juan Arce, Joshua O'Neill, Annette McFarland

I. CALL TO ORDER AND OVERVIEW OF MEETING PROCEDURES

Chair Todd Heslop called the meeting to order at 6:18 pm and called for a motion to open the meeting.

Commissioner Pruess moved to open the Planning Commission Meeting. The motion was seconded by Commissioner Bradley. Commissioners Hansen, Layton, Bradley and Pruess all voted aye.

The Chair reviewed the agenda and then indicated it was time to open a public hearing.

Commissioner Bradley moved to open the public hearing to receive and consider comments on amending the zoning ordinance to allow chickens in the city. Commissioner Pruess seconded the motion. The vote was unanimous in favor of the motion.

Chairman Heslop then invited anyone who wished to comment to come forward.

II. PUBLIC HEARING

A. To Receive and Consider Comments on Amending the Zoning Ordinance to Allow Chickens in the City

Julie Krause, 5107 S 900 E – Ms. Krause stated anything that promoted self-sufficiency was a great idea.

Wes Stewart, 3625 Jefferson – said he enjoyed gardening and that it went together with raising chickens. One could feed weeds from the garden to the chickens. He was in favor of allowing chickens in the City. They were a good food source and did not make a lot of noise.

Kathy Benson, 3880 Madison – stated she was the applicant for the zoning change and currently had chickens. She addressed several items that people used as arguments against having chickens: Rodents- chickens did not attract rodents. Her property had rodents long before it had chickens; Noise- there were many dogs in the neighborhood that made much more noise than her chickens; Smell- chickens did not smell unless you were right inside the coop in the middle of July. Coop- was not located along a waterway where it might contaminate the water. Chickens were not fierce, dangerous or vicious; they did not cause damage to property; their eggs would not be sold; she did not use any harsh chemicals around the chickens.

Ms. Benson said other cities in Weber County allowed chickens. Chickens allowed you to be self-sufficient.

Jerry Cottrell, 5765 S 1075 E – quoted a neighbor who was familiar with chickens and said that they smell, molt, can be noisy, and can get out. Mr. Cottrell agreed with his neighbor. He preferred his chickens served hot for dinner, not running around his yard. He pointed out that the reason that people move to cities was to obtain a quality of life not available in a rural setting. There were places suited to the raising of livestock; they were called farms. Mr. Cottrell reminded the Planning Commission the City Council had discussed the matter in 2011 and determined they did not want to allow chickens in the City. He read through several comments made by Council Members. He felt that even if the Planning Commission recommended allowing chickens, the Council would not approve it.

Tim Von Bon, 3770 Ogden Ave. – had lived by someone in South Ogden with chickens. He felt that it would be good to allow people to have chickens if they had a proper sized fenced coop and they were cleaned regularly. Change was good and he thought it was a good idea to allow chickens.

Josh Payne, 3796 Porter – Mr. Payne was in favor of chickens. He had kept over 30 chickens growing up. He said they did not stink unless they were kept in a commercial setting. They were not noisy; only roosters were noisy and one did not need a rooster to have chickens lay eggs. They did not attract rats or raccoons. Chickens were good for insect control and their manure was good for fertilizer. Many urban cities were allowing chickens in places like rooftops. South Ogden should allow chickens.

Jessica Quigley, 4029 Porter – stated she was pro-chickens. She had a degree in animal food sciences as well as in natural resource management biology. She attested that all that had been said about chickens concerning insect control, etc. was true. She added that chickens did not attract rodents but were actually rodent hunters. Chickens did not smell as long as they were kept clean. She did suggest that people who had chickens let their neighbors know, because like any animal, occasionally they might wander into a neighbor's yard. Ms. Quigley felt it was important to teach children where their food came from, and raising chickens helped to teach that. More and more cities were allowing chickens. She asked that chickens be allowed in South Ogden.

Commissioner Layton asked if Ms. Quigley had documentation of the cities that allowed chickens. Ms. Quigley said the documentation was online. Most cities that allowed them did not allow things like processing or roosters.

Juan Arce, 3666 Orchard - said he was in favor of allowing chickens. He had raised chickens as a child and felt it was a good experience. He thought it would be a good way to get children away from electronics and outside. It would also teach them to be more self-sufficient. He agreed there should be some restrictions, but they should be allowed.

Keith Benson, 3880 Madison – Mr. Benson said he was the husband of the applicant and

they had had chickens for several years. They did not realize chickens were not allowed when they first got them, however they had not had any complaints about them until recently. He agreed roosters should not be allowed, but did not see that allowing 3-5 chickens would be a problem. Raising chickens had been a good experience and he wanted others to have the same opportunity.

Christina Vail, 650 Ben Lomond – purchased her home 2 years ago and chose South Ogden because chickens were not allowed. Purchasing a home was the biggest financial investment one made. Her son, because of health issues, needed goat's milk daily, but she had never thought to purchase a goat and bring it into the city; it was a farm animal and belonged on a farm. Chicken manure did smell and needed to sit for a while before it could be applied to a garden as fertilizer. Chickens did make noise and roosters were even worse. It was very difficult to tell a rooster from a hen when buying chicks, and often a rooster would inadvertently show up in a group of chicks. South Ogden already had a raccoon problem, and chickens attracted raccoons. They also attracted cats, mice, rats, skunk and fox; these animals were after the eggs the chickens produced. Ms. Vail said one did not bring the farm to the city. There were farms with fresh eggs that were a ten minute drive away. She did not want to go out on her patio in the evening and smell and hear chickens. She did not want to view a chicken coop from her backyard either. Ms. Vail asked that if there were already people who had chickens in the City knowing that it was against the law, was the City changing the law because they weren't obeying the law? It didn't make sense. She was against chickens.

Keith Benson, 3880 Madison – said they currently did have chickens and animal control did tell them to get rid of the chickens. However, once the application to change the zoning was filed, they were told they could keep the chickens and wait to see what happened.

Kathy Benson, 3880 Madison – when she bought her chickens, she was told they had been DNA tested and they were 99% guaranteed to be girls.

Andrew Stewart, 3625 Jefferson – said that people could purchase raccoon traps for \$50 to keep the raccoon and skunk population down. He had caught over 15.

Justin Hollis, 563 36th Street – in favor of chickens. As long as the right regulations were put in place and everyone followed them, he felt they should be allowed.

Sean Stanley, Washington Terrace – was in favor of chickens. He understood that chickens attracted rats, but so did cats and dogs. The chemical free eggs were healthier for people and 3 chickens would produce 18 eggs. Raccoons and rats would be around whether you had chickens or not. He agreed roosters should not be allowed, but chickens should be allowed.

Jeannie Ashby, South Weber – Ms. Ashby was the mother of Kathy Benson and said she had had a farm in Uintah with horses, goats, ducks, etc. and had never had an issue with raccoons or mice. However, in South Weber she was not allowed to have farm animals, but there seemed to be a much bigger problem with raccoons and mice. Raccoons were attracted by people, not chickens. Commercially raised chickens were stinky and noisy and raised in very poor conditions, but raising one's own was not that way.

Annette McPartland, 870 Chambers – was in favor of having chickens. If one took care of their animals, they did not smell. Chickens might cluck when they laid an egg, but that was all. She had had chickens in the City and took care of them so they did not smell. She had then been turned in by her neighbor and found out that she could not have chickens. She acknowledged that it would be a hard decision for the planning commission to make, but she was in favor of chickens. She also suggested that neighbors have to sign off on allowing someone to have chickens.

Sean Stanley, Washington Terrace – pointed out that dogs make much more noise than chickens. Chickens do cluck, but the sound was not noisy enough to wake neighbors up. He was in favor of having a maximum number and suggested that number be 5. Chickens were also very good for insect control.

There were no more comments from the public.

Commissioner Pruess moved to close the public hearing and move into a work meeting, followed by a second from Commissioner Hansen. The vote was unanimous in favor of the motion.

III. ZONING ACTIONS – Legislative

A. Discussion and Recommendation on Whether to Amend Zoning Ordinance to Allow Chickens

City Recorder Leesa Kapetanov noted that a written comment had been submitted as part of the public hearing and would be included in the minutes (see Attachment A). Commissioner Pruess stated that there seemed to be an overwhelming consensus of citizens in favor of allowing chickens in the City; however, the planning commission needed to come up with some parameters to make it safe and sanitary. He read through the current ordinance (SOO 4.1.2(K)) concerning the placement of coops and noted that there were probably very few lots in the City that would be large enough to meet the distance requirements and still have a coop. He also said most people seemed in favor of only allowing a few chickens and a limit should be set as to how many are allowed. Mr. Pruess suggested 2 hens for 7,000 square foot lots, four hens for a 14,000 square foot lot, etc. Commissioners Layton and Heslop agreed. Commissioner Heslop also felt that processing should not be allowed. Commissioner Pruess added that no roosters should be allowed and Commissioner Hansen said the chickens should be licensed. Commissioner Bradley commented he was leaning more towards denying chickens in the City. He felt that those who felt strongly about an issue came to the public hearing, but there was a large population base that did not come. He said people don't move to South Ogden anticipating that they would be allowed to have farm animals, the category he would put chickens into. The City was a suburban area with smaller lots. He did not have personal experience with chickens, but had talked with several people concerning the matter. People did not raise chickens for economic reasons; most said it cost them more money to have the chickens than the benefit of the eggs they produced. The City also had the responsibility to look at what might happen if someone did not take care of the chickens and they did stink. He did not see a compelling reason at this point to change the existing ordinance and allow chickens in the City.

City Manager Dixon pointed out some of the administrative impacts of allowing chickens in the City. They included putting more burden on an already overwhelmed code enforcement officer and the increased cost for licensing and permitting. He also agreed with Commissioner Bradley concerning the "silent majority" who were not present at the meeting.

Commissioner Layton commented there seemed to be a growing movement toward allowing chickens but it might be best to take some time to see what was true and also see how other cities were handling it.

Commissioner Bradley commented that if chickens were allowed, he would be in favor of requiring a neighbor's consent. He did not think that the person wanting the chickens should have to get the consent, but the neighbors should be able to let the City know

whether they wanted them or not. Commissioner Pruess agreed, but said it placed even more burden on the City. Chair Heslop acknowledged those who had come to the meeting to comment. He also agreed it might be good to take more time to look into the matter. Commissioner Hansen noted there were advantages and disadvantages to allowing chickens; however he was leaning toward allowing them. He felt the impacts could be minimized by placing conditions on keeping them.

Commissioner Pruess made a motion to allow chickens in the City, but that no barn, coop, pen or corral could be kept or maintained closer than 75' to any street, 25' to any lot line, or 50' to any building on an adjacent lot. He added that there should not be any more than 3 hens allowed on lots 7,000-14,000 square feet, and no more than 5 hens on 14,000 square feet-half acre lots. Also, anyone wishing to have chickens would have to get a permit and the permission of any neighbors on either side of the person wanting the hens. Commissioner Heslop asked if any roosters or processing would be allowed. Commissioner Pruess added that neither roosters nor processing would be allowed. The motion was then seconded by Commissioner Hansen.

Commissioner Layton commented that he liked the idea of allowing neighbors to anonymously give consent or denial. City Manager Dixon pointed out his concern that neighbor might be pitted against neighbor in some situations and it could cause some civil disorder; he would like legal counsel to review it. Commissioner Layton agreed and asked what would happen if one of the neighbors moved; would the new neighbors have to give their permission as well? City Manager Dixon also asked Commissioner Pruess to clarify if his motion was that the chickens be allowed in any zone in the City if they met all the requirements. Commissioner Pruess confirmed that was correct. City Recorder Leesa Kapetanov commented that for the public's sake, she wanted to make it clear that the commissioners were voting on a recommendation to the City Council. It would be the City Council who would have the final say on whether chickens would be allowed or not.

Chair Heslop then made a roll call vote:

Commissioner Pruess -	Aye
Commissioner Layton-	Aye
Commissioner Hansen-	Aye
Commissioner Bradley -	No

City Recorder Kapetanov pointed out that there had to be 4 votes in order to pass an item and there were only three votes in favor of the motion. The motion had died but another motion could be made.

Commissioner Layton moved to table the item for at least a month to have an opportunity to consider what was happening in some of the other cities.

Commissioner Pruess asked City Recorder Kapetanov to explain to the public why the motion did not pass. She explained that one member of the commission had resigned and one member was not in attendance. The Rules of Procedure for the Planning Commission stated that 4 affirmative votes were needed for an item to pass.

Commissioner Pruess then seconded the motion. The vote was unanimous in favor of tabling the item.

City Manager Dixon asked if there was direction for staff on what information to gather. Commissioner Layton asked for information that would validate the claims made that evening, as well as how surrounding cities were handling the question of chickens.

Planner Vlastic gave a quick summary concerning the PRUD and Multiple Buildings on A Single Lot Ordinances. He said the current PRUD ordinance left too much to interpretation. The new PRUD Ordinance was incentive based and encouraged better utilization of the land and a better development. Likewise, the new Multiple Buildings on A Single Lot Ordinance was more defined and understandable. It only applied to the R-3, R-4 and R-5 zones.

Chair Heslop asked if there were any comments concerning the PRUD Ordinance. There were no comments. The Chair called for a motion.

Commissioner Bradley moved to recommend approval to the PRUD Ordinance. The motion was seconded by Commissioner Rounds. Chair Heslop called the vote:

Commissioner Pruess-	Aye
Commissioner Layton-	Aye
Commissioner Bradley-	Aye
Commissioner Rounds-	Aye

The vote was unanimous in favor of the motion.

B. Discussion and Recommendation on Proposed Amendments to Title 10, Chapter 13 Having to Do with Multiple Buildings on a Single Lot

Mr. Vlastic re-iterated that this ordinance would encourage better development in the R-3, R-4, and R-5 zones.

Chair Heslop called for any discussion, and seeing none, he entertained a motion concerning the ordinance.

Commissioner Layton moved to recommend approval of Title 10, Chapter 13 having to do with multiple buildings on a single lot. Commissioner Rounds seconded the motion. The Chair called the vote:

Commissioner Pruess-	Aye
Commissioner Layton-	Aye
Commissioner Bradley-	Aye
Commissioner Rounds-	Aye

The motion passed.

C. Discussion and Recommendation On Whether to Amend Zoning Ordinance to Allow Chickens (Tabled from previous meeting)

Commissioner Layton began the discussion by saying he had taken some time to review the comments made at the previous meeting's public hearing as well as do some research on what other cities are doing concerning chickens. He had changed his opinion about the matter since the last meeting. He had actually raised chickens where he grew up, which was in the country. However, several issues had been talked about at the last meeting, including the fact that the City did not have the manpower to enforce the keeping of chickens; after weighing things altogether, he was of the opinion that the zoning ordinance should remain as is; chickens should not be allowed. He believed there were many people against allowing chickens in the community who had not come to the public hearing.

Commissioner Bradley said he was still against allowing chickens, but if chickens were allowed, he had thought that neighbors should be able to give their approval; however as he thought about it, he did not see a way that involving neighbors in the approval process would work.

Commissioner Pruess stated he was still in favor of allowing chickens. None of those who commented at the public hearing wanted to have a lot of chickens. They seemed to only want one or two and keep them as pets. He recommended allowing them but having regulations to keep the number of chickens to a minimum as well as restricting the location of the coop. The majority of those who spoke at the public hearing were in favor of allowing chickens and he felt to be fair the Commission needed to make the recommendation to the Council to allow them.

Commissioner Rounds said he had not been present at the last meeting, but he had read through the minutes and reviewed the public comments. He agreed with Commissioner Pruess that they needed to recommend that chickens be allowed so it would move forward to the City Council; he would vote in favor of it so that the Council would decide the matter.

Commissioner Pruess moved to recommend to the Council that chickens be allowed in the City with the parameters he had set forth in his motion at the last meeting (Note: the motion was: no barn, coop, pen or corral could be kept or maintained closer than 75' to any street, 25' to any lot line, or 50' to any building on an adjacent lot. He added that there should not be any more than 3 hens allowed on lots 7,000-14,000 square feet, and no more than 5 hens on 14,000 square to feet-half acre lots. Also, anyone wishing to have chickens would have to get a permit and the permission of any neighbors on either side of the person wanting the hens. Also, neither roosters nor processing should be allowed). Mr. Pruess said he would withdraw the requirement of neighbors giving approval as it seemed to not be feasible. He also added that no eggs could be sold. Commissioner Layton seconded the motion. Chair Heslop asked if there were any discussion on the motion. City Manager Dixon said he wanted to clear up the misconception that if the Planning Commission did not recommend allowing chickens it would not go forward to the City Council. The Planning Commission was making a recommendation and whether that recommendation was to leave the ordinance as is or allow chickens, it would still be forwarded to the City Council. Commissioner Rounds said if they did not recommend approval, there would be nothing to go forward to the Council, and it could only be the Council who could change the ordinance anyway. Mr. Dixon said the Planning Commission really did not have the authority to "kill" a petition to amend the ordinance, but they could recommend that the ordinance be changed or that the ordinance remain the same. He did not want them to think they had to vote differently from how they felt in order for the issue to move forward to the City Council. There was no more discussion. **The Chair called the vote:**

Commissioner Pruess-	Aye
Commissioner Layton-	Nay
Commissioner Bradley-	Nay
Commissioner Rounds-	Aye

The vote resulted in a tie. Chair Heslop's vote was needed to break the tie.

Chair Heslop-	Aye
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The motion passed.

**MINUTES OF THE
SOUTH OGDEN CITY COUNCIL MEETING**
Tuesday, December 1, 2015 – 6:00 p.m.
Council Chambers, City Hall

COUNCIL MEMBERS PRESENT

Mayor James Minster, Council Members Brent Strate, Sallee Orr, Wayne Smith, and Russell Porter

COUNCIL MEMBERS EXCUSED

Bryan Benard

STAFF MEMBERS PRESENT

City Manager Matt Dixon, City Attorney Ken Bradshaw, Police Chief Darin Parke, Fire Chief Cameron West, Parks and Public Works Director Jon Andersen, Finance Director Steve Liebersbach, Human Resource Specialist Doug Gailey and Recorder Leesa Kapetanov

CITIZENS PRESENT

Jim Pearce, Kathi Benson, Keith Benson, Brie Imlay, Jay & Ame' Price

I. OPENING CEREMONY

A. Call to Order

Mayor Minster called the meeting to order at 6:00 pm and called for a motion to convene.

Council Member Strate moved to convene as the South Ogden City Council, followed by a second from Council Member Smith. In a voice vote Council Members Strate, Orr, Smith, and Porter all voted aye.

B. Prayer/Moment of Silence

The mayor invited everyone to participate in a moment of silence.

C. Pledge of Allegiance

Council Member Strate led everyone present in the Pledge of Allegiance.

Mayor Minster excused Council Member Benard who was unable to attend the meeting that evening. He then announced it was time for public comments. He asked those who wished to comment to limit their time to three minutes.

II. PUBLIC COMMENTS

Jim Pearce, 3915 Raymond – noted that there would be a discussion that evening on chickens. Mr. Pearce had submitted a letter to the Planning Commission stating that he was not in favor of allowing chickens in the City. He did not think chickens belonged in an urban area; it was a city, not a farm town. Other cities had allowed chickens, but had been requiring 1 or ½ acre lot minimums. He stated there were 3 chicken farms within a one block radius of his home and the neighborhood was infested with raccoons; he had counted 4 in his back yard at one time. He also

felt that once chickens were allowed, other animals would more likely be allowed as well.

Kathi Benson, 3880 Madison – Ms. Benson stated she was the applicant for the change to allow chickens. She said the raccoons were here long before the chickens were. Chickens did not smell nor did they make noise. She said there should be a license fee similar to that for dogs, the number of chickens should be limited, and the eggs and meat from the chickens should not be sold. No roosters should be allowed either.

Brie Imlay, 3876 Madison – she had moved to South Ogden from Rose Park where chickens were allowed. She was glad her neighbors here had chickens, as it gave them something to talk about. She had not had any problems with smell or noise from the chickens.

Keith Benson, 3880 Madison - in the public hearing there were 20 or more people in favor of allowing chickens in the city. There was a lot of support to allow them.

Council Member Strate informed those present that the comments from the previous meeting had been forwarded to the council.

III. **RECOGNITION OF SCOUTS/STUDENTS PRESENT**

There were no scouts or students present.

IV. **CONSENT AGENDA**

A. **Approval of November 17, 2015 Council Minutes**

B. **Declaring Certain Items as Surplus To The City's Needs**

Mayor Minster read through the consent agenda and asked if there were any questions. Council Member Orr asked if the surplus items were the same as they had been notified about; staff advised her they were the same. The mayor called for a motion.

Council Member Porter moved to approve the consent agenda, items A and B. The motion was seconded by Council Member Smith. In a voice vote Council Members Porter, Orr, Smith, and Strate all voted aye.

The consent agenda was approved.

The mayor indicated it was time to open a public hearing and entertained a motion to do so.

Council Member Porter moved to enter a public hearing to receive comments on the Culinary Water Capital Facilities Plan and CDBG Program. Council Member Smith seconded the motion. The voice vote was unanimous in favor of the motion.

V. **PUBLIC HEARING**

To Receive and Consider Comments on the Following Items:

1. **Proposed Amendments to the Culinary Water Capital Facilities Plan and Impact Fee Analysis**

Parks and Public Works Director Jon Andersen came forward to explain about the two items being considered for the public hearing. He said the Culinary Water Capital Facilities Plan identified the water line projects throughout the City as well as how the impact fee was collected and how it should be spent. The plan needed to be updated

because it tied in to the CDBG Program. In order to apply for CDBG funds, the project needed to be included in the capital facilities plan. He pointed out that the waterline project for South Junior High had been removed, and the waterline project for 37th Street had been added. The City would be able to use the 37th Street project funds as a match to apply for the waterline project under the CDBG grant program. The mayor invited anyone who wished to comment on the Culinary Water Capital Facilities Plan to come forward. There were no comments.

2. **To Consider Potential Projects For Which Funding May Be Applied For Under the CDBG Small Cities Program for Program Year 2015**

The mayor then invited Mr. Andersen to explain about the CDBG Program. Mr. Andersen said staff had attended a workshop on how to apply for CDBG funds and felt the 37th Street waterline project would be most eligible to receive the grant. The program had changed in recent years; whereas cities were able to receive funds to do a complete street and infrastructure replacement, funds were now limited to \$250,000. This only allowed a portion of the infrastructure or the street to be funded. In the past, the City had used CDBG funds to completely rebuild 850 East between 4200 South and Monroe, and 4300 South between 850 and 900 East. The Culinary Water Capital Facilities Plan listed all the projects the City needed, however not all of them benefited low and moderate-income persons, which was a requirement to be eligible for CDBG Grants. The water line on 37th Street needed to go from a 6" diameter to an 8" diameter to meet fire requirements and was in an area of the City that would benefit low to moderate-income persons. The purpose of the public hearing was to let the public know the City would be seeking CDBG funds and allow them to comment about projects for which they felt the City should seek the money. Mayor Minster asked if there were any comments from the public. No one came forward.

The mayor called for a motion to adjourn the public hearing.

Council Member Smith moved to leave the public hearing and reconvene as the South Ogden City Council, followed by a second from Council Member Strate. All present voted aye.

VI. **RECESS INTO COMMUNITY DEVELOPMENT RENEWAL AGENCY BOARD MEETING**

Mayor Minster indicated it was time to enter into a CDRA Board meeting and called for a motion to do so.

Council Member Porter moved to leave City Council meeting and convene into a Community Development Renewal Agency Board meeting. The motion was seconded by Council Member Orr. All present voted aye.

See separate minutes.

Motion from CDRA Board Meeting to reconvene as South Ogden City Council:

Board Member Porter moved to adjourn as the CDRA Board and reconvene as the South Ogden City Council, followed by a second from Board Member Smith. The voice vote was unanimous in favor of the motion.

VII. **DISCUSSION / ACTION ITEMS**

A. **Discussion on Whether to Allow Chickens in South Ogden City**

City Manager Dixon reminded the Council they had last discussed this matter in 2011, when they had determined not to change the city code to allow chickens. The discussion was

now on the agenda in response to a resident's application for an amendment to the city code to allow chickens. City Planner Mark Vlasic had prepared a thorough report for the Council. The Planning Commission had reviewed the matter as well and in a 3-2 vote had recommended that chickens be allowed with certain restrictions. Staff, in considering the impacts on personnel and resources in licensing and enforcing chickens in the City, recommended that no change be made to the ordinance. Staff was looking for further direction from the Council as to how or if they should move forward on this issue. Council Member Orr stated she had kept chickens herself at one time, and she knew they attracted raccoons, stray dogs and rodents. If the City were going to consider allowing chickens, she would like more input from residents. She would also like to make sure that chicken coops were kept as far away from houses as possible and perhaps restrict them based on lot size.

Council Member Smith said they had been approached about pigs, bees, and chickens in the City, and they needed to spend some time to look at the benefits and needs of allowing them and see if it made sense for the community. They needed to make a decision on all of them.

Council Member Strate said he had raised chickens as a boy, but he had lived on 1.4 acres and lived in the country. He did not think chickens were appropriate in the city and he was against allowing them in South Ogden.

Council Member Porter said chickens may be appropriate for larger lots, but the people who wanted to have chickens seemed to live on smaller lots. He was not sure if they would work on smaller lots. He was afraid if they allowed chickens, people would then ask for pigs and then goats. At this point he was not against chickens, but he was very hesitant. The Council discussed the matter further, determining the impacts needed to be studied. Whatever was determined, the City needed to enforce the code.

City Manager Dixon asked the Council for direction. The Council asked staff to prepare a future work session on bees, chickens and pigs. Council Member Porter said he would like information on the impacts other cities had experienced by allowing chickens or bees in their city.

B. Consideration of Ordinance 15-26 – Amending the Culinary Water Capital Facilities Plan and Impact Fee Analysis

Parks and Public Works Director Jon Andersen spoke to this item. He said the Plan was being amended to add 37th Street so they could apply for CDBG funds and another project had been removed. The impact fees had actually been reduced because the project that had been dropped cost more than the one being added. The CDBG application was due in mid-January. He said a second CDBG public hearing would be required before they could apply. The Council asked several questions and Mr. Andersen explained how the funding process worked and the things that increased the City's chances of receiving the grant. He also explained that staff would be doing a door-to-door survey on 37th Street between Washington Boulevard and Orchard to determine resident's income, as the area had to qualify as a low to moderate income area. There was no more discussion. The mayor called for a motion.

Council Member Porter moved to adopt Ordinance 15-26, followed by a second from Council Member Smith. The mayor asked if there were further discussion. There was no discussion by the Council. The mayor called the vote:

Council Member Porter-	Yes
Council Member Smith-	Yes
Council Member Strate-	Yes
Council Member Orr-	Yes

Ordinance 15-26 was adopted.

STAFF REPORT



SUBJECT: Application for Second Driveway at 14 Sylvia Drive
AUTHOR: Madison Merrill
DEPARTMENT: Planning
DATE: April 11, 2024

BACKGROUND

This is an application to construct a second driveway for a residential home. The home fronts Sylvia Drive with its backyard fronting Child's Avenue, which is a low-trafficked dead-end street.

The applicant is requesting to construct a second driveway in their rear yard that ties into Child Avenue (see attached sketch). According to the sketch, the second driveway would be approximately 18' wide and 24' long and terminates in the home's rear yard.

DISCUSSION

The zoning ordinance requires that any additional vehicle parking areas must be located behind or to the side of the residence and be of sufficient length to accommodate the vehicle. The proposed parking area fulfills these requirements.

The code also requires that additional off-street parking be screened from adjoining properties by a solid, 4'-6' tall fence. Based on Google Street View, the fence between the applicant's property and the property to the south is a 4' tall chain link fence – which would not satisfy this requirement as a chain link fence is not solid and will not effectively screen the parking area. Staff talked to the applicant on the phone, and she stated she would talk to her neighbor about installing solid slats in the chain link fence. If her neighbor is not amenable to that idea, she would also consider installing a solid fence in order to meet this requirement.

RECOMMENDATION

Staff recommends the application be denied unless the applicant can verify they will install an effective screen by either modifying the existing fence or installing a new one.

POSSIBLE MOTIONS

Staff Recommended Option – DENIAL

I move to **deny** the application based on the findings contained in the Staff Report and any others deemed appropriate by the Planning Commission, as follow:

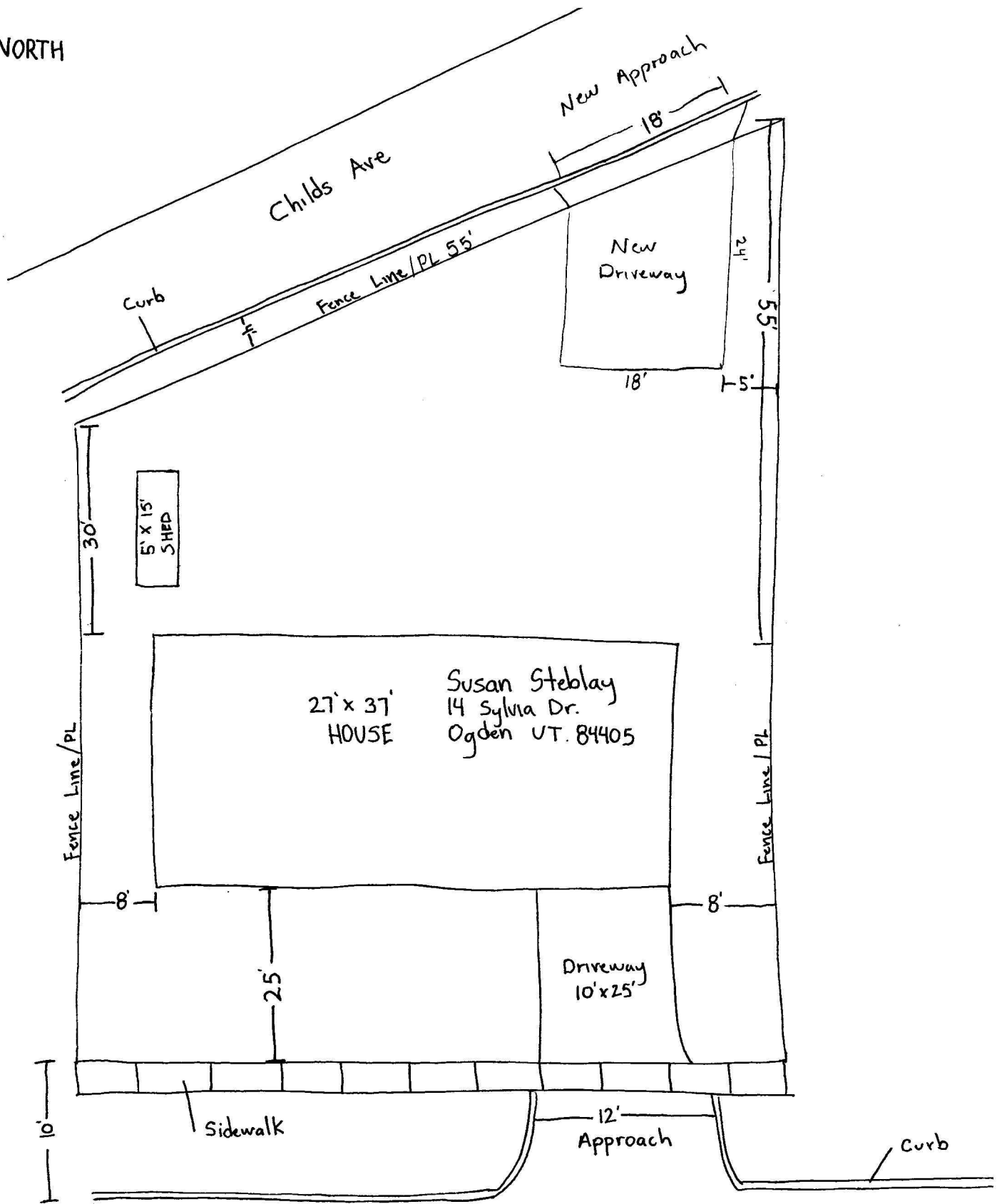
Alternative 2 – APPROVAL

I move to **approve** the application with the following findings:

Alternative 1 – CONTINUANCE

I move to **continue** the application to another meeting on [DATE], with direction to the applicant and/or Staff on information and / or changes needed to render a decision, as follows:

← NORTH



Sylvia Dr.

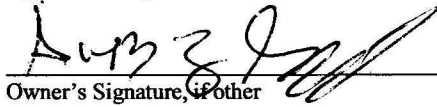
APPLICANT- PLEASE READ CAREFULLY

I agree to comply with all city, county, and state building laws and ordinances. I certify that the representations in this application for a land use permit are true and accurate, and I agree that any misrepresentations or error herein are the sole responsibility of applicant and shall in no way incur or accrue liability or obligation to enforcing officers or agents.

This permit becomes null and void if work on construction authorized is not commenced within 180 days, or if constructions or work is suspended or abandoned for a period of 180 days at any time after work is commenced.


Applicant's Signature

3/12/2024
Date


Owner's Signature, if other

3/12/2024
Date

Staff Approval

Date

Staff Denial

Date

Reason for denial:

STAFF REPORT



SUBJECT: Planning Commission Training Opportunities & Overview of the General Plan
AUTHOR: Madison Merrill
DEPARTMENT: Planning
DATE: April 11, 2024

SUMMARY

The following presentation gives an overview of the Planning Commission's role and training requirements, followed by an overview of the *South Ogden General Plan* and how the Planning Commission can be involved in implementing the plan's recommendations.

TRAINING REQUIREMENTS & OPPORTUNITIES

As stated in the presentation, the Planning Commission is required to complete four hours of training annually: one hour addressing the general powers and duties of the Planning Commission and the other three addressing any variety of land use topics.

The following is a list of potential training opportunities (with hyperlinks for more information):

- American Planning Association (APA)
 - [Planning Official Training Program](#) (3 hrs - staff facilitated)
 - [Extensive Webinar Library](#)
 - [APA Utah Conference](#) (Oct. 10-11, Provo; May 2025)
 - [APA National Conference](#) (May 8-10, online)
- Land Use Academy of Utah
 - [Powers + Duties - Land Use 101 Course](#) (free, 1hr course)
- [Urban Land Institute Utah](#) (regular in-person events)
- [Utah Land Use Institute](#)
 - Semi-annual conferences (Oct. 22-23, Sandy)
 - Seminars
 - Library of past events
- [Wasatch Front Regional Council](#) (occasional trainings)



PLANNING COMMISSION + THE GENERAL PLAN

APRIL 11, 2024



ROLE OF THE PLANNING COMMISSION

- Advisory board to the City Council that reviews + makes recommendation for:
 - General Plan + General Plan Amendments
 - Zoning Amendments
 - Certain Development Applications
- Guide implementation of the General Plan
- Directs Staff



TRAINING/EDUCATION REQUIREMENTS

- HB409 Planning Commission Training Requirement: **4 hours annually**
 - 1 hr: General powers + Duties
 - 3 hrs: Land Use (zoning, impact fees, exactions, property rights, conditional uses, form-based code, etc.)



TRAINING/EDUCATION OPPORTUNITIES

- American Planning Association (APA)
 - [Planning Official Training Program](#) (3 hrs - staff facilitated)
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 - [APA Utah Conference](#) (Oct. 10-11, Provo; May 2025)
 - [APA National Conference](#) (May 8-10, online)
- Land Use Academy of Utah: [Powers + Duties - Land Use 101 Course](#) (free, 1 hr course)
- Urban Land Institute Utah ([regular in-person events](#))
- Utah Land Use Institute ([semi-annual conferences \(Oct. 22-23, Sandy\)](#), [seminars, library of past events](#))
- Wasatch Front Regional Council ([occasional trainings](#))

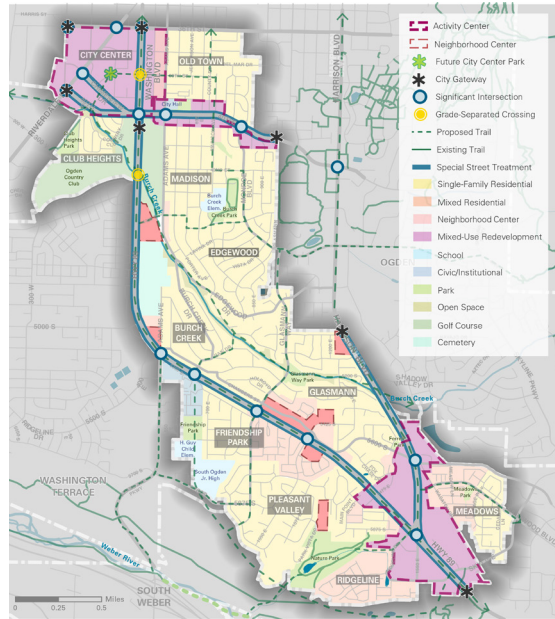


SOUTH OGDEN GENERAL PLAN

**PURPOSE: ESTABLISH A CLEAR VISION FOR
SOUTH OGDEN'S FUTURE**

A GENERAL PLAN IS....

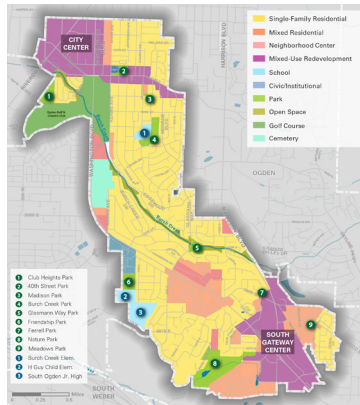
- A **vision** for future of South Ogden
- A guide that details the **policies** and **frameworks** need to fulfill the city's vision, including
 - Recommended policy and zoning changes
 - Prioritization of capital improvements
 - Recommended plans, studies, + programs
- **Required by state law** and must include certain elements (i.e. land use, transportation, housing, water conservation)



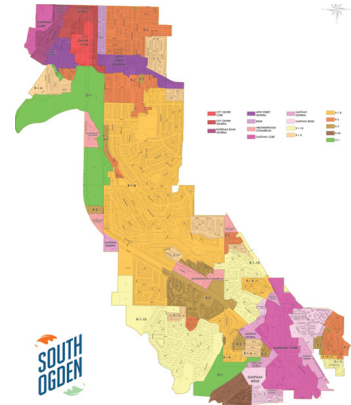
A GENERAL PLAN IS NOT.....

- The same as zoning
- Legally binding
- A guaranteed future

FUTURE LAND USE



ZONING

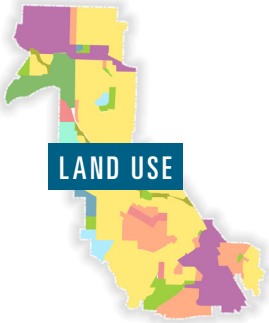


PLAN ELEMENTS

1. BACKGROUND + INTRODUCTION
2. LAND USE + PLACEMAKING
3. TRANSPORTATION
4. ECONOMIC DEVELOPMENT
5. HOUSING
6. WATER USE + PRESERVATION
7. IMPLEMENTATION



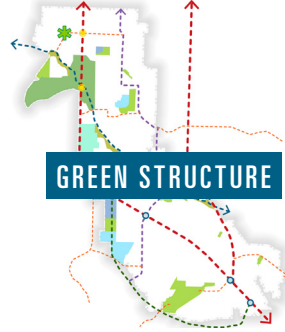
A DECONSTRUCTED CITY



LAND USE



MAJOR CORRIDORS



GREEN STRUCTURE



CENTERS, GATEWAYS,
+ URBAN DESIGN



NEIGHBORHOODS

3. GREEN STRUCTURE

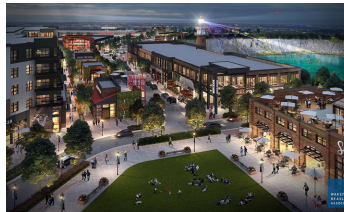
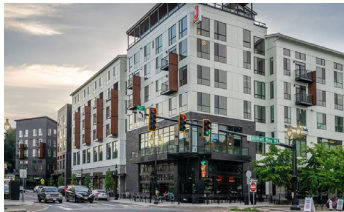


PROPOSED IMPROVEMENTS

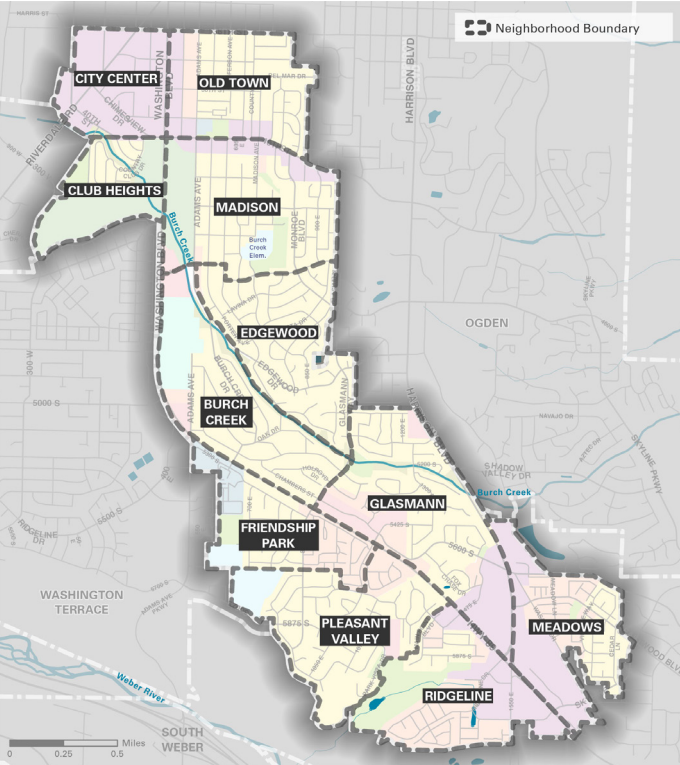
- Provide a comprehensive and robust network of trails
- Update and enhance existing South Ogden Parks
- Develop a new “urban park” in the City Center



CITY CENTER URBAN DESIGN DIAGRAM



5. NEIGHBORHOODS



PROPOSED ENHANCEMENTS

- enhance neighborhood **identity**
- improve **walkability**
- maintain **infrastructure**
- grow the City's **urban forest**



ECONOMIC DEVELOPMENT RECOMMENDATIONS

- Retain and **strengthen existing businesses** and **recruit new businesses**.
- Develop a **community gathering place** in city center
- **Support redevelopment** of deteriorating commercial properties





AFFORDABLE HOUSING STRATEGIES

STRATEGY 1: Demonstrate utilization of a moderate income housing set aside from a **community reinvestment agency** to create or subsidize moderate income housing

STRATEGY 2: **Preserve existing and new moderate income housing and subsidized units** by utilizing a landlord incentive program, providing for deed restricted units through a grant program, or establishing a housing loss mitigation fund

STRATEGY 3: **Create or allow for, and reduce regulations related to, multifamily residential** compatible in scale and form with detached single-family residential and located in walkable communities.

STRATEGY 4: **Zone for higher density or moderate-income residential development** in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers.

STRATEGY 5: **Zone for densities necessary to facilitate the production of moderate-income housing.**

WATER CONSERVATION MEASURES

1. Additional Public Education
2. Establish a Water Conservation Committee
3. Additional Metering at City Facilities
4. Analysis of Metered Use Individual Connections
5. 10 year conservation goal: 20% reduction in outdoor water use, 5% reduction indoor



CATALYTIC PROJECTS

Prioritized, tangible, project-oriented actions to help realize the vision outlined in the General Plan.

ACTION ITEMS		SCORING CRITERIA			PRIORITY SCORE	PHASING
ITEM 1						
Create a Small Area Master Plan for a community gathering place, establishing the site, details and function of the space. Consider actively programming this new public amenity to attract business activity and enhance the economic benefits from the investment of public funds. 	Cost	Impact	Ease	\$ 9	High 6	Easy 3
				\$ 6	Medium 4	Moderate 2
				\$\$\$ 3	Low 2	Difficult 1
ITEM 2						
Conduct a study to determine feasibility of implementing two grade-separated or at-grade street crossings along Washington Boulevard. Implement results. 	Cost	Impact	Ease	\$ 9	High 6	Easy 3
				\$ 6	Medium 4	Moderate 2
				\$\$\$ 3	Low 2	Difficult 1
ITEM 3						
Develop a traffic calming plan and secure funding to implement. 	Cost	Impact	Ease	\$ 9	High 6	Easy 3
				\$ 6	Medium 4	Moderate 2
				\$\$\$ 3	Low 2	Difficult 1

Relevant Chapters:





WITHOUT STRONG CITY LEADERSHIP THE
GENERAL PLAN VISION WILL NOT BE
REALIZED

WHAT THE PLANNING COMMISSION CAN DO

- Planning Commission can work with, support, and advise the City Council to:
 - **Revise city code** to align and incentivize development in line with the general plan
 - **Apply for grants and dedicate resources** to construct/improve public facilities (parks, trails, streets, etc.)
 - **Establish city programs** to conserve water, activate parks, incentivize affordable housing, etc.
 - Dedicate **funding for additional plans + studies**



OVERVIEW OF IDENTIFIED PRIORITIES

PLANS + STUDIES

- Conduct a feasibility study to implement **two grade-separated or at-grade street crossings along Washington Boulevard**. Implement results
- Conduct feasibility studies for the **proposed trail corridors**, and **create streetscape standards** for South Ogden's centers
- **Design the City Center** west of Washington Boulevard as a thriving and vibrant mixed used center, including the creation of a Small Area Master Plan for a **community gathering place**.
- **Convert City Hall into an exemplary water-wise landscape** and demonstration area
- **Construct the proposed bicycle and pedestrian facilities** outlined in the Active Transportation Plan, including the multi-use trail along US-89/ Washington Blvd



OVERVIEW OF IDENTIFIED PRIORITIES

PROGRAMS + MONITORING

- Promote business in South Ogden by continuing to **push “Shop South Ogden”** and by **incorporating art into the City’s annual budget** and organizing an arts committee to help plan and **implement art** throughout the city
- Create a **street tree program** to promote tree planting and removal of hazardous trees. **Expand South Ogden’s urban forest** along its major corridor, and partner with nonprofits to educate residents on tree selection and care.
- **Incentivize appliance and landscape retrofits**, secondary water meters, smart irrigation timers, water rates and pricing, fines. Expand public education efforts to encourage efficient watering, waterwise landscaping, use of low-flow plumbing fixtures, and other water-saving practices.



OVERVIEW OF IDENTIFIED PRIORITIES



PLANS + STUDIES

- **Convert City Hall into an exemplary water-wise landscape** and demonstration area
- **Construct the proposed bicycle and pedestrian facilities** outlined in the Active Transportation Plan, including the multi-use trail along US-89/ Washington Blvd
- **Design and implement the gateways, nodes, landmarks, and streetscape improvements** (improved sidewalks, pedestrian crossings, street trees, etc.) identified in the General Plan

APRIL 30TH JOINT SESSION

MILLCREEK COMMON +
SOUTH OGDEN GENERAL PLAN PRIORITIES

Process for Nomination and Election of New Planning Commission Chair

Nominations From The Floor

Sometimes called *open nominations*, this method is probably the most familiar. It's used in the vast majority of situations in which members elect their officers at a meeting. Your group's rules and customs determine when floor nominations are accepted. Sometimes nominations aren't taken until the election is pending, and sometimes they're taken at other times, such as at a meeting before the election meeting.

The process of making floor nominations is subject to the following rules:

- Recognition by the chair is not required to make a nomination. However, calling nominations from your seat is often impractical, so you may want to adopt a more formal nomination process.
- Nominations don't have to be seconded, but it's not out of order for members to second a nomination to signal their endorsement.
- A person can nominate himself or herself.
- A member shouldn't offer more than one nomination to a position if there are several seats for the same office — such as for nominees to a board or a committee — until all other members have had the opportunity to make nominations.
- If the bylaws don't prohibit it, a person can be nominated for more than one office and can even serve in more than one office if elected.
- Nominees do not have to leave the room during the nominations, when the vote is taken, or when the vote is counted.
- The presiding officer can continue presiding, even if he or she is one of the nominees for the office.
- A member can rise and decline the nomination during the nominating process.
- After each nomination, the president repeats the name to the assembly.
- Nominations are taken for successive offices in the order they're listed in the bylaws.

Motions to close nominations are usually unnecessary because the nomination process simply continues until no one wishes to make further nominations. When the nominations stop, the chair just declares nominations closed after making sure that no more nominations are forthcoming. Customarily (although it's not required), the chair accomplishes this by calling three times for more nominations.

According to Robert's Rules, a motion to close nominations is out of order *as long as any member wishes to make a nomination*.

A motion to close nominations is usually not necessary unless it is apparent that members are nominating people just to honor them, and that the nominees have no intention of serving.

Usually the president closes nominations when no further nominations come forward from the assembly.

CONDUCTING ELECTIONS

The election process may be the easiest part of deciding who handles a particular job in the organization. Robert's Rules on elections are very straightforward after what is often a politically charged prequel of nominating and campaigning.

An election is really nothing more than the handling of an assumed motion, with the question being on whom to elect to fill a position. Like any incidental main motion, an election can be decided by voice vote or by ballot.

Electing By Ballot

Ballot voting is by far the surest way to allow for the free expression of the will of the membership.

When holding ballot elections, you have two procedural options:

- **Nominations for all offices conclude before any balloting begins.** This saves time and allows for polling at a time and place other than a meeting. However, it disadvantages candidates who lose an election for a position decided earlier and then can't serve a different position. When using this procedure, make it clear that a person can be nominated for and elected to more than one office. If a person is elected to two different positions, she can either choose which office to accept or serve in more than one position, if that's allowed.
- **Nominations for each office are followed by the election for that office.** The main advantage here is that it allows members to consider the election results of one office before proceeding to the election of another office. You take nominations from the floor for one office, and when no further nominations are forthcoming, you proceed to the balloting for that office. This method requires more time for the election process, making it probably best limited to smaller groups.

No matter which procedure you use, the order in which you take up each election is the order in which the offices are listed in your bylaws.

Voting by ballot enables a member to vote for a candidate not formally nominated by writing in a name — a *write-in vote*. A write-in vote is a legal vote unless it's unintelligible or cast for an unidentifiable or ineligible person or for a fictitious character, in which case it's counted as an illegal vote.

Ballot voting is the preferred voting method in situations in which knowing how all the members voted isn't desirable. You can use a ballot vote to decide either a motion or an election:

- **If the ballot vote decides a motion,** the question is clearly stated by the chair, and you're instructed to mark your ballot *Yes* or *No* (or *For* or *Against*).
- **If the ballot vote decides an election,** you're instructed to write the name of the nominee of your choice on your ballot.

It's never in order to vote *Yes* or *No* (or *For* or *Against*) a candidate when electing persons to office.

The only way you can vote *against* a candidate is to vote *for* another person.

6/8/2018 Robert's Rules of Order, Nominations And Elections

http://westsidetoastmasters.com/resources/roberts_rules/chap12.html 6/10

Who Gets To Vote

Depending on your organization and the decisions being made, balloting may take place during a meeting, or polls may be open during polling periods including times when no meeting is in progress.

In either case, you need to appoint reliable ballot counters to hand out and collect ballots and to count the votes.

Only members entitled to vote are given ballots or are allowed to deposit ballots with a ballot counter or place them in the ballot receptacle. If polling is conducted outside of a meeting, members should verify their credentials with election officials when casting their votes at the polls, and members' names should be checked on a list showing who has voted.

The presiding officer votes along with all the other members, although she is *never* allowed to cast a tie-breaker in a ballot vote.

A member has the right to vote until the polls are closed. A late-arriving member can vote only with other members' consent by majority vote.

Counting The Ballots

When counting ballots, ballot counters need to keep a few key points in mind:

- Blank votes are treated as scrap paper and don't count at all.
- Illegal votes cast by legal voters count toward the total votes cast, but they don't count for any individual choice or candidate. Illegal votes are
 - Unintelligible ballots
 - Ballots cast for a fictional character
 - Ballots cast for an ineligible candidate
 - Two or more marked ballots folded together (together they count as only one illegal vote)
 - If a marked ballot is folded together with a blank ballot, the marked ballot counts as one legal vote, and the blank ballot is considered scrap paper.
- Each question on a multipart ballot is counted as a separate ballot. If a member leaves one part blank, the votes entered on the other questions still count.
- If a member votes for more choices than positions to be elected, the vote is considered illegal.
- If a member votes for fewer choices than positions to be elected, the vote is legal and those votes count.
- Small technical errors, such as spelling mistakes or marking an X when a checkmark is called for, don't make a vote illegal as long as the voter's intent is discernible.
- Votes cast by illegal voters must not be counted at all, not even included in the number of total votes cast. If it's determined that enough illegal votes were cast by illegal voters to affect the result, and these votes can't be identified and removed from the count, then the vote is deemed null and must be retaken.

6/8/2018 Robert's Rules of Order, Nominations And Elections

http://westsidetoastmasters.com/resources/roberts_rules/chap12.html 7/10

After The Vote

After the votes are counted, the lead ballot counter reads aloud to the membership the complete report of the vote counts but doesn't declare the result. That job belongs to the presiding officer, who reads the report again to the members, concluding with a formal declaration of the result. The entire ballot counters' report should be included in the minutes of the meeting.

In determining how long to hold the ballots before destroying them, your main consideration is the possibility of needing a recount. After the period during which a recount can be conducted has passed, you don't need to keep the ballots. A decision on how long to keep them can be made at the meeting when the vote takes place, or a short retention period for ballots can be adopted as a standing rule.

Electing By Voice Vote

If your bylaws don't require you to conduct an election by ballot, and if candidates are unopposed or there's no major contest for an office, you can save time with a simple voice vote (or *viva voce*). After nominations are closed, the vote is taken on each nominee in the order in which they were nominated.

Because this form of voting favors one candidate over another based on the order of nomination, you should avoid using it except in mass meetings or when there's no serious contest for the office and a ballot is not required. If members don't understand exactly how it works, the ones whose preferred candidate doesn't get voted on are likely to think something is amiss.

Electing By Roll Call

If your assembly's members are accountable to a constituency, your rules may require you to conduct your elections by roll-call vote. You follow the same procedures for elections by ballot, as far as arriving

at the point of the election is concerned, but instead of casting your vote by ballot, each member announces his vote when the secretary calls that person's name. The secretary repeats the vote after recording it, to ensure accuracy.

Determining Who Wins

Elections are decided by majority vote unless your bylaws provide differently. In a voice vote, the winner is easy to determine and the vote is over when someone wins the election. When it comes to ballot elections, your election isn't complete until a position is filled, and a position is never filled until a candidate receives the threshold number of votes required for election. In most cases, the threshold is a majority of the votes cast. If you have only two candidates and the vote is a tie, you repeat the balloting until one candidate receives a majority.

Balloting must continue until a candidate receives a majority. It's never proper to drop the candidates receiving the lowest vote totals from a ballot unless they withdraw voluntarily. That means run-offs are just plain out of order. The requirement for election by ballot is a majority, and a candidate has no obligation to withdraw just because he polls low numbers. Your members may wind up voting for Mr. Low as the compromise candidate.

Additional Points Concerning Elections

Here are some other things to consider during the election process:

- A quorum needs to be present throughout the election meeting. If members leave during the meeting so that a quorum is not present, those offices not yet elected must be put off until an adjourned meeting or until the next meeting.
- Ballot counters should cast their ballots at the same time that the assembly votes.
- If a member is elected and not present and has not previously said that if elected he or she will serve, someone should call the member to see if he or she will accept the office. If not, the members can vote again during that meeting for another candidate.
- If an elected candidate declines the office after he or she is elected and after the meeting has adjourned, another election needs to take place, if at all possible. If the bylaws specifically address this situation, members should follow the bylaws.
- If it is discovered after an election that the person elected does not meet the eligibility requirements, and even if the person has begun to serve, the election is void. The organization must have another election.
- A member can't make the motion to adjourn while the assembly is occupied with taking a vote, verifying a vote, or announcing a vote, except when the vote is by ballot. In a ballot vote, after the ballot counters have collected all the ballots, a member can make the motion to adjourn. If the motion is adopted, the assembly can adjourn before the vote is announced if it has another meeting scheduled. The balloting committee can still count the ballots. When the next meeting begins, the first order of business is to hear the report of the balloting committee and for the presiding officer to announce the vote that was taken at the previous meeting.
- If counting ballots takes some time, it is best for the assembly to take a recess instead of adjourn.
- In counting the votes, the balloting committee must not confuse a majority vote with the highest number of votes. The person who gets the most votes may not have a majority of the votes. In this case, the members must vote again until one candidate receives a majority vote.
- If there is a question about the way a ballot is marked, the ballot counters should take it to the presiding officer. He or she should present it to the assembly to decide what to do with the vote - whether to count it and toward what name to credit the vote.

- When presenting the nominations or taking the vote for a list of offices, the president should follow the order of offices that appears in the bylaws.
- If a person has been nominated to more than one office and is elected to two offices, he or she can choose which office he or she wants. The assembly then votes again on the other office.
- If a member is not present to choose which office he or she wants to serve, the members vote on which office they want him or her to serve. Members then vote on a candidate to fill the remaining office.
- If members adjourn before an election is complete, they should set the time for an adjourned meeting to finish the election. If they don't set a time for an adjourned meeting, they can call a special meeting (if the bylaws allow this). Or, members can also finish the election at the next regular meeting if the meeting falls within a quarterly time period.
- If members are voting for offices that have staggered terms or that last more than a year, the secretary should include in the minutes when the term expires. The minutes may say, for example, "Eric Olson was elected to the board for two years. His term expires July, 2014."
- If electronic machines are used for voting, they should be programmed so that each segment of the ballot is treated as if it were a separate ballot. Ballot counters present during the voting should be carefully instructed in their duties and should be able to explain to other members how to use the machine. If members haven't used the machine before, it may be wise to show them how to use it the day before the election.



**MINUTES OF THE SOUTH OGDEN CITY
PLANNING COMMISSION MEETING**

THURSDAY, FEBRUARY 8, 2024
COUNCIL CHAMBERS, CITY HALL –6:15 pm

PLANNING COMMISSION MEMBERS PRESENT

Chair John Bradley, Commissioners Robert Bruderer, Stephen Dredge, Nic Mills, and Brian Mitchell

PLANNING COMMISSION MEMBERS EXCUSED

Commissioner Eric Lee

STAFF PRESENT

Assistant City Manager Doug Gailey, Planner Mark Vlastic, and Recorder Leesa Kapetanov

OTHERS PRESENT

No one else attended this meeting.

Note: The time stamps indicated in blue correspond to the audio recording of this meeting which can be found at:

https://cms7files.revize.com/southogden/document_center/Sound%20Files/2024/PC240208_1715.mp3

or requested from the office of the South Ogden City Recorder.

No briefing meeting was held prior to the planning commission meeting.

I. CALL TO ORDER AND OVERVIEW OF MEETING PROCEDURES

- Chair John Bradley called the meeting to order at 6:16 pm and called for a motion to open the Planning Commission meeting

00:00:00

Commissioner Bruderer so moved. The motion was seconded by Commissioner Mills. Commissioners Bruderer, Dredge, Mills, and Bradley all voted aye.

- Note: Commissioner Mitchell was not present for this vote but entered the meeting soon after.

47 **II. PUBLIC HEARING**

48 To Receive and Consider Comments on A Proposed Ordinance That Would Require Detached
49 Accessory Dwelling Units (ADUs) To Be Set Back Five Feet from the Rear and Side Property
50 Lines on Lots Where They Are Allowed
51

- 52 • Chair Bradley explained how those listening online could make comments for the public
53 hearing 00:00:20
- 54 • The chair called for a motion to enter into a public hearing
55 00:01:00

56
57 **Commissioner Bruderer so moved. Commissioner Mills seconded the motion. The voice**
58 **vote was unanimous in favor of the motion.**
59

- 60 • Chair Bradley stated the reason for the public hearing and asked Planner Vlasic to give an
61 overview 00:01:17
- 62 • The chair noted there was no one present to make in person comments for the public
63 hearing. He then asked and was told there had been no online comments.
64 00:03:23
- 65
66 • Chair Bradley called for a motion to close the public hearing
67 00:03:58

68
69 **Commissioner Mills so moved, followed by a second from Commissioner Dredge. All**
70 **present voted aye.**
71

72
73 **III. ZONING ITEMS**

74 Discussion/Recommendation on A Proposed Ordinance That Would Require Detached Accessory
75 Dwelling Units (ADUs) To Be Set Back Five Feet from the Rear and Side Property Lines on Lots
76 Where They Are Allowed

- 77 • There was no discussion on this item
- 78 • Motion 00:05:37

79
80 **Commissioner Mills moved to forward a positive recommendation to the City Council to**
81 **adopt the proposed ordinance. Commissioner Bruderer seconded the motion. The chair**
82 **made a roll call vote:**
83

84 **Commissioner Mills- Aye**
85 **Commissioner Bruderer- Aye**
86 **Commissioner Dredge- Aye**
87 **Commissioner Mitchell- Aye**

88 **The motion stood.**

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IV. SPECIAL ITEMS

Planning Commission Goals and Objectives

- Staff overview 00:06:25
- Discussion 00:22:54

V. APPROVAL OF MINUTES OF PREVIOUS MEETING

Approval of January 11, 2024 Planning Commission Minutes

- Chair Bradley called for a motion to approve the minutes
01:02:30

Commissioner Mills moved to approve the minutes. The motion was seconded by Commissioner Bruderer. The voice vote was unanimous.

VI. STAFF REPORTS

Apartments Located at 3746 Washington Blvd.

- Staff overview 01:03:00

VII. OTHER BUSINESS

- There was no other business

VIII. PUBLIC COMMENTS

- There were no public comments

IX. ADJOURN

- At 7:30 pm, Chair Bradley called for a motion to adjourn
01:13:46

Commissioner Bruderer so moved. The motion was seconded by Commissioner Dredge. The voice vote was unanimous in favor of the motion.

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Not Approved

I hereby certify that the foregoing is a true, accurate and complete record of the South Ogden City Planning Commission Meeting held Thursday, February 8, 2024.


Leesa Kapetanov, City Recorder

Date Approved by the Planning Commission