



## **PLANNING COMMISSION PROCESSES**

### **A. Planning Commission Approval**

Some items require review and recommendation by the Planning Commission. These include General Plan Amendments, Rezoning requests, Zoning Ordinance, Sign Ordinance or Subdivision Amendments, Conditional Use Permits, Street or Alley Vacations, Subdivisions of property, Site plans in the Central Business District, and Professional/Institutional zones, Neighborhood Commercial Zone reviews and any change to a Nonconforming Use.

### **B. Submittal Deadlines**

Plans which are to be reviewed by the Planning Commission are required to be submitted to the Planning Staff sixteen calendar days (noon deadline) prior to the meeting of the Planning Commission.

### **C. Planning Commission Reports**

Requests are circulated to City Departmental Staff and recommendations are made which are included as part of the Staff's Report. The Planning Staff then prepares a report which is mailed out to Commission members the Friday before their meeting and to the applicant. Copies are available for review by the general public at the main branch at the Weber County Library nonfiction desk or at the Ogden City Planning Office.

Staff Reports contain the following information:

- a) Subject
- b) Petitioner's Requested Action/Planning Staff recommendation
- c) Contacts
- d) Past Actions at this Location
- e) Site Information
- f) Applicable Ordinances
- g) Applicable General Plan Provisions
- h) Character of the Surrounding Request
- i) Description of Project
- j) Summary of Issues
- k) Staff Analysis of Proposal
- l) Alternative Actions
- m) Findings for Action
- n) Staff Recommendation
- o) Attachments (including site plan, landscaping plan, departmental reports, etc.)

### **D. Notices to Property Owners**

Notices are mailed to property owners of record within 300' of property if a rezoning, conditional use or preliminary subdivision approval is requested. A sign also is posted on the property.

### **E. Planing Commimssion Meeting Day**

#### **1. Planning Commission Field Trip/Meeting**

The Planning Commission meets the first Wednesday of each month at 5:00 p.m. The meeting is preceded by a field trip to the sites which appear on that date's particular agenda. Commissioners meet at the west entrance of the Municipal Building at 4:00 p.m. for the field trip. The purpose of the field trip is to familiarize the Commissioners with sites in question. Formal consideration, open discussion and decision-making process are limited to the regular meeting. When a quorum is present, minutes of the field trip are recorded.

Additional meetings (e.g., Town Meetings for Community Plans or special work sessions) may be held to receive input on special issues. The Planning Commission typically has a work session on the third Wednesday of each month to discuss long-range planning issues.

2. Planning Commission Meeting

The meeting of the Commission begins at 5:00 p.m. on the 3<sup>rd</sup> Floor of the Municipal Building. The agenda is followed unless approved by the Commission. The Planning Commission has adopted a "Rules of Procedure" which details the duties and operating procedure of the Commission, as well as an "Expectation List" which details protocol, conflict of interest and ethics for Planning Commission members. The following procedures are normally observed, but may be re-arranged by the Chair for individual items if necessary for the expeditious conduct of business.

- a). Chair introduces item
- b) Petitioner/Developer makes a presentation of proposal
- c) Staff makes presentation and recommendations
- d) Any opponents and/or proponents may comment
- e) Petitioner/Developer gives summary of project
- f) Concluding comments of Staff
- g) Planning Commission discusses the item and votes. This discussion is closed to Staff, Petitioner and public unless the Planning Commission requests additional information. Chair outlines possible actions: approval, denial, continuance, or approval with conditions.

F. Planning Commission Action

Decisions made by the Planning Commission, with the exception of a conditional use permit or a change of nonconforming use, are recommendations and are then forwarded for final action to the Mayor or the City Council. The Mayor reviews site plans and subdivisions while the City Council reviews Ordinance Amendments, General Plan Amendments, or Petitions to Annex, Rezone or Vacate Streets.

Recommendations of the Planning Commission are forwarded to the Mayor to be reviewed following the Planning Commission meeting. The Mayor typically (Mayor's Administrative Review Meeting – MARM) meets with Staff and interested parties on the Friday following Planning Commission meetings.

A conditional use permit or a change in nonconforming use consideration by the Planning Commission is a final action, unless appealed to the Board of Zoning Adjustment within 15 days of the Planning Commission action.

G. Petition Filing Process (Petition to Amend Ordinance, Rezone, Amend General Plan, Vacate

### Street or Public Alley)

Applicants are encouraged to review any proposal with the Planning Staff prior to submitting the application and paying the fee, so Staff can give them direction regarding adopted City Policies or the possibility of spot zoning. As the filing fee is non-refundable, Staff may discourage applicants if they feel the Commission and/or the City Council might be opposed to the application due to prior actions or current Community Plans or Policies

1. Ordinance Amendments – Fee \$220

Petitions to amend the Ogden City Zoning Ordinance would change the language of regulations in the Development Code. They are effective throughout the City, and not for a specific property. Completed Petition forms are submitted to the City Recorder's Office, where a petition number is assigned and fees are collected, then forwarded to the Planning Office..

2. Map Amendments – Fee \$300

Petitions to Amend the Zoning Map would change the zoning designation for a particular piece of property. The Commission reviews rezoning requests based on adopted Community Policies. These Policies are the City's commitments to its neighborhoods. Completed Petition forms are submitted to the City Recorder's Office, where a petition number is assigned and fees are collected, then forwarded to the Planning Office..

3. Plan Amendments - \$625 (+ rezoning fee)

If a Plan Amendment is required, an additional \$625 fee is required due to State Law requirements for Legal Notice to be published in the newspaper. Therefore, if a rezoning requires a Plan Amendment, the total fee for both the amendment and rezoning would be \$925. Consideration of a Plan Amendment is based on the Community Policies and the overall good of the community as a whole. If the Plan is amended, the Commission may proceed with the rezoning request. If the Plan is not amended, the Commission must deny the rezoning request if it is found to be in violation of the Plan.

4. Conditional Overlay Zone/Rezone with Development Agreement \$550 (+ rezoning fee)

The Conditional Overlay Zone designation may be attached to a particular property being rezoned, which requires a development agreement to be signed by both the City and the property owner, in which certain expectations are established. Until the Development Agreement is in place, the property is not rezoned.

The Planning Commission recommendations that are forwarded to the City Council have a longer timeframe for City Council review. Once Ordinances and Reports from the Planning Commission of the action taken is received, the Council will place the item on a calendar to set a day for a meeting which includes public input. The City Council may either approve the request, approve the request and attach conditions, or deny the request.

### H. Community Plan Process

The Involve Ogden General Plan was adopted by the City Council in August 2002. Elements of that Plan include Community Facilities and Services, Community Identity Economic Development, Environmental Resources, Housing, Land Use, Neighborhoods, Parks & Recreation, Transportation and Implementation. The City has been divided into 14 planning communities, each of which have been or will be the subject of study and review by the Planning Staff and Planning Commission. Each community plan is adopted by the Planning Commission and City Council and is considered part of the overall Ogden City General Plan. In addition, Corridor Plans and District Plans also are adopted by the same process. The key focus is on the Community Policies which are the commitment which Ogden makes to all its

neighborhoods. What these words will mean to each neighborhood, will be determined during the process of working with the key actors and determining a direction for each community. The steps to developing each Community Plan are as follows:

1. Background Report by Staff - The Staff prepares a report that describes the various elements of the Community (e.g., zoning, residential uses, transportation, commercial, parks, schools, historic resources, utilities, etc.) and outlines the concerns which are consistent with the Neighborhood Policies and previous decisions of the Planning Commission and City Council.
2. Town Meeting - The purpose of this meeting is to bring together the key actors to discuss what they wish for the Community Plan. The beginning is the options presented by Staff which helps start the discussion, but the Planning Commission and City Council may add to or delete these or may develop new options as a result of the comments made at the Town Meeting.
3. Planning Commission Meetings - The Town Meeting is to get input as the Plan begins to develop. No decisions are made at this meeting, but are worked out in the regular Planning Commission public hearing. It is hoped that those who are interested in following the development of the Plan will attend these subsequent meetings.
4. Joint Work session between the Planning Commission and City Council (At the discretion of the City Council) - Once the Planning Commission has developed a Community Plan, it is sent to the City Council. A joint work session of these two bodies is often held in order for the Planning Commission to review their thoughts and concerns to the City Council, and to explain the reasons for their various recommendations.
5. City Council Actions – The City Council reviews the recommendations of the Planning Commission to determine if they agree with the Plan as proposed. A public input meeting is typically held from property owners within the community invited to get more input for the Council. The City Council adopts the Plan as is, makes changes before adopting it, or does not adopt it.

#### **A. Community Policies**

Through the past 15 years, a set of land use policies have developed which have served appointed and elected officials in making decisions relating to land use. These policies focus on helping to ensure appropriate relationships exist between the variety of land uses that make up Ogden City. While all of the policies are included in *Involve Ogden*, those specific to land use and land use implementation are included here. Those relating to signage and transportation have been included as strategies in their appropriate plan elements.

Because these are general statements, there will be occasions when these policies may conflict with each other and with the goal, objective and strategy statements of *Involve Ogden*. In those cases, the Planning Commission and City Council will need to determine which of the various plan statements takes precedence given the specific needs of the Community or District where that action is taking place, along with the overall well-being of Ogden City.

1. **A definite edge to a development and buffering between types of uses should be provided to protect the integrity of each use, e.g., between commercial and residential uses and between types of residential uses.**
2. **Zoning should reflect the prevailing character of an overall district or neighborhood to the largest extent possible, with consideration being given to the use and characteristics of individual properties. Districts determined to be in transition may be given special consideration.**
3. **Where possible, properties that face each other across a local street should be the same or similar zone. Collector and arterial roads may be sufficient buffers to warrant different zones.**

4. **Zoning boundaries should not cut across individual lots or developments (i.e., placing the lot into two separate zones). Illogical boundaries should be redrawn to follow along property lines.**
5. **The primary frontage and land uses should be considerations in establishing boundaries on corner lots.**
6. **To draw edges on types of uses (e.g., commercial), the City may choose to use multiple family or professional office zoning as a buffer to the commercial, transitioning the neighborhood from commercial to apartments to single family developments.**
7. **Concepts for development should reflect neighborhoods (whether they be subdivisions, mobile homes, apartments, PRUDs, or Group Dwellings) and how residents within those neighborhoods will interact. A concern is to avoid a development pattern that would divide a neighborhood area.**
8. **Avoid isolating neighborhoods.**
9. **Utilize vacant inner block parcels and corner lots for higher densities, avoiding disruption of lots on a street having primarily single family homes. New inner block developments should be compatible (e.g., heights) with the surrounding single family homes.**
10. **Multiple density developments should be phased, i.e., let vacant land develop first and consider rezoning single family areas only as demand increases and multiple family developments creep closer to single family homes.**
11. **Discourage small lot developments of multiple density uses.**
12. **The intensity and location of commercial zoning should be based on market patterns, circulation, traffic counts and space requirements considerations. Space requirements for expansion of existing commercial uses also should be taken into consideration.**
13. **Commercial zonings should be located on collector and arterial streets, avoiding local streets that serve residential zones. Access to commercial and manufacturing uses also should avoid local streets within residential zones.**
14. **Existing businesses on collector and arterial streets may be allowed to expand while providing an adequate buffer with adjacent residential neighborhoods. The expansion of businesses abutting a local street in a residential zone should be considered if a landscaped setback comparable to that of the existing homes on the street is provided and no access is allowed from the local street to the business.**
15. **Encourage commercial uses to be developed as centers rather than as strip commercial.**