
**NORTH OGDEN CITY
MEMORANDUM**

TO: CITY COUNCIL

FROM: CRAIG BARKER, COMMUNITY DEVELOPMENT
DIRECTOR

SUBJECT: AMEND CHAPTER 11-1-4 OF THE NORTH OGDEN CITY
ZONING ORDINANCE TO CONFORM TO THE UTAH
STATE STATUTE.

DATE: 3/21/2013

In 2005 The Utah State Code Title 10-9a-502 changed the way Public Hearings are held when dealing with Land Use Ordinances and Zoning Maps. It now requires the Planning Commission to hold a Public Hearing for ordinances and zoning map changes and prepare and recommend to the legislative body a proposed land use ordinance or ordinances and zoning map that represent the Planning Commission's recommendation for regulating the use and development of land within all or any part of the area of the municipality. The Planning Commission held a Public Hearing on this issue March 6, 2013, the minutes are attached. The Legislative body may adopt or reject the ordinance either as proposed by the Planning Commission or after making any revision they consider appropriate. Also, changed in this ordinance is the length of time for a Public Notice from fourteen days to ten days. §10-9a-205. The ordinance before you is the current North Ogden City Zoning Ordinance with the changes for your consideration.

2. **PUBLIC HEARING TO AMEND ZONING ORDINANCE 11-1-4, CHANGES AND AMENDMENTS.**

A memo from Community Development Director, Craig Barker explained the Utah State Code Section 10-9a-502 has been changed from the City Council requirement to hold a Public Hearing for zoning changes to requiring the Planning Commission to hold the

Public Hearing. The length of time of Public Notice has also been changed from 14 days to 10 days. How the Public Notice is given has also changed.

Mr. Barker summarized his memo for the record. Mr. Call reviewed the proposed ordinance and noted the references to the State Code. He stated that as long as the City is following State Code, it will also be in line with its own ordinance. He stated part of the issue now is that the current ordinance says the City Council holds a public hearing rather than the Planning Commission while the State Code says that the Planning Commission holds the public hearing. He stated because of that conflict, it is necessary for a public hearing to be held by both bodies, which requires additional expenditures and time between meetings. He added that the ordinance gives the Planning Commission more power, which is good because the Planning Commission has more specialized information when addressing planning issues. He stated the City Council can still choose to hold a public hearing, but according to this ordinance they will not be required to provide a 10-day notice of the hearing.

The public hearing opened at 7:33 pm.

There were no public comments.

Commissioner Brown made a motion to close the public hearing. Commissioner Thomas seconded the motion.

Voting on the motion:

Chairman Residori	yes
Vice-Chairman Dalpias	yes
Commissioner Brown	yes
Commissioner Knight	yes
Commissioner Quinney	yes
Commissioner Thomas	yes

The motion passed unanimously.

The public hearing closed at 7:33 pm.

Commissioner Knight made a motion to approve the changes and amendments to zoning ordinance 11-1-4. Vice-Chairman Dalpias seconded the motion.

Voting on the motion:

Chairman Residori	yes
Vice-Chairman Dalpias	yes
Commissioner Brown	yes
Commissioner Knight	yes
Commissioner Quinney	yes

Commissioner Thomas yes

The motion passed unanimously.