



Regular City Council Meeting

Tuesday, November 4, 2025

5249 South 400 East

Washington Terrace, UT 84405

801.393.8681

www.washingtonterrace.gov

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www.youtube.com/@WashingtonTerraceCity

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1. **WORK SESSION** **5:00 P.M.**

Topics to include, but are not limited to:

- Recreation programs review and fiscal impacts

2. **ROLL CALL** **6:00 P.M.**

3. **PLEDGE OF ALLEGIANCE**

4. **WELCOME**

5. **CONSENT ITEMS**

5.1 APPROVAL OF AGENDA AND OCTOBER 21, 2025, COUNCIL MEETING

Any point of order or issue regarding items on the agenda or the order of the agenda needs to be addressed here prior to the approval of the agenda. Minutes approved in open meeting become the official record

6. **SPECIAL ORDER**

Special orders will proceed as follows: Chair introduction of item, staff/applicant presentation, questions/comments by Council, Chair opens public hearing and invites citizens to comment on hearing; Chair closes hearing, final Council discussion.

**6.1 PUBLIC HEARING: COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
FIRST PUBLIC HEARING TO CONSIDER POTENTIAL
PROJECTS FOR WHICH FUNDING MAY BE APPLIED UNDER THE
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) SMALL CITIES
PROGRAM FOR PROGRAM YEAR 2026**

In compliance with the Americans with Disabilities Act, persons who have need of special accommodation should contact the City Recorder at 801-395-8283.

CERTIFICATE OF POSTING

The undersigned, duly appointed City Recorder, does hereby certify that the above notice and agenda was posted in three public places within the City of Washington Terrace City limits and sent to the *Standard Examiner* at least 24 hours prior to the meeting. Amy Rodriguez, City Recorder.

7. CITIZEN COMMENTS

This is an opportunity to address the Council regarding your concerns or ideas that are not on the agenda as part of a public hearing. Please limit your comments to no more than 3 minutes. "Washington Terrace City is committed to civility. We strive to act and speak with dignity, courtesy, and respect at all times. All are asked to join us, and act and speak accordingly."

8. NEW BUSINESS

8.1 PRESENTATION: RECOGNITION OF THE WASHINGTON TERRACE LAKERS SENIOR PEE-WEE W.F.F.L. MINI-BOWL CHAMPIONS

8.2 PRESENTATION: SHERIFF OFFICE QUARTERLY REPORT

8.3 MOTION/RESOLUTION 25-22: APPROVAL OF THE 2025 MODERATE INCOME HOUSING REPORT

The Moderate-Income Housing Report update is part of the City's General Plan and must be submitted to the state yearly.

8.4 MOTION/ORDINANCE 25-05: REPEALING AND RE-ENACTING OF SECTION 5.05.010 OF THE WASHINGTON TERRACE MUNICIPAL CODE FOR THE BUSINESS REGULATION OF THE RETAIL SALE OF ALCOHOL AND TOBACCO PRODUCTS

9. COUNCIL COMMUNICATION WITH STAFF

This is a discussion item only. No final action will be taken.

10. ADMINISTRATION REPORTS

This is an opportunity for staff to address the Council pertaining to administrative items.

11. UPCOMING EVENTS

November 11th: City Offices closed for Veteran's Day Holiday

November 18th: City Council Meeting 6:00p.m.

November 20th : Planning Commission Meeting (Tentative)

November 21 and 22nd: Council Retreat

November 27 and 28: City offices closed for the Thanksgiving Holiday

12. ADJOURN THE MEETING

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City of Washington Terrace

Minutes of a Regular City Council meeting Held on October 21, 2025 City Hall, 5249 South 400 East, Washington Terrace City, Utah

MAYOR, COUNCIL, AND STAFF MEMBERS PRESENT

Mayor Mark C. Allen
Council Member Jill Christiansen
Council Member Zunayid Z. Zishan
Council Member Cheryl Parkinson – Excused
Council Member Jeff West
Council Member Michael Thomas
Fire Chief Clayton Peterson
City Recorder Amy Rodriguez
City Manager Tom Hanson
Lt. Shawn Endsley, Weber County Sheriff

OTHERS PRESENT:

Stacey Nixon

1. ROLL CALL

6:00 P.M.

2. PLEDGE OF ALLEGIANCE

3. WELCOME

4. CONSENT ITEMS

4.1 APPROVAL OF AGENDA AND OCTOBER 7, 2025, COUNCIL MEETING

Item 4.1 was approved by general consent.

5. CITIZEN COMMENTS

There were no citizen comments.

6. NEW BUSINESS

6.1 PRESENTATION: FIRE DEPARTMENT QUARTERLY REPORT

Chief Peterson spoke about the Emergency Preparedness Open House that was held at the beginning of the month, stating that many vendors came out to attend. He stated that the turnout was good, and he is looking forward to expanding it next year.

Chief Peterson stated that Ogden Regional will do a trunk or treat on October 27th from 5:00 – 7:00 p.m. and the Fire Department will be there to support this event.

Chief Peterson stated that the calls for service for this year are 1075, noting that the nursing call percentage

is still around 28.5 percent. Chief Peterson stated that misuse of lithium powered batteries have cause a few small structure fires. He stated that there was a furnace malfunction fire this season. Chief Peterson stated that people should use the chargers that come with lithium equipment because they usually stop when the charge is complete.

6.2 PRESENTATION: ANIMAL CONTROL QUARTERLY REPORT

South Ogden Animal Control officer Stacey Nixon stated that it has been unusually quiet. She stated that she has been told about a cat issue concerning a resident putting out food, noting that it is hard for her to determine if it is their cat or a stray. She stated that it would be up to the residents around this home to catch the cats and bring them to the county shelter. She stated that there should not be a leash law/containment law associated with cats, as they must treat every stray cat as a cat that can be impounded. She stated that it is hard to determine the difference between a home cat that goes in and out and an actual stray. She stated that there have been housing overflow issues at the county shelter concerning cats.

6.3 MOTION/ORDINANCE 25-04: APPROVAL OF ORDINANCE 25-04 ADOPTING CHAPTER 2.18 “ADMINISTRATIVE PROCEEDINGS” AND AMENDING CHAPTER 8.16 “INSPECTION AND CLEANING”

Hanson stated that the Ordinance was reviewed during the work session last meeting. He stated that this would be another tool when working with a property that is a nuisance or unsafe and we are not making much progress. Hanson stated that we would much rather close out accounts through violation notices but noted that there are some cases where the city will have to step in to resolve the issue through property liens and abatement processes. He stated that there are provisions that allow a longer timeframe for residents to come into compliance with city code.

Mayor Allen stated that the ordinance is a good place to start. Mayor Allen stated that he hopes it doesn't come down to this degree of enforcement, noting that it may be used in rare circumstances.

Motion by Council Member Christiansen

Seconded by Council Member West

**To approve Ordinance 25-01 Adopting Chapter 2.18 “Administrative Proceedings”
And amending Chapter 8.16 “Inspection and Cleaning”**

Approved unanimously (4-0)

Roll call vote

7. COUNCIL COMMUNICATION WITH STAFF

Council Member West gave a shout out to Carlos Grava and noted that the Rohmer Park Project is coming along and looking good. He stated that the shrubbery and plants are being put in.

He stated that the new playground looks like it will be fun.

Council Member West stated that the Washington Terrace Lakers football have made it to the mini bowl this weekend at 5:30 p.m.

Council Member Thomas thanked Meibos and public works crew for the striping on the new road on 300 East between 5000 and 5250 South. He stated that people are noticing the striping and have been slowing down. Mayor Allen stated that it would be nice to continue the striping on the new 5350 South road.

Council Member Thomas stated that he will be going to the Healthy Utah meeting tomorrow and asked if

92 Grava would be available to attend around noon.

93
94

95 **8. ADMINISTRATION REPORTS**

96 Hanson stated that Grava is researching what the city may apply for within the Utah Outdoor Recreation
97 Grant program, noting that they have opened the grant for some park projects.
98 Hanson stated that he anticipates the completion of Rohmer Park Phase 3 within the next 30 days. Hanson
99 stated that the Sheriff Office will make extra patrols in the area to keep an eye on the shrubs before they
100 are planted.

101
102 Hanson stated that there is some landscaping work still to be done on 5350 South. He stated that he
103 realizes that it is very frustrating to the residents in that area, as it has been a challenge for as long as it has
104 taken.

105
106 Hanson stated that staff are working on ways to discourage people from sledding down the hill at Rohmer
107 unless there is snow on the ground.

108
109 Chief Peterson stated that there will be some agricultural burns coming up in the next couple of days in
110 case Council receives calls about smoke.

111

112 **9. UPCOMING EVENTS**

113 October 30th: Planning Commission Meeting (tentative)
114 November 4th: City Council Meeting 6:00p.m.
115 November 11th: City Offices closed for Veteran's Day Holiday
116 November 18th: City Council Meeting 6:00p.m.
117 November 20th : Planning Commission Meeting (Tentative)
118 November 21 and 22nd: Council Retreat
119 November 27 and 28: City offices closed for the Thanksgiving Holiday
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121 **10. ADJOURN THE MEETING**

122

123 **Motion by Council Member Thomas**
124 **Seconded by Council Member Christiansen**
125 **To adjourn the meeting**
126 **Approved unanimously (4-0)**
127 **Time: 6:33 p.m.**
128

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Date Approved _____	City Recorder _____
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City Council Staff Report



Author: Amy Rodriguez
Subject: CDBG FIRST PUBLIC HEARING
Date: 11-04-25
Type of Item: Public Hearing

Admin Dept.

Description:

A. Topic: CDBG FIRST PUBLIC HEARING

B. Background:

The City may be applying for a Community Development Block Grant (CDBG) for the 2026 grant period. CDBG requires that a public hearing be held to receive comments and suggestions from the community concerning eligible projects to be considered for application.

CDBG Funds must be spent on projects benefitting primarily low and moderate income persons. The City is no longer on the Pre-Approved LMI listing through the Community Development Block Grant Program with the state. Depending on the project(s) chosen for application (s) for the upcoming cycle, city staff will need to conduct either a citywide survey, or site specific survey(s) to determine if the project falls within an area that is considered over 51 percent LMI. The survey(s) will need to be conducted by the end of the year. Due to the government shutdown, the city has not been able to receive the instructions for surveying as required. Timelines may be reconsidered by the HUD/CDBG program staff, but we have been instructed to proceed as normal. Staff at the Community Development Block Grant Program will determine if our project(s) meet eligibility for grant application.

C. Analysis:

CDBG further requires that the first public hearing being conducted as follows:

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PUBLIC HEARING

The Public Hearing was opened at

Mayor Allen opened the public hearing for the CDBG program and stated that the purpose of the hearing is to provide citizens with pertinent information about the Community Development Block Grant Program and allow for discussion of possible applications for the 2026 funding cycle. It was explained that the grant money must be spent on projects benefiting primarily low and moderate-income persons. The Wasatch Regional Front, in which Washington Terrace is a member, is expected to receive approximately \$1,198,297 in this new program year. All eligible activities that can be accomplished under this program are identified in the CDBG Application Policies and Procedures Manual and interested persons can review it at any time.

Mayor Allen read several of the eligible activities listed including examples, such as Construction of public works and facilities, e.g., water and sewer lines, fire stations,

acquisition of real property, provision of public services such as food banks or homeless shelters.

Mayor Allen indicated that in the past Washington Terrace has received 16 CDBG grants which were used to purchase Fire Department Equipment to include a skid loader for the brush truck, thermal imaging equipment, and breathing apparatus, Seismic upgrades to two Water Tanks, a restroom and bowery at Victory Park, the 4525 Sewer Main Replacement, construction of the Civic/Senior and Fire Station ,Water Main Feeds, installation of water valves throughout the city, a cab and chassis for the Fire Department, the AMI water metering system, the removal and reconstruction of the Parking Lot at Rohmer Park, and currently the Sidewalk Accessibility and Safety Project at the north end of Rohmer Park, and new Playground Equipment at Victory Park. The city has handed out its capital investment plan as part of the regional "Consolidated Plan". This list shows which projects the city has identified as being needed in the community.

It was asked that anyone with questions, comments or suggestions during the hearing please identify themselves by name, before they speak. The clerk will include your names in the minutes and we would like to specifically respond to your questions and suggestions during the hearing.

The Mayor asked if there were any suggestions.

The hearing was adjourned at _____.



Sheriff's Office Quarterly Report Washington Terrace City Q3 2025

Integrity, Initiative, and Intelligence



Notable Cases

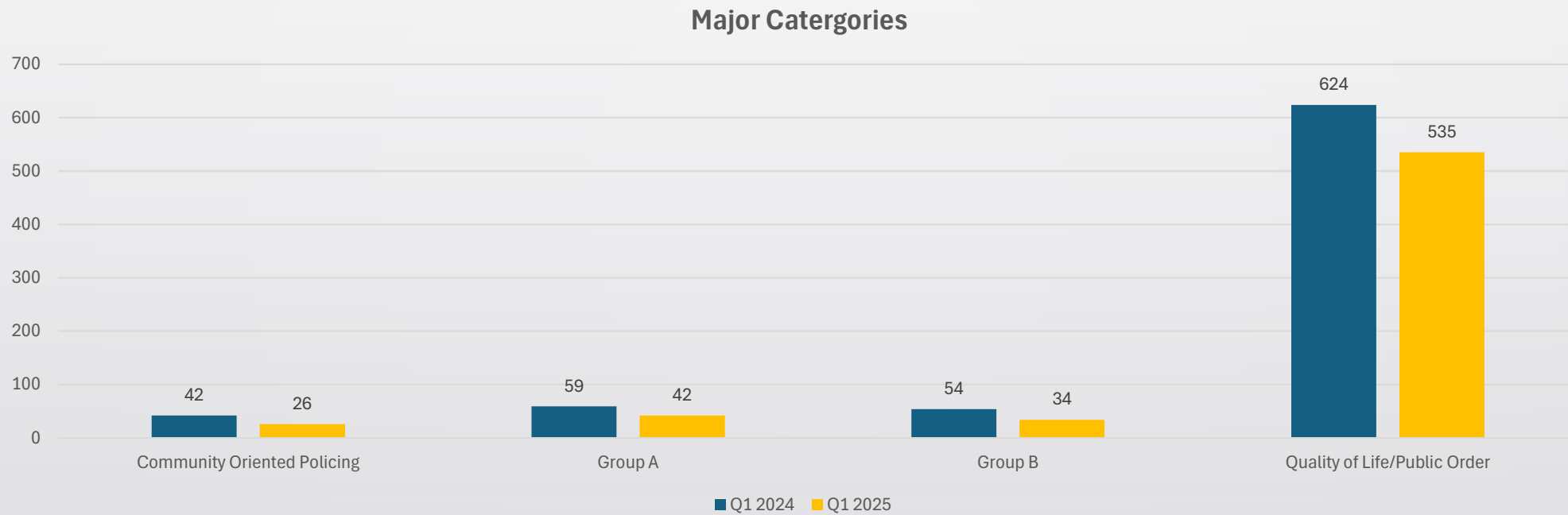
25WC27038 – Arson

- One arson call in WT during this quarter
- Three juveniles lit fireworks in a dumpster at Terrace Playhouse
- Video footage but suspects not identified

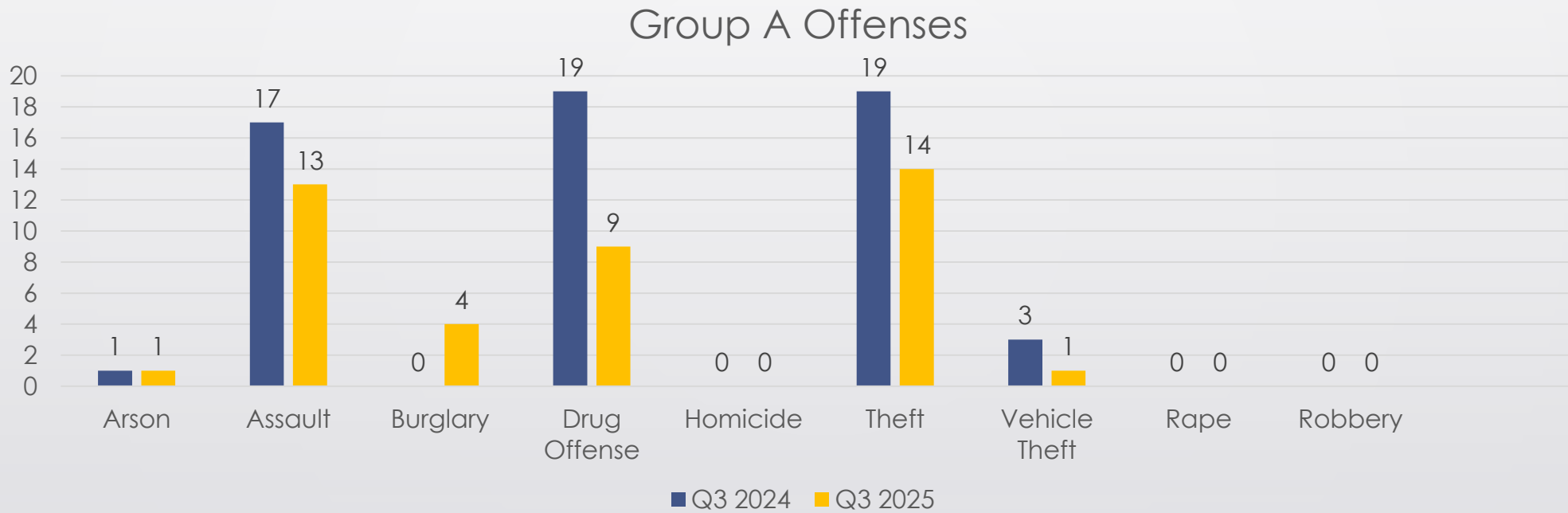
25WC33217 – Threats

- Three suspects arrive at an apartment to collect a car one of them claims to own
- Threats against the tenants and their property with a knife possibly involved
- Suspects leave but are located by patrol, detained, and one was arrested for Threats of Violence.
- Another suspect arrested for sex offender registration violation

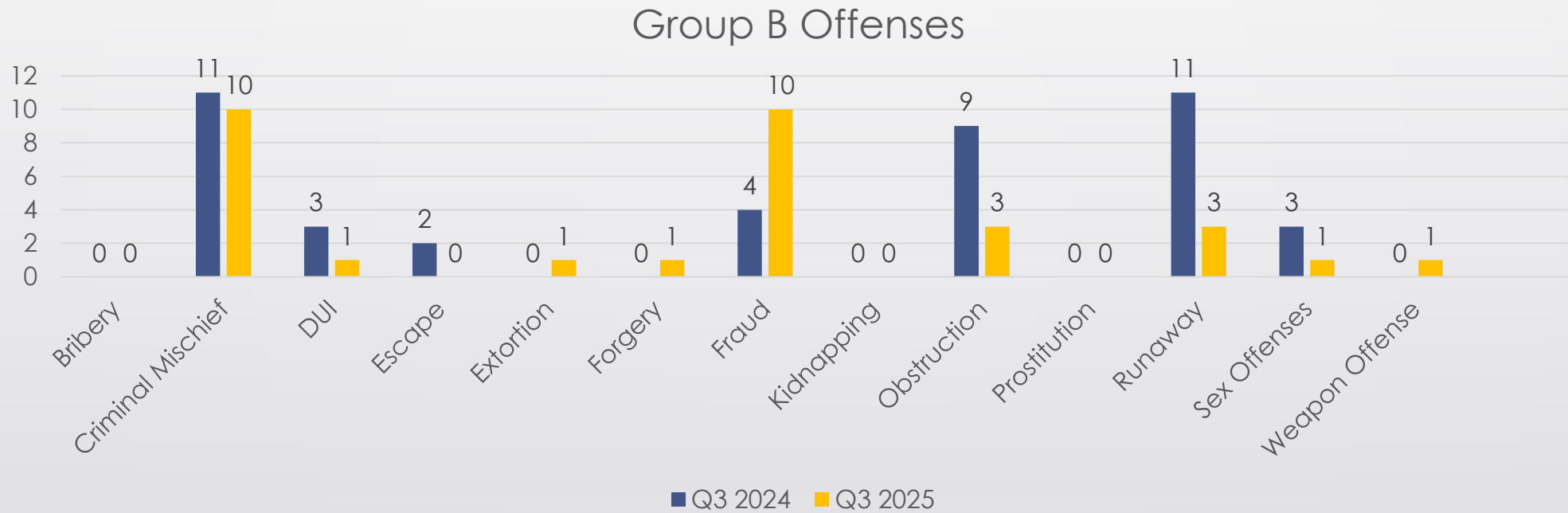
Major Categories of Offenses



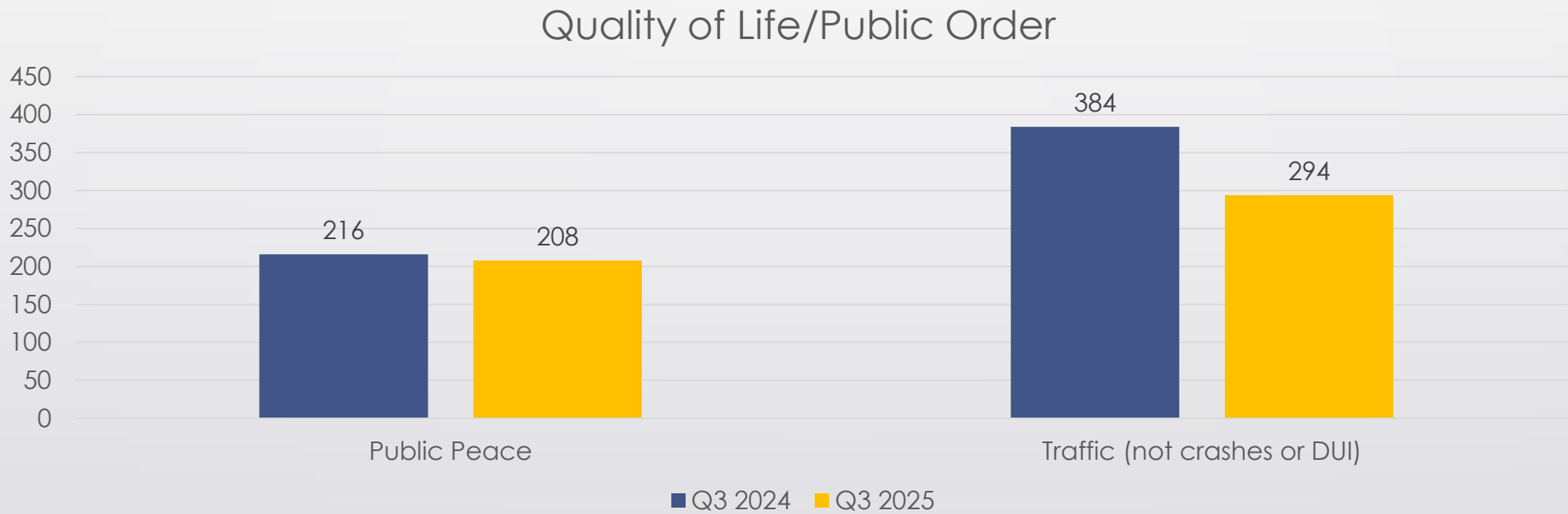
Group A Offenses



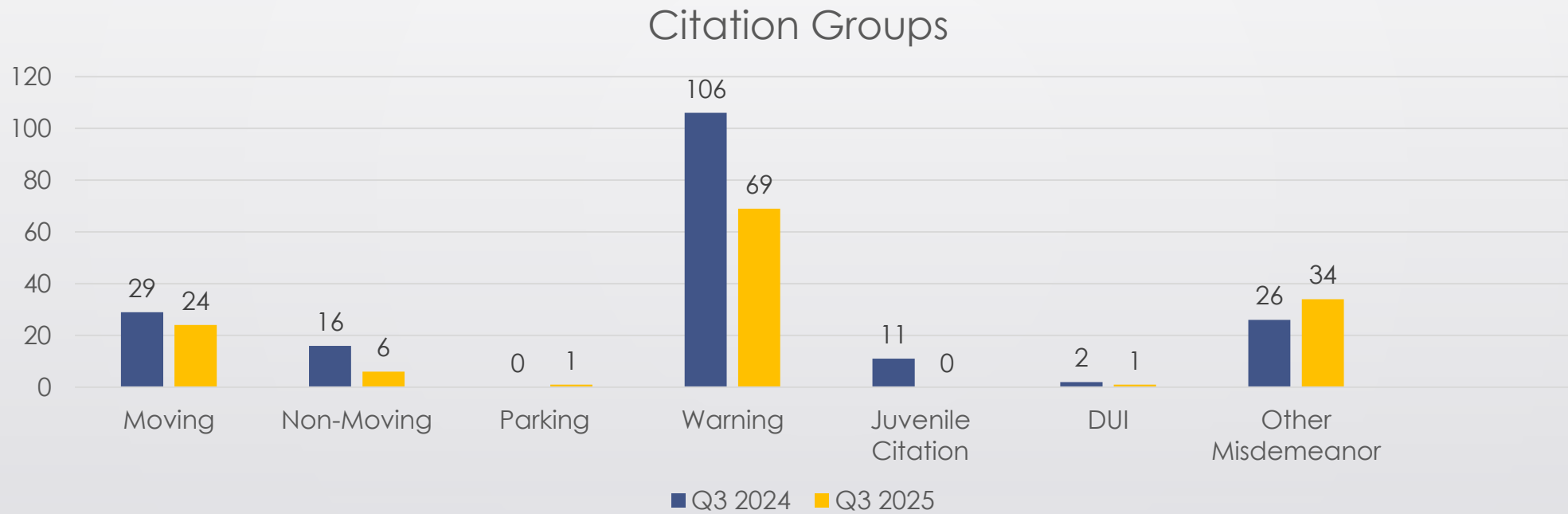
Group B Offenses



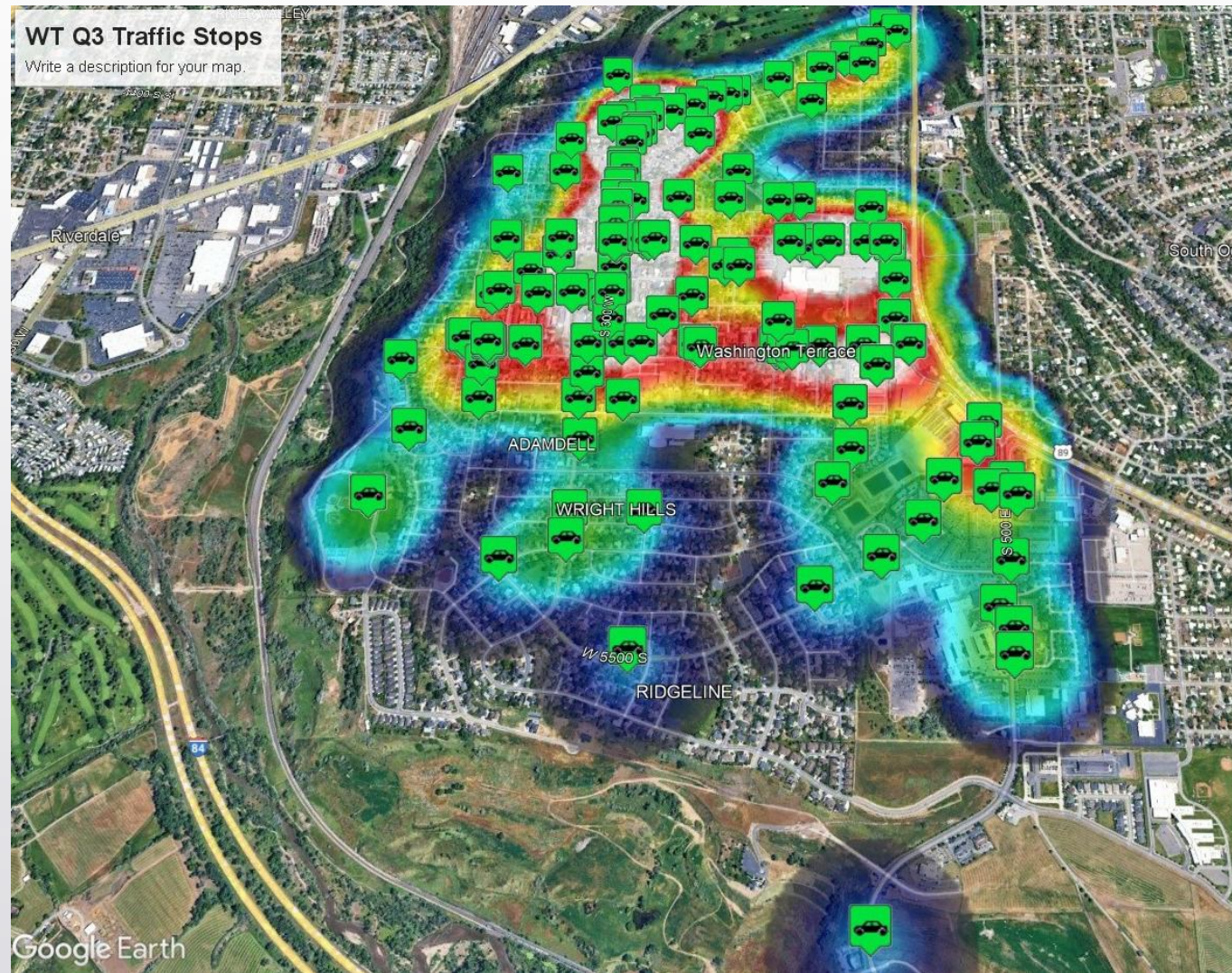
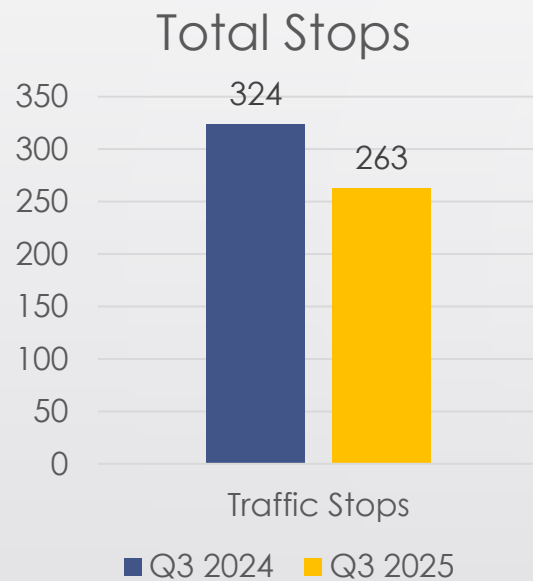
Quality of Life/ Public Order



Citation Data – Traffic and Criminal



Traffic Stops



**WASHINGTON TERRACE CITY
RESOLUTION 25-22**

MODERATE INCOME HOUSING PLAN UPDATE

**A RESOLUTION OF WASHINGTON TERRACE CITY, UTAH, ADOPTING
THE ANNUAL 2025 REPORT ON THE MODERATE INCOME HOUSING
PLAN.**

WHEREAS, Washington Terrace City (hereafter “City”) is a municipal corporation, duly organized and existing under the laws of the State of Utah;

WHEREAS, *Utah Code Annotated* §10-3-717 authorizes the City Council to “exercise all administrative powers by resolution”;

WHEREAS, *Utah Code Annotated* §10-9a-408 requires the City to prepare a report on the City’s implementation of the Moderate Income Housing Plan Element of the General Plan;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Washington Terrace City that the attached Moderate Income Housing Plan 2025 Annual Report is hereby adopted and incorporated herein by this reference.

PASSED AND APPROVED by the Washington Terrace City Council this ____ day of _____, 2025.

Mayor Mark C. Allen

ATTEST:

Amy Rodriguez, City Recorder

Roll Call Vote:

Council Member Christiansen
Council Member Parkinson
Council Member Thomas
Council Member West
Council Member Zishan

Aye

Nay

Absent



Washington Terrace city

Who is filling out this report?

Tom Hanson
City Manager
marka@washingtonterrace.gov
801-395-8282

Provide the following information for your moderate-income housing element:

Link to adoption resolution or ordinance:

https://washingtonterrace.municipalcodeonline.com/book?type=ordinances#name=18.01.040_General_Plan_Elements

Link to general plan, moderate income housing element:

chrome-extension://efaidnbmnnnibpcajpcgclefindmkaj/https://washingtonterrace.gov/vertical/sites/%7B9D63E994-3168-4A6B-BFBB-6BA2F03103EB%7D/uploads/WASHINGTON_TERRACE_CITY_GENERAL_PLAN-_REVISED_2022.pdf

You will not be able to go back in the survey after making this selection. Please make sure you have entered all information up to this point. TYPE OF REPORT Please choose from the following options. Nearly all communities are in year 2-5 of their reporting. We are in YEAR 2-5 of reporting on the implementation plan tasks and timelines we reported on last year.



We are in YEAR 2-5 of reporting on the implementation plan tasks and timelines we reported on last year.

2-5 YEAR REPORTING The following section is for communities in YEARS 2-5 of reporting. If the implementation plan has been updated or amended, progress made must be documented in this section of the report. You will enter the following information in this section: 1) Shapefiles and data related to zoning, entitled units, and accessory dwelling units (ADUs) 2) Your community's MIH strategies (including changes to strategies - if applicable) 3) Feedback and recommendation regarding the MIH program

ZONING MAP

Zoning Data Statute requires that counties and municipalities provide their current zoning map. This document should reflect current adopted ordinances.

Please be aware that zoning data submitted will be shared with the Utah Geospatial Resource Center.

Shapefiles (.shp) must be uploaded using this link. After uploading the file, please type "Uploaded" in the field below. If a shapefile is not available, please provide a link to maps and tables in the field below. If you have any questions, please contact mih@utah.gov.
Uploaded

When did the last zoning map or text amendment occur?

2024

ENTITLED UNITS The following questions ask about entitled units. Entitled units are units that are legally allowed to be built under current zoning, existing development agreement, or other legal mechanism, (e.g., overlay zone). This data is collected to capture current built or zoned conditions. Please report entitled unit data as of May 1, 2025. Do not include any parcels or units that are only planned or in the process of being rezoned as residential. *Example: if a parcel is zoned greenbelt on May 1, 2025 and a rezone application is in process, do not count it in this data.* If some parcels can't be developed due to barriers like geography, setbacks, or lack of infrastructure, you can explain these issues in the **barriers** or **narrative** sections of your report.

Provide a count of entitled residential units (as defined above) that have NOT received a building permit.

6 single family lots are available which do not have permits.



Less the units, parcels, lots, or developments reported in the previous question, provide a count of vacant parcels, lots, or developments that include an overlay zone and the number of residential units that could be built on said parcel, lot, or development that have NOT pulled a building permit.

5 parcels located within the overlay, infill zone that could be potential residential dwelling units.

Less the units parcels, lots, or developments reported in the previous two questions, provide a count of vacant parcels, lots, or developments that are currently zoned residential (*single family, townhome, multi family, etc*) and the number of residential units that could be built on said parcel, lot, or development that have NOT pulled a building permit.

We do not have any currently.

From the counts reported above, provide a count of the entitled residential units which have received will serve letters from utilities or an equivalent that shows that all utilities and infrastructure (*i.e. roads, water, sewer, power, phone, gas*) are complete for the units, parcels, or lots.

We do not have any currently.

Describe any barriers to developing these units that have been experienced. These barriers could include infrastructure, public concerns, geographic constraints, etc. Providing detail here allows us to share the experiences and needs of communities to support the data reported above.

Developers are simply not clamoring to be here... Washington Terrace is a fully built-out city with only two square miles of total land area. Due to these space limitations, there are very few remaining parcels available for new development. As a result, we have limited interest from developers, who often prioritize larger, more flexible sites in neighboring communities. Despite this, Washington Terrace has maintained a high percentage of affordable housing within its existing stock and continues to make strategic zoning adjustments to support limited infill opportunities where feasible. Please see included maps as an example.

Provide any notes or explanations for the data entered above (*e.g., upcoming developments, clarifying data, context, etc.*).

Overview Washington Terrace City is a fully built-out community with a total land area of just two square miles. Due to our geographic constraints and established development patterns, our ability to create new Moderate Income Housing through traditional expansion methods is extremely limited. Nevertheless, Washington Terrace has demonstrated a strong commitment to affordability within its existing housing stock and has taken proactive measures to promote responsible infill development where feasible. This report outlines how the City not only meets but exceeds the intent of the State's Moderate Income Housing requirements, despite limited development capacity. Geographic and Physical Constraints Washington Terrace is bordered by other built-out communities and natural barriers, leaving little to no room for large-scale new development. Our small land base constrains our ability to pursue traditional housing expansion,



such as new subdivisions or large multi-family developments. Recognizing this, the City has conducted a comprehensive evaluation of available land for infill development. In early 2024, the Planning Commission approved, and the City Council adopted, a zoning map amendment to incorporate an additional Infill Overlay Zone—targeting remaining underutilized parcels for future housing opportunities. Current Housing Stock Affordability While land is limited, housing affordability in Washington Terrace is already strong: Total housing units: 2,761 Units valued under \$400,000: 2,069 Percentage of affordable units: ~75% By most regional and state benchmarks, homes under \$400,000 are considered affordable to moderate-income households. This means that three out of every four homes in Washington Terrace already meet affordability standards, making our city an existing hub of moderate-income housing. Exceeding State Expectations State law encourages cities to increase moderate-income housing options through planning, zoning, and development policy. While some municipalities meet these goals through expansion and high-density development, Washington Terrace has met the spirit and the measurable intent of these policies within its existing fabric. Highlights of our accomplishments include: High percentage of existing affordable homes (75%) Strategic rezoning to support infill where feasible Compact, walkable community design that supports affordability through reduced transportation costs Preservation of older, modestly priced housing stock, avoiding gentrification or displacement Conclusion Washington Terrace City has exceeded the perceived expectation from state legislators regarding moderate-income housing. Our city may not be able to provide large-scale new housing due to physical limitations, but our current housing inventory and policy actions reflect a genuine, measurable, and sustainable commitment to affordability. We welcome the opportunity to share our approach with state leaders and continue the conversation about how diverse cities can meet shared housing goals in different, but equally effective, ways.

ACCESSORY DWELLING UNITS

The following questions ask about the number of Accessory Dwelling Units (internal, external, detached) in your county or municipality as of the report submission date.

How does the county or municipality track known "for-rent" Accessory Dwelling Units?
(select one)

Count of business licenses or permits to rent issued

Total known number of Accessory Dwelling Units recorded as of the report submission date:

22

Total number of building permits issued to construct an ADU in the county or municipality granted between August 1, 2024 and July 31, 2025:

0



Total number of business licenses or permits to rent an ADU issued in the county or municipality granted between August 1, 2024 and July 31, 2025:

13

Total number of other types of permits or license issued for an ADU in the county or municipality granted between August 1, 2024 and July 31, 2025 *(if applicable, please provide the count and type of permit or license issued)*

N/A



REPORTING ON STRATEGY PROGRESS

The following questions ask you to provide detailed progress on the moderate-income housing strategies between August 1, 2024 and July 31, 2025. A county or municipality must report on at least the minimum strategy requirements to comply in the subsequent report.

1. Select a moderate income housing strategy from Utah Code that the county or municipality has included in its moderate-income housing element. *(For the list of strategies, visit jobs.utah.gov/mihreporting or refer to Utah Code Section 10-9a-403 for municipalities and Section 17-27a-403 for counties)*

A
E
F

2. Reference the Implementation Plan for this strategy and list the timelines and benchmarks that were planned to be complete between August 1, 2024 and July 31, 2025. You may include actions taken before the 12-month reporting period in this report as an ongoing action if it: i) clearly supports the moderate income housing strategy from the initial report (e.g., previously adopted ordinance, approved a land use application, made an investment, or approved an agreement or financing); ii) the new report shows the action is still helpful to making progress on the strategy.

A

Washington Terrace City – Support for Moderate Income Housing through Zoning Action (Strategy A)(A) Rezone for densities necessary to facilitate the production of moderate income housingSummary of Strategy:Washington Terrace City has taken proactive steps to rezone areas to allow higher residential densities, creating a regulatory framework that supports the production of moderate income housing. These zoning changes align with state requirements and reflect the City’s commitment to providing attainable housing opportunities within the community.Actions Since the 2024 Reporting Period:Since the 2024 reporting period, the City has continued to take meaningful action:Rezoning for Medium-Density Housing: Several parcels previously zoned for single-family use were rezoned to allow medium-density residential development, including townhomes, duplexes, and multi-family housing. This zoning change opens the door for more diverse and affordable housing types.Overlay Zones for Flexibility: Overlay zoning was introduced near key transportation corridors and commercial nodes, offering developers more flexibility to build higher-density housing in appropriate locations.Ongoing Collaboration with Developers: City staff remain actively engaged with developers to encourage use of these rezoned areas for moderate income housing. Staff provide support and guidance but recognize that developers must ultimately take the initiative to bring projects forward.Opportunity Exists – Developer Action Required:The City has created the opportunity for moderate income housing by removing key zoning and regulatory barriers. However, the decision to pursue and construct these projects lies with the private development community. Washington Terrace cannot mandate construction but continues to offer a supportive and enabling environment for those willing to invest in housing diversity.Continued Relevance in 2025 – Due to Limited Land Availability:Given the City’s geographic constraints—



being nearly fully built out with only two square miles of land—rezoning for higher densities remains one of the few viable options to meet moderate income housing needs. There is very little undeveloped land remaining, making infill and redevelopment in newly rezoned areas an essential strategy for achieving housing goals. Washington Terrace has acted within its means to support moderate income housing. The zoning tools are in place and still relevant in 2025—now it is up to developers to seize the opportunity.

E

(E) Create or allow for, and reduce regulations related to, internal or detached accessory dwelling units (EDUs) in residential zones Washington Terrace has taken meaningful steps to support accessory dwelling units (EDUs) by adopting an ordinance that permits them throughout the city, provided the primary residence is owner-occupied. This policy aligns with state legislative expectations by facilitating moderate-income housing options while preserving neighborhood character. We continue to welcome and support all owner-occupied EDUs as a practical, flexible housing solution that complements our predominantly built-out community. To address the challenges associated with unregulated or non-owner-occupied EDUs—particularly illegal up/down duplexes—we have focused enforcement efforts on maintaining compliance and minimizing adverse impacts such as overcrowding, inadequate parking, and stress on public infrastructure. These efforts are intended to preserve the integrity of our residential zones while also providing appropriate housing options for a range of incomes. Given our city's size—just over two square miles—and very limited undeveloped land, our capacity to add new housing units is constrained. Nonetheless, we have exceeded expectations in the proportion of affordable housing available. According to our most recent Moderate Income Housing Report, Washington Terrace already meets or surpasses the threshold required by the state for moderate-income housing availability. We encourage a thoughtful and balanced approach to housing growth by supporting policies that maintain quality of life, ensure infrastructure sustainability, and provide meaningful housing opportunities for all income levels. Please refer to the attached map for details on EDU-eligible areas and to see the specific challenges related to housing density, as well as the existing distribution of affordable housing units across the community.

F

(F) Rezoning for Higher Density or Moderate-Income Residential Development in Mixed-Use or Commercial Areas Near Key Corridors Washington Terrace City staff have actively worked with property owners and the Planning Commission to support the potential for mixed-use development in commercial zones, especially those located near major transit investment corridors, commercial centers, and employment hubs. Through ongoing conversations and open dialogue, staff have provided guidance on zoning processes, potential density increases, and the integration of residential uses into traditionally commercial areas. The Planning Commission and local property owners remain open to considering mixed-use proposals as they arise. While there have not been formal applications during this reporting period, both parties have demonstrated a willingness to explore such opportunities when developers or landowners express interest. The Commission has emphasized its interest in promoting thoughtful, well-planned developments that align with the city's long-term goals and community

**CITY OF WASHINGTON TERRACE
ORDINANCE NO. 25-05**

ALCOHOL AND TOBACCO ADVERTISING REGULATIONS

**AN ORDINANCE OF THE CITY OF WASHINGTON TERRACE, UTAH,
REPEALING AND RE-ENACTING SECTION 5.05.010 OF THE
WASHINGTON TERRACE MUNICIPAL CODE FOR THE BUSINESS
REGULATION OF THE RETAIL SALE OF ALCOHOL AND TOBACCO
PRODUCTS; SEVERABILITY; AND PROVIDING AN EFFECTIVE
DATE.**

WHEREAS, the City of Washington Terrace (hereafter referred to as the “City”) is an incorporated municipality duly existing under the laws of the state of Utah;

WHEREAS, *Utah Code Annotated* §10-8-84 and §10-8-60 authorizes municipalities in the State of Utah to exercise certain police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improve community well-being, peace and good order for the inhabitants of the City;

WHEREAS, *Utah Code Annotated* §10-8-47, 1953, as amended, authorizes the City Council to regulate alcohol and tobacco sales within the City by this Ordinance;

WHEREAS, *Utah Code Annotated* §10-8-28, 1953, as amended, authorizes the City Council to regulate or prevent the flying of flags, banners or signs across the streets or from houses;

WHEREAS, *Utah Code Annotated* §10-8-42, 1953, as amended, authorizes the City Council to regulate any person from knowingly having in the person's possession any intoxicating liquor, and the manufacture, sale, keeping or storing for sale, offering or exposing for sale, importing, carrying, transporting, advertising, distributing, giving away, exchanging, dispensing or serving of intoxicating liquors;

WHEREAS, the City desires to amend Washington Terrace Municipal Code (WTMC) Section 5.05.010 to regulate the retail sale of alcohol and tobacco products;

NOW, THEREFORE, be it ordained by the Washington Terrace City Council as follows:

Section 1: Repealer. WTMC Section 5.05.010 is hereby repealed in its entirety.

Section 2. Re-enactment. WTMC Section 5.05.010 entitled “Retail Sale of Alcohol and Tobacco Products” is hereby enacted to read as follows:

5.05.010. Retail Sale of Alcohol and Tobacco Products.

1. State Code Compliance. A retail tobacco specialty business, as defined by Utah Code

Annotated §10-8-41.6, is subject to the additional regulations provided for in Utah Code Annotated §10-8-41.6. In addition to the causes for revocation of a business license specified in this Title, the City may revoke a business license for a retail tobacco specialty business in violation of Utah Code Annotated §10-8-41.6 and subject to the same.

2. Definitions:

- a. "Advertisement or Advertising" means any visual or verbal message, display, or sign calculated to induce the purchase or consumption of goods, products, or services.
- b. "Gas pump" means a device used for dispensing fuel, including any display screens or affixed signs on the pump or its housing.
- c. "Marquee" means a sign or projecting canopy over the entrance to a building.
- d. "Outdoor sign" means any outdoor sign, banner, billboard, or other form of commercial advertisement, of any size, located outside or alongside a highway, roadway, or sidewalk.
- e. "Protected Location" means a place of worship, public building, school, day care, or park.
- f. "School Access Routing Plan" means the plan used by a public school for access and routing of walking students, that includes sidewalks and pathways along the route.
- g. "Tobacco" means tobacco products, including but not limited to cigarettes, cigars, smokeless tobacco, and electronic nicotine delivery systems (e-cigarettes or vape products).

3. General Advertising Regulations.

- a. Minimum Window Advertising. Any commercial establishment shall not have more than forty percent (40%) of its total window area covered by advertisements. This is to ensure adequate light and visibility into and out of the establishment, promoting safety and aesthetics.
- b. Prohibited Advertisements. The following products or services shall not be advertised on outdoor sign, marquee, or gas pumps located within the City:
 - i. Alcoholic beverages as defined by Utah law.
 - ii. Tobacco products as defined by this Section.

4. Protected Location. The total surface area of all advertisements on a single establishment or business, including window and building-mounted signs, must be limited to 20% if the establishment is located on a School Access Routing Plan, or within 500 feet of Protected Location.
5. Population-Based Prohibition. One (1) retained tobacco specialty business is permitted to operate within the City for each 15,000 residents, as determined by the most recent U.S. Census Bureau data.
6. Alcohol Advertising. All alcohol advertising permitted within the City shall comply with the regulations set forth by the Utah Department of Alcoholic Beverage Services (DABS) and the Utah Alcoholic Beverage Control Act. In addition, no advertising

for alcoholic beverages shall:

- a. Target or primarily appeal to a person under the age of twenty-one (21) years through the use of symbols, language, music, cartoon characters, or other themes with a primary appeal to minors.
- b. Promote excessive consumption or associate alcohol with positive outcomes like social, professional, or athletic success.
- c. Be misleading or deceptive in any manner, including claims about the product's intoxicating effects.
- d. Portray the act of drinking or associate alcohol with illegal or antisocial behavior.

Section 3: Severability. If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of this Ordinance, or specific application of this Ordinance, shall be severed from the remainder, which remainder shall continue in full force and effect.

Section 4: Effective date. This Ordinance takes effect immediately upon adoption and posting.

PASSED AND ADOPTED by the City Council on this ____ day of _____, 20__.

Mayor

ATTEST:

City Recorder

RECORDED this ____ day of _____, 20__.

PUBLISHED OR POSTED this ____ day of _____, 20__.

CERTIFICATE OF PASSAGE AND PUBLICATION OR POSTING

According to the provision of U.C.A. §10-3-713, 1953 as amended, I, the City Recorder of Washington Terrace City, hereby certify that foregoing ordinance was duly passed and published, or posted as provided in State Law.

City Recorder

DATE: _____