

NOTICE AND AGENDA
SOUTH OGDEN CITY PLANNING COMMISSION MEETING
Thursday, March 10, 2016

Notice is hereby given that the South Ogden City Planning Commission will hold a meeting March 10, 2016, beginning at 6:15 p.m. in the Council Chambers located at 3950 Adams Avenue, South Ogden, Utah.

A briefing session will be held at 5:30 pm in the conference room and is open to the public.

- I. **Call to Order and Overview of Meeting Procedures** - Chairman Todd Heslop
- II. **Conditional Use Actions**
 - A. Consideration of Conditional Use Application for an Auto Sales and Service Use Located at 3990 Riverdale Road
- III. **Zoning Actions**
 - A. Discussion and Recommendation on Adoption of Form Based Code and Zoning Map Amendment Associated With the Form Based Code
- IV. **Other Business**
- V. **Approval Of Minutes Of Previous Meeting**
 - A. Approval of February 11, 2016 Briefing Meeting Minutes
 - B. Approval of February 11, 2016 Meeting Minutes
- VI. **Public Comments**
- VII. **Adjourn**

Posted and emailed to the State of Utah Public Notice Website March 4, 2016

The undersigned, duly appointed city recorder, does hereby certify that a copy of the above notice and agenda was posted in three public places with the South Ogden City limits on March 4, 2016. These public places being City Hall (1st and 2nd floors), the city website (www.southogdencity.com), and emailed to the Standard-Examiner. Copies were also mailed to each commissioner.


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 Leesa Kapetanov at 801-622-2709 at least 48 hours in advance.

FINAL ACTION MAY BE TAKEN ON ANY ITEM ON THIS AGENDA

Planning Commission Report



Subject: Conditional Use Application for An Auto Sales And Service Operation at 3990 Riverdale Road
C-2 Zone

Author: Mark Vlastic

Department: Planning & Zoning

Date: March 10, 2016

Background

This is an application for the conversion of an existing Big Lots Sports store into an auto sales and service facility. The conversion will link the existing building and associated lot with an existing auto sales operation immediately to the northeast, forming a unified auto sales and service campus in the process. The primary site modification is the addition of a vehicular passage between the two sites on the northwest corner of the site, which eliminates approximately 5 parking spaces. Other proposed modifications include widening of two substandard parking spaces, thereby making them usable, and improvements to sidewalks and parking areas. Overall, there is a net loss of three parking spaces.

Discussion/Analysis

The purpose of a conditional use permit is to allow evaluation of a land use proposed at a particular location to determine if the use may detrimentally affect the city, surrounding neighbors, or adjacent land uses. Conditional uses are allowed unless the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by imposing reasonable conditions to achieve compliance with the City Code.

The following is a brief assessment of key considerations that the planning commission might consider to determine whether the use should be approved as proposed, approved with conditions, or denied.

- A. The proposed use conforms to the South Ogden General Plan.
- B. The use is well suited to the character of the site and adjacent uses.
- C. Access to the site avoids traffic and pedestrian conflicts and does not unreasonably impact the service level adjacent streets. Existing curb cuts and access points are maintained.
- D. On site vehicle circulation and tloading/service areas are designed to mitigate adverse impacts to adjacent property.
- E. The location and design of off street parking complies with applicable standards of this title.
- F. The location and design of refuse collection areas is not likely to create an adverse impact on the occupants of adjoining property.

G. Utility capacity is assumed to be sufficient to support the use at normal service levels.

H. The use is appropriately screened, buffered, or separated from adjoining uses to mitigate potential use conflicts. Fencing and screening is adequate, although the landscape treatments are not on par with the existing landscape treatments that the automobile dealership to the northeast that this site will be connected with.

I. The hours of operation of the use and delivery of goods are not known, but are assumed to not adversely impact surrounding uses.

J. Sign size, location and lighting remain unchanged and are assumed to be compatible with, and are not likely to adversely impact, surrounding uses.

K. Public facilities such as streets, water, sewer, storm drainage, public safety and fire protection are assumed adequate to serve the use.

L. Environmental Impact: The use does not appear to significantly impact the quality of surrounding air and water, encroach into a waterway or drainage area, or introduce any hazard, including cigarette smoke, to the premises or any adjacent property.

M. Operation of the use is unlikely to create a nuisance

Recommendation

Staff recommends approval of the Conditional Use Application to allow the auto sales and service operation with the following conditions:

- That the applicant consider modifying the water-efficient landscape similar to the auto dealership it is being linked with to help unify the site; and
- That positive recommendations are received from the Fire Department and City Engineer.

planning commission

south ogden city

CONDITIONAL USE APPLICATION

Owners Name SPENCER YOUNG Phone 801-301-675 email SYOUNG1860@AOL.COM

Address 645 N. MAIN City LAYTON State UT Zip 84041

Agents Name - All information will be sent to the Agent. GARTH ROBINSON Phone 801-390-0597 email garth@youngkia.com

Address 4052 S. 4300 W City WEST HAVEN State UT Zip 84701

Property Address: 3990 RIVERDALE RD.

Existing Zone C-2 No. of Acres or Sq. Ft. 1 #Res. Units _____

Bldg. Sq. Ft. 16,384.00 Building Height (stories & ft.) 18'

What Use is Requested? AUTO SALES & SERVICE

The P.C. action is subject to appeal to the Hearing Officer. Appeal must be filed with the City Recorder, by any interested party, within 14 days from the date of the P.C. written decision.

Fee - Conditional Use Application

\$100.00 plus \$25.00 for each acre over one (1) to five (5) acres then \$10.00 for each additional acre or part thereof and \$100 for the City Engineer review. The Engineer fee is charged at a per hour rate and the balance over \$100 will be owing upon billing. The City collects these engineering hours on a project so the actual costs are recognized. As long as the project is under construction, the City engineer may incur costs that will be billed to the applicant.

OFFICE USE

Request for Recommendation sent to the following by copy and return of this form:

City Engineer -	Date _____	Received back - Date _____
Fire Dept. -	_____	_____
Public Works -	_____	_____
Other -	_____	_____

RECOMMENDATION: (INCLUDE ATTACHMENT)

PLANNING COMMISSION ACTION:

APPROVED _____ DENIED _____ Date _____

Applicant notified - Date _____ Effective date (10) days from the P.C. meeting granting final approval

APPLICANT'S AFFIDAVIT

State of Utah
County of Davis

I (we) Spencer Young, being duly sworn, depose and say I (we) am (are) the sole
Property Owner(s) or Agent of Owner
owner(s)/agent of the owner(s), of the property involved in this application, to-wit,
_____ and that the statements and answers contained herein, in
Property Address

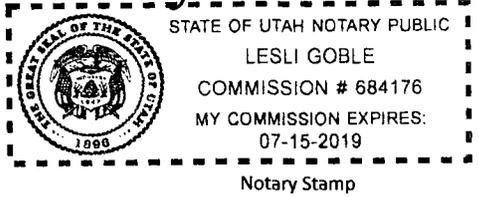
the attached plans and other exhibits, thoroughly and to the best of my ability, present the argument
in behalf of the application. Also, all statements and information are in all respects true and correct, to
the best of my knowledge and belief.

Dated this 1 day of February, 2016.

Signed: _____
Property Owner or Agent

Subscribed and Sworn before me this 1st day of February, 2016.

Notary Public: Lesli Goble



AGENT AUTHORIZATION

State of Utah
County of Davis

I (we) Spencer Young, the sole owner(s) of the real property located
Property Owner(s)
at _____, South Ogden, Utah do hereby appoint
Property Address

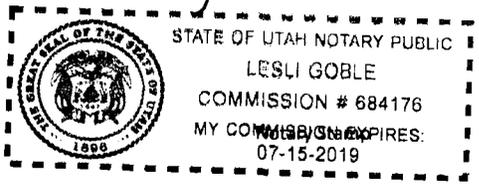
Garth Robinson, as my (our) agent to represent me (us) with
regard to this application affecting the above described real property, and to appear on my (our)
behalf before any city boards considering this application.

Dated this 1 day of February, 2016

Signed: _____
Property Owner

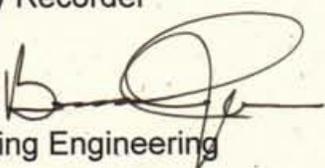
Subscribed and Sworn before me this 1st day of February, 2016.

Notary Public: Lesli Goble





To: Leesa Kapetanov, City Recorder
South Ogden City

From: Brad C. Jensen, P.E. 
Wasatch Civil Consulting Engineering

Date: March 3, 2016

Subject: Young Subaru - Detention Pond Revisions

We have reviewed the site plan for the subject project and have the following comments:

1. The replacement of detention basins with a StormTech Detention system appears to provide sufficient capacity to detain the runoff water from the site.
2. There does not appear to be any provision for the removal of oils from the storm water runoff before it is discharged to the City's storm drain system. The design engineer should provide additional information and/or revise the drawings to indicate how this will be accomplished.
3. Prior to construction, the Contractor will be required to obtain a storm water permit from South Ogden City Public Works.
4. Once final approval is granted by the City and before construction takes place, the Contractor will be required to schedule a preconstruction meeting with our office.

If you have any questions or require additional information, please feel free to contract me.

cc: Scott Argyle - Hill and Argyle Engineering and Surveying



South Ogden Fire Department

*Cameron West
Fire Chief*

*Rick Rasmussen
Deputy Fire Chief*

Station 81
3950 South Adams Ave
South Ogden, UT 84403
Phone (801) 622-2750
Fax (801) 622-2755

Station 82
5635 S Wasatch Dr
South Ogden, UT 84403
Phone (801) 622-2766
Fax (801) 622-2772

To: Leesa Kapetanov
From: Deputy Chief R. Rasmussen
Date: March 2, 2016
Subject: Young Subaru

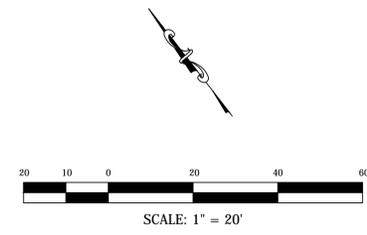
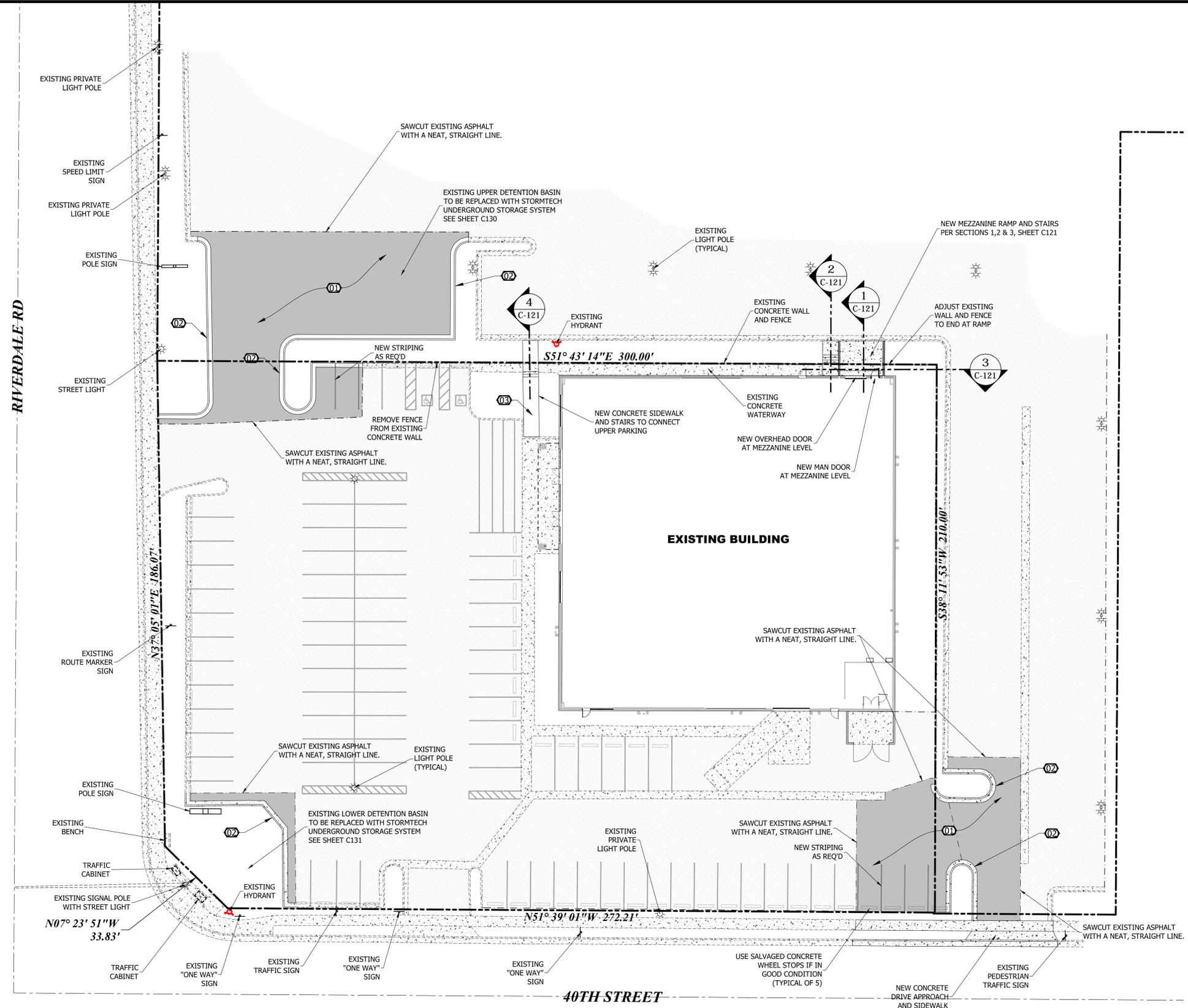
I have reviewed the Young Subura Site Plan regarding the former "Big 5 Store."

The preliminary site plan is approved.

Respectfully,

Rick Rasmussen
Deputy Chief
South Ogden City
rrasmussen@southogdenfire.com

RIVERDALE RD



SYMBOL LEGEND

01	ASPHALT & BASE PER DETAIL A, SHEET C-120
02	24" CONCRETE HIGH-BACK CATCH CURB & GUTTER PER DETAIL B, SHEET C-120
03	CONCRETE SIDEWALK PER DETAIL C, SHEET C-120

PRELIMINARY
NOT FOR
CONSTRUCTION

181 North 200 West, Suite #4
Bountiful, Utah 84010
Phone 801-298-2236
Fax 801-298-5983



SITE PLAN
YOUNG SUBARU

3990 RIVERDALE ROAD
PARCEL 05-141-0045
LOCATED IN THE SW 1/4 AND THE SE 1/4 OF SECTION 5, T.5N., R.1W., S.1.B.&M.
SOUTH OGDEN CITY, WEBER COUNTY, UTAH

DRAWN BY	LEU	DATE	27 JAN 2016
APPROVED	STA	DATE	27 JAN 2016
REV.	BY	DATE	

SHEET **C400**

SHEET NAME
SITE PLAN

DRAWING NAME
SITE PLAN.dwg

PROJECT NO.
1034007

AREA TABULATION

	SQ. FT.	ACRES	%
OVERALL SITE	37,473	0.86	15%
BUILDING	177,409	4.07	73%
IMPROVEMENTS	27,214	0.62	11%
TOTAL	242,096	5.56	100%

Planning Commission Report

Subject: Adopting the Form-Based Code and Amending the Zoning Map (Continuation of Discussion held February 11, 2016)

Author: Mark Vlastic

Department: Planning & Zoning

Date: March 10, 2016



Background

A form-based code has been under development for the City Center/40th Street area for more than a year now. The new code was prepared by IBI Group, a Salt Lake City multi-disciplinary planning and architecture firm, and funded in part through a matching grant from the Wasatch Front Regional Council. The new code was developed with the participation of city staff and input and review by the planning commission and city council during two joint public meetings and through informal briefings. It is supported by the 2008 Update of the General Plan, which calls for the area to redevelop into a mixed-use City Center.

A public hearing was held during the January meeting of the Planning Commission, and extended to the February meeting. Before making a recommendation to the city council, staff was directed to review the text and modify key changes. The following is a summary of changes made:

Change 1:

1.2 General Subdistrict Requirements/1. Applicability/5. Designated Primary Streets:
Riverdale, Wall and 36th Street added to Washington Boulevard and 40th Street

Change 2:

3.0 Subdistricts/Table 3.2 (1). Zoning Map:
Town Center "Core" changed to City Center "Core"
Town Center "General" changed to City Center "General"

Change 3:

4.0 Uses/Table 4.1 (1). Uses by Subdistricts chart:
General Retail was removed as a use in the 40th Street Subdistrict

Change 4:

4.0 Uses/Table 4.2 (1). Typical Retail Uses/Neighborhood Retail list:

Alcohol and Liquor Sales – changed to Alcohol Sales

Pawn Shop – removed from list

Smoke Shop – removed from list

Wine & Liquor Store – removed from list

Change 5:

4.0 Uses/Table 4.2 (1). Typical Retail Uses/General Retail list:

Alcohol and Liquor Sales – added to list

Pawn Shop – added to list

Smoke Shop – added to list

Wine & Liquor Shop – added to list

Change 6:

4.0 Uses/Table 4.2 (1). Typical Retail Uses/Neighborhood Service list:

Microbrewery – removed from list

Tattoo/Piercing Parlor – removed from list

Change 7:

4.0 Uses/Table 4.2 (1). Typical Retail Uses/General Service list:

Alcohol and Liquor Sales – added to list

Microbrewery – added to list

Bars/Taverns – added to list

Change 8:

To 10.0 Administration/10.2 Development Review Procedures\5 Site Plan Approval

(3) Application\the following was added:

(xiv) Traffic Study, for projects larger than .5 acres, to verify impacts to surrounding roadways.

Recommendation

With these modifications, staff recommends a positive recommendation be forwarded to the city council.



City Center & 40th Street Corridor

Form-Based Code

South Ogden City

January 2016 - DRAFT



Form-Based Code Contents

1.0 Districts

- 1.1 Introduction
- 1.2 General Subdistrict Requirements

2.0 Street Types

- 2.1 General Requirements
- 2.2 General Street Type Standards
- 2.3 General Street Layout Requirements
- 2.4 Alley
- 2.5 Lane
- 2.6 Neighborhood Street
- 2.7 Connector Street
- 2.8 Avenue

3.0 Subdistricts

- 3.1 Introduction
- 3.2 Zoning Map

4.0 Uses

- 4.1 General Requirements
- 4.2 Definition of Uses

5.0 Building Types

- 5.1 Introduction to Building Type Standards
- 5.2 Explanation of Building Type Table Standards
- 5.3 Storefront Building
- 5.4 General Stoop Building
- 5.5 Limited Bay Building
- 5.6 Row Building
- 5.7 Yard Building
- 5.8 Civic Building
- 5.9 Entrance Types
- 5.10 Roof Types
- 5.11 Additional Design Requirements

6.0 Open Space Types

- 6.1 General Requirements
- 6.2 Plaza Open Space Type
- 6.3 Square Open Space Type
- 6.4 Green Open Space Type
- 6.5 Commons Open Space Type
- 6.6 Pocket Park Open Space Type
- 6.7 Park Open Space Type
- 6.8 Greenway Open Space Type

7.0 Landscape Standards

- 7.1 General Requirements
- 7.2 Installation of Landscape
- 7.3 Street Trees & Streetscape Design
- 7.4 Frontage Buffer
- 7.5 Side & Rear Buffer
- 7.6 Interior Parking Lot Landscape
- 7.7 Active Frontage Buffer
- 7.8 Screening of Open Storage, Refuse Areas, & Utility Appurtenances.

8.0 Parking

- 8.1 General Requirements
- 8.2 Parking Requirements
- 8.3 Parking Design Standards
- 8.4 Loading Requirements

9.0 Sign Types

- 9.1 General Requirements
- 9.2 Sign Types
- 9.3 Wall Sign
- 9.4 Projecting Sign
- 9.5 Projecting Marquee Sign
- 9.6 Awning Sign
- 9.7 Canopy-Mounted Sign
- 9.8 Roof Sign
- 9.9 Window Sign
- 9.10 Monument Sign
- 9.11 Ped-Scale Pole-Mounted Sign

10.0 Administration

- 10.1 General Provisions
- 10.2 Development Review Procedures
- 10.3 Exceptions & Variances
- 10.4 Nonconformances
- 10.5 Definitions

Appendix A - Subdistrict Overview

- 11.1 City Center “Core” Subdistrict
- 11.2 City Center “General” Subdistrict
- 11.3 Riverdale Road “General” Subdistrict
- 11.4 40th Street “General” Subdistrict
- 11.5 Edge Subdistrict

1.0 Districts

South Ogden City Center & 40th Street Corridor

1.0 South Ogden City Center & 40th Street Corridor

1.1. Introduction

In 2008, an update of the South Ogden City General Plan was completed. This plan presented a vision, and stated a number of goals and policies to direct future development in South Ogden.

Goal 1: Make South Ogden City distinct and identifiable from surrounding municipalities

Policy:

- (1) Develop the east and west sides of Washington Boulevard between 36th and 40th Streets into a discernable and attractive downtown for South Ogden
- (2) Encourage a major transformation of Washington Boulevard into an urban setting that establishes the sense of downtown to motorists and passersby

Goal 2: Create a distinct city center or "heart of the community"

Policy:

- (1) Develop a community center in the existing downtown area where residents of South Ogden can gather for community events

Goal 3: Facilitate the careful integration of new development and redevelopment in existing neighborhoods

Policy:

- (1) Encourage existing residents to remain downtown and new residents to locate in residential areas between 36th and 40th South
- (2) Maintain stable areas by continuing the existing scale and feel of the surrounding residential blocks
- (3) Facilitate new development and encourage new investment through allowing uses in the core to redevelop in creative, mixed-residential ways
- (4) Facilitate good, non-conflicting transition between commercial and residential uses

Goal 4: Create places for the community to gather and events to draw residents to these places

Policy:

- (1) Clearly designate and signify routes which connect residents to other neighborhoods and important places within the city and adjacent to it
- (2) Improve neighborhood destinations throughout the community

This form-based code is a tool that will allow and promote these goals and policies to develop a city center consistent with the General Plan. This code plans for a future widening of 40th Street to accommodate a form of dedicated transit (streetcar, bus-rapid transit, etc.), and



Figure 1.1 (1). Districts.

provides a tool to promote high-quality, small scale development that maximizes development potential along the transit corridor, while minimizing impacts to adjacent neighborhoods.

1. Establishment of Districts.

Two distinct districts are hereby created.

- (1) South Ogden City Center
- (2) 40th Street Corridor

2. Establishment of Subdistricts.

The above districts are further broken down into subdistricts (See 3.0 Subdistricts). The following Subdistricts are hereby created.

- (1) City Center “Core”
- (2) City Center “General”
- (3) Riverdale Road “General”
- (4) 40th Street “General”
- (5) Edge

1.2 General Subdistrict Requirements.

1. Applicability.

The following are general block, lot, and street design requirements that are applicable to all subdistricts.

2. Block Configuration.

Refer to Figure 1.2 (1) for an illustration of Typical Block Elements.

- (1) The shape of a block shall be generally rectangular, but may vary due to natural features or site constraints.
- (2) Blocks shall typically be two lots deep with the exception of blocks containing open space. Blocks may also include an alley.
- (3) Blocks shall typically be fronted with lots on at least two faces, preferably on the longest street faces.

3. Maximum Block Size.

Block sizes for residential and commercial development and redevelopment should not exceed 660' by 330', which roughly matches the historic block size surrounding the city center. New streets should continue this block pattern.

4. Minimum Number of Access Points.

This requirement is intended to provide a minimum level of connectivity via vehicular rights-of-way between adjacent developments and to surrounding streets.

- (1) Recommendation. A minimum of one per every 1,500 feet of street frontage is recommended.

5. Designated Primary Streets.

Washington Boulevard and 40th Street shall be designated primary streets. The intent of the Primary street designation is to develop a network of streets with continuous building frontage and no or limited vehicular driveway access to reduce conflicts between pedestrians and vehicular traffic.

- (1) All lots adjacent to a primary street shall front on at least one primary street and that street frontage shall serve as the front of the lot, as referred to in the Building Type requirements.
- (2) Lots with two primary street frontages shall consult with staff to determine which street frontage warrants primary designation and the front of the lot.

6. Block Access Configurations.

- (1) Vehicular driveway access should not be located off a Primary Street, unless the parcel is fronted by more than two primary streets, in which case, staff shall determine which is the appropriate street for vehicular access. The determination shall

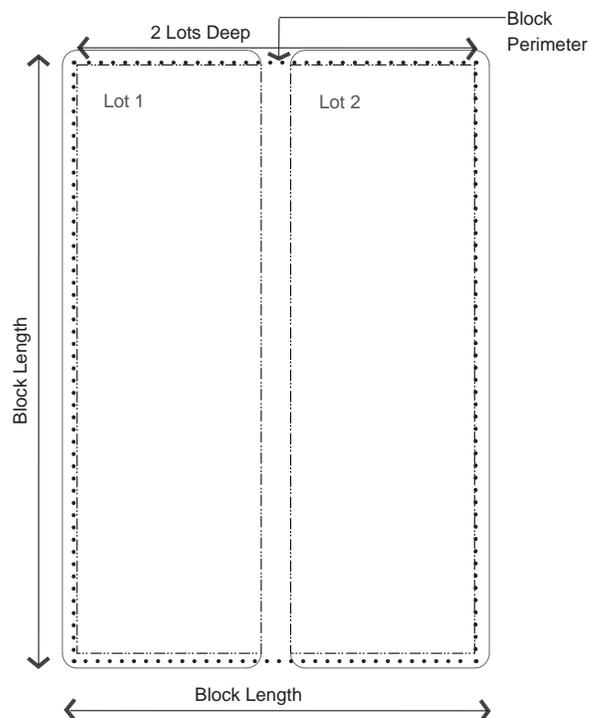


Figure 1.2 (1). Typical Block Elements.

1.0 South Ogden City Center & 40th Street Corridor

be based on locations of existing and proposed vehicular access points of other developments along the Primary Streets.

- (2) Blocks may include alleys, drives, or driveway entrances with the following recommended configurations. See Figure 1.2 (2).
 - (a) Mid-Block Access. This configuration includes an alley or drive running through the center of the block.
 - (b) "T" Configuration. This configuration includes two alleys within a Block that are perpendicular to each other, forming a "T," allowing development to front on three block faces.
 - (c) "H" Configuration. Similar to the "T" configuration, this configuration allows development to front on all four block faces.
- (3) Access to blocks shall be aligned and located on opposite sides of the block as well as aligned across the street from access to other blocks.
- (4) Mid-Block Pedestrianways. Mid-Block pedestrianways are required on blocks longer than 500 feet.
 - (a) When combined with mid-block street crossings, these pathways should align to facilitate easy pedestrian movements.
 - (b) Mid-Block pedestrianways should be located in the middle third of a block face.
 - (c) Minimum width for mid-block pedestrianways rights-of-way or easements is 20 feet.

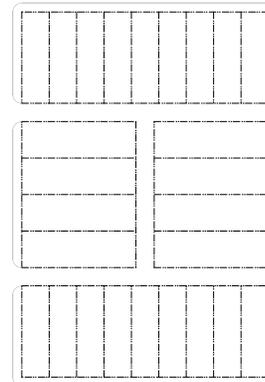
7. Lots.

- (1) Typical Lot Dimensions. All lots of record shall be developed to meet the requirements outlined in 5.0 Building Type requirements.
- (2) Typical Lot Configuration. All lots shall have frontage along a public street unless otherwise specified in 5.0 Building Type requirements.
 - (a) Lot Shape. To create regular, rectangular lots, side property lines shall be perpendicular to the vehicular right-of-way to the extent practical.
 - (b) Through-Lots. Through lots fronting on two parallel streets are not permitted with the exception of a lot covering 50 percent or more of a block and the two longest parallel street faces are treated as front property lines per building type requirements (refer to 5.0 Building Types).
 - (c) Corner Lots. Corner lots have a front yard along one street and a corner yard along the other street. The front yard of a corner lot should be consistent with one adjacent Parcel.
 - (i) The rear yard of a corner lot is typically the yard against an alley or another lot's rear yard.
 - (ii) The side yard of a corner lot is adjacent to another lot.
 - (d) Flag Lots. Flag lots are prohibited.

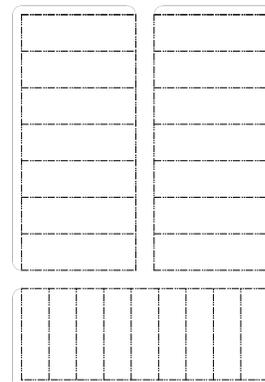
8. General Open Space Requirements.

The following are requirements for provision of civic open space.

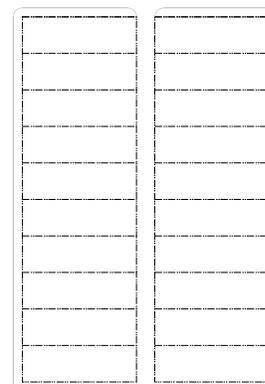
- (1) Development of parcels over 5 acres are required to provide 5% total lot size as civic open space. Developer shall work with City



"H" Alley



"T" Alley



Mid-Block Alley

Figure 1.2 (2). Alley Configuration.

to determine appropriate location of open space. See Section 6.0 Open Space.

9. General Zoning District/Subdistrict Layout.

For all Districts/Subdistricts, the following outlines how the Districts/Subdistricts should relate to one another.

- (1) All Districts. The following applies to all Zoning Districts/Subdistricts.
 - (a) Similar intensities of uses should face each other across the street.
 - (b) Blocks may contain multiple zoning subdistricts; however, changes in subdistricts should occur along an alley, the rear property line, or at a corner parcel.
- (2) Core Subdistricts. The following applies to all Core Subdistricts.
 - (a) Core subdistricts are intended to provide a node that primarily consists of retail uses on the ground floor.
- (3) Existing Residential Zones. When "Core" and/or "General" subdistricts back up to the rear of existing single family residential neighborhoods, a building stepback is required (see Figure 5.2(5)).

2.0 Street Types

2.0 Street Types

2.1 General Requirements.

1. Intent.

The standards outlined in this section are intended to:

- (1) Create complete streets that address all modes of travel, including pedestrian traffic, bicycle traffic, transit, and vehicular traffic.
- (2) Address all features of the street right-of-way, including sidewalks, parkways, traffic lanes, bicycle lanes, and medians.
- (3) Provide adequate access to all lots for vehicles and pedestrians.
- (4) Create streets that are appropriate for their contexts in residential, commercial, or mixed Use subdistricts and are designed to encourage travel at appropriate volumes and speeds.
- (5) Create streets and public rights-of-way that result in stormwater runoff quantity reduction and improved quality of stormwater runoff.

2. Applicability.

The standards in this section apply to all vehicular rights-of-way within all Subdistricts.

Exceptions. Washington Boulevard and Riverdale Road are UDOT roads, and the City should work with UDOT on any future design changes, so that these roads can better support the goals of this form based code.

The future re-design of 40th Street will vary depending on whether it contains a transit line, and should be designed specifically for the type of transit mode it will contain.

3. General Requirements.

All proposed streets, landscape or furnishings zones, and sidewalks shall be located in dedicated vehicular Rights-of-Way as required by this article.

- (1) Street Types. All new vehicular rights-of-way shall match one of the street types, refer to 2.4 through 2.8, whether publicly dedicated or privately held.
- (2) Public Use. All streets shall be available for public use at all times. Gated streets and streets posted as private are not permitted.

4. Street Construction Specifications.

All construction in the right-of-way shall follow specifications defined by the Department of Public Works.

2.2 General Street Type Standards.

1. Street Types.

Street Types defined in this section outline acceptable street configurations. New streets should be designed using the principles and characteristics defined by each street type. The City Manager or Designee, or Public Works Director may require additional right-of-way,

pavement width, or additional street elements depending on unique site characteristics.

2. Graphics.

The graphics provided here, illustrating each street type, are samples of recommendations and illustrate a possible configuration of that street type. By applying the standards outlined, and working with the Department of Public Works and the City Manager, other configurations are possible.

3. Typical Street Elements.

Typical elements of a vehicular Right-of-Way are divided into the vehicular and pedestrian realm. Each street type detailed in this article outlines which facilities are applicable. Refer to Figure 2.2 (1): Typical Right-of-Way Elements.

- (1) Vehicular Realm. The vehicular realm is comprised of vehicular travel lanes, bicycle lanes, and parking lanes.
- (2) Pedestrian Realm. The pedestrian realm is typically comprised of pedestrian facilities, such as sidewalk, path/trail, or off-street bicycle path, and a buffer area consisting of a landscape zone or furnishings zone that serves to buffer pedestrians or bicyclists from the movements of higher speed vehicles in the vehicular realm.
 - (a) Landscape Zone. A landscape area between the back of curb or edge of pavement to the sidewalk in which street trees, swales, lighting, and signage may be located. Typically used adjacent to residential buildings.
 - (b) Furnishings Zone. A hardscape area that extends from the sidewalk to the back of curb, in which street trees, street furniture, lighting, and signage may be located. Typically used adjacent to commercial or office buildings.

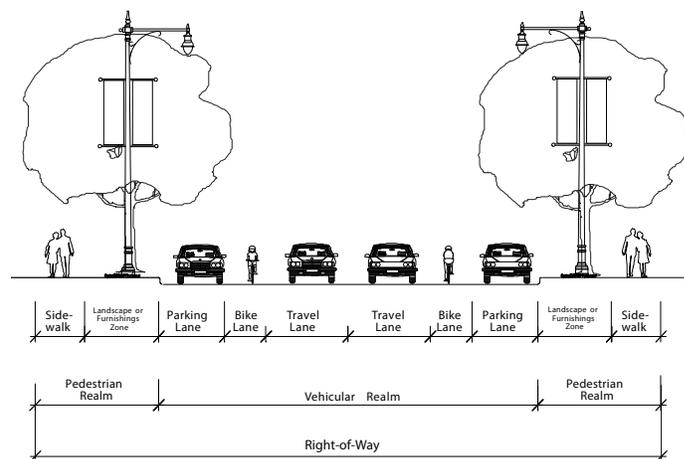


Figure 2.2 (1). Typical Right-of-Way Elements.

2.0 Street Types

4. Vehicular Travel Lanes

The number and width of vehicular travel lanes are determined by the Street Type.

5. Vehicular On-Street Parking.

On-street parking, as permitted on designated street types, shall meet the following requirements.

- (1) Parallel and diagonal parking is permitted on designated street types.
- (2) Vehicular Parking Space Dimensions. The appropriate dimensions for on-street parking spaces are outlined in Table 2.2 (1): On-Street Parking Space Dimensions and Figure 2.2 (2): On-street Parking Layout. The width of a parking space shall be measured from the center of a stripe.

6. Bicycle Facilities.

The following types of bicycle accommodations are permitted in the vehicular realm per Street Type. Refer to Figure 2.2 (3).

- (1) Cycle Track. A cycle track is a separate on-road bicycle facility that is typically adjacent to, but physically separated from, vehicular traffic and parking by a barrier.
- (2) Dedicated Bicycle Lane. Dedicated bicycle lanes are striped lanes

Angle (degrees)	Curb Length (feet)	Stall Width (feet)	Stall Depth (feet)
0	20	7	7
45	12	8.5	17
60	10	8.5	18
90	9	8.5	18

Table 2.2 (1). On-Street Parking Space Dimensions.

on the outside of the outermost travel lanes that are designated for only bicycle use. This lane occurs on both sides of the street and shall be four to six feet wide.

- (3) Designated Shared Lane. A designated shared lane is a lane that is shared between vehicles and bicycles. This lane is typically wider than a standard vehicular lane, minimum 13 feet, in order to accommodate both types of users, and includes a painted bicycle marker combined with a double arrow (known as a “sharrow”). This improvement occurs on both directions.
- (4) Shared Lane. A shared lane refers to a street that does not have bicycle lanes or a designated shared lane, but the speed and configuration of the street is such that bicycles could comfortably share lanes with traffic.

7. Stormwater Management.

Incorporation of stormwater management best practices into the Right-of-Way design is encouraged, such as incorporating drainage swales and slotted curbs into the Landscape Zone/Furnishing Zone, or permeable paving in the parking lane.

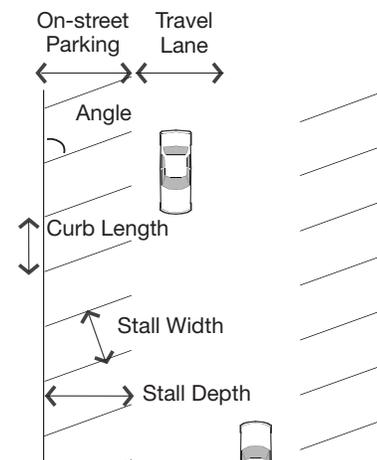


Figure 2.2 (2). On-Street Parking Layout.

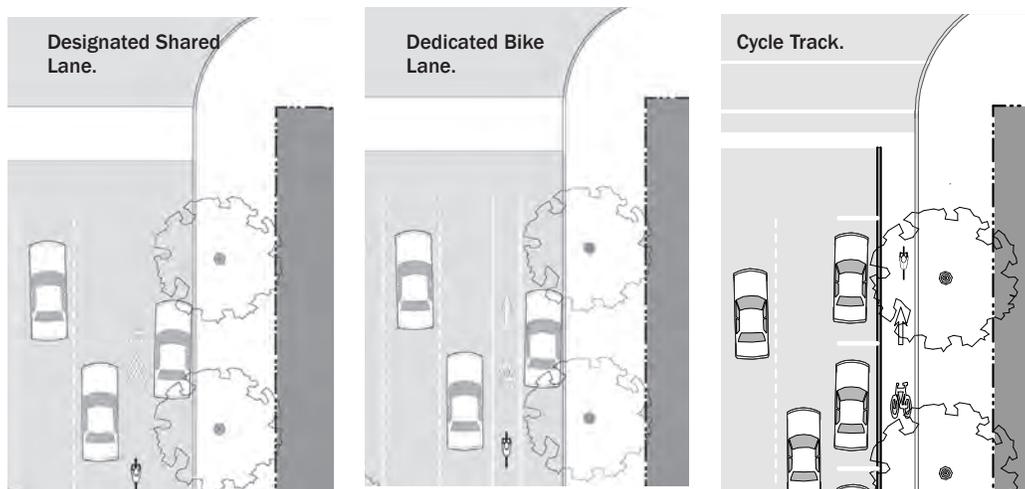


Figure 2.2 (3). On-Street Bicycle Facilities.

8. Street Trees.

Street trees are required along all street frontages, with the exception of the Lane and the Alley.

- (1) Street trees shall be located either in a Landscape Zone within a planting bed or lawn, or in a Furnishings Zone in tree wells with a grate as required.
- (2) Tree grates are required for all trees located in tree wells in Pedestrian Realms less than 10 feet in width.
- (3) Spacing for large street trees shall be 30 feet on center. City Manager or Designee may allow modifications based on site specific constraints.

9. Fire Access.

Street configurations have been calculated to provided fire truck access. Where the total width of all travel lanes totaled is narrower than 20 feet, the following shall apply.

- (1) Room to Pass. At 120 foot increments, a 20 foot opening in the on-street parking or a 20 foot dedicated pull-off space must be provided to allow vehicles to pull over for a fire truck to pass.
- (2) Driveway or Fire Hydrant Zone. A driveway or fire hydrant zone may be utilized to fulfill the requirement.

2.3 General Street Layout Requirements.

1. General Layout Standards.

The following standards apply to new streets or newly platted vehicular Rights-of-Way.

- (1) Treatment of Natural Features. Streets shall be designed to respect natural features, such as rivers, woodlands, or slopes, by following rather than interrupting or dead-ending at the feature, if applicable.
- (2) Street Network. The network of streets shall form an interconnected pattern with multiple intersections.
- (3) Existing Streets. The arrangement of streets shall provide for the continuation of existing streets from adjoining areas into new subdivisions.
- (4) Cul-de-sac Streets. Cul-de-sacs are not permitted, unless approved by City Manager or Designee due to site constraints.

2. Intersections.

- (1) Curb Radii. The following curb radii shall be utilized unless otherwise authorized by the City Manager or Designee.
 - (a) Intersections should be designed for actual turning radius of the typical design vehicle as opposed to the maximum design vehicle. Small curb radii at intersections shorten pedestrian crossing distances and reduce vehicle turning

speeds, thereby balancing the ease of travel of the vehicles and pedestrians. Refer to Figure 2.3 (1).

- (b) Neighborhood and Connector Streets. At the intersection of any street with a Neighborhood or a Connector Street, the following curb radii shall be utilized.
 - (i) With on-street parking on both streets, a 5 foot radius may be utilized.
 - (ii) Without on-street parking, a 15 foot radius is required.
- (c) Avenue Streets. At the intersection of Avenues to Avenues or Boulevards, the following curb radii shall be utilized.
 - (i) With on-street parking on both streets, a 10 foot radius is required.
 - (ii) Without on-street parking on either streets, a 25 foot radius is required.
- (d) Larger Radius. When the design vehicle requires a larger curb radius and no on-street parking exists, a 30 foot radius may be utilized for Avenues or Boulevards. Larger radii require approval of the Department of Public Works.
- (e) Alley Intersections. The curb radius at intersections involving Alleys shall be no greater than 5 feet.

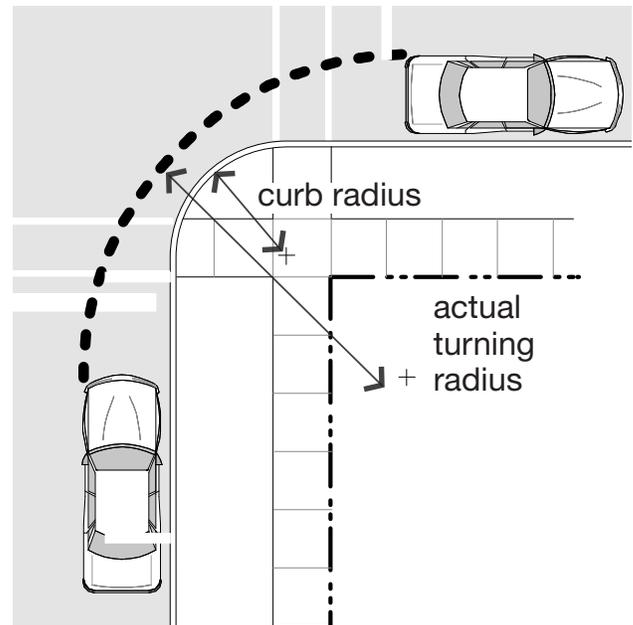


Figure 2.3 (1). Actual Right Turn Radius with On-Street Parking.

2.0 Street Types

- (2) Crosswalks. Crosswalks shall be required at all intersections and mid-block crossings involving Connectors, Avenues, and Boulevards.
 - (a) Dimensions. Crosswalks shall be minimum six feet in width, measured from mid-stripe to mid-stripe, per MUTCD.
 - (b) Markings. Crosswalks shall be appropriately indicated on the finished street surface with painted markings and/or textured or colored pavement.
 - (c) Crossing Distances. To encourage pedestrian activity, typical crosswalks shall not extend over 38 feet without a landscape median, bulb-outs and/or other pedestrian refuge to mitigate the negative effects of vehicular traffic on pedestrian crossing and increase pedestrian safety and comfort. Refer to Figure 2.3 (2) and 2.3 (3).
 - (d) Accessible ramps and warning panels, per the American Disabilities Act or any more stringent state or city requirement, are required where all sidewalks or trails terminate at a crosswalk or curb.
 - (e) Ramp Orientation. Ramps shall be oriented perpendicular to traffic, requiring two ramps per corner at intersecting streets.
- (3) Bulb-outs. To shorten pedestrian crossing distances, bulb-outs should be utilized at all intersections, unless otherwise required by the Department of Public Works. Refer to Figure 2.3 (3).
 - (a) The depth of the bulb-out shall match the utilized on-street parking, either the width of the parallel space or the depth of the diagonal space.
 - (b) The radius of the bulb-out shall match the requirements for the intersection.

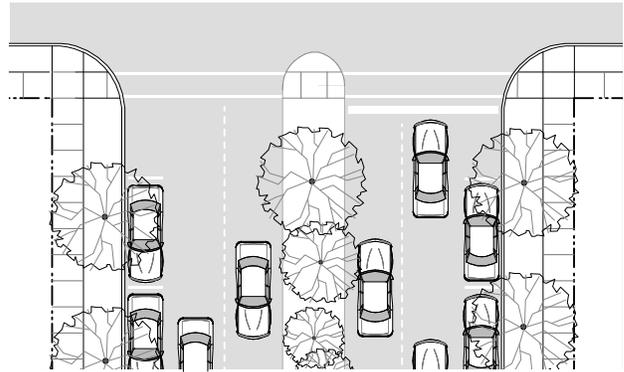


Figure 2.3 (2). Wide Street Crossing with Pedestrian Refuge Median.

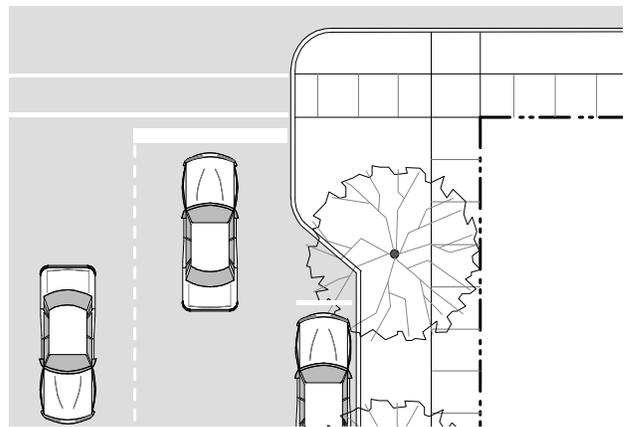


Figure 2.3 (3). Bulb Out.

2.4 Alley.

1. Intent.

The Alley is a very low capacity drive located at the rear of parcels. From the Alley, access to parking facilities, loading facilities, and service areas, such as refuse and utilities is possible without a curb cut or driveway interrupting a street type. Refer to the typical plan and section in Figure 2.4 (1).

2. General Requirements.

Alleys shall be developed using the standards in Table 2.4 (1).

Alley Requirements

Permitted Subdistricts All Subdistricts

Permitted Adjacent Building Types All Building Types

Typical Right-of-Way Width 20'

Vehicular Realm

Travel Lanes 1 yield lane

Lane Width 16'

Allowable Turn Lanes Not applicable

Parking Lanes Not applicable

Pavement Width Minimum 16'
Maximum 20'

Median

Bicycle Facilities¹ Shared

Pedestrian Realm

Pedestrian Facilities Shared; travel lanes are shared among drivers, pedestrians and bicyclists

Street Buffer None required

¹ Reference Figure 2.2 (3) for bicycle facility types and requirements

Section

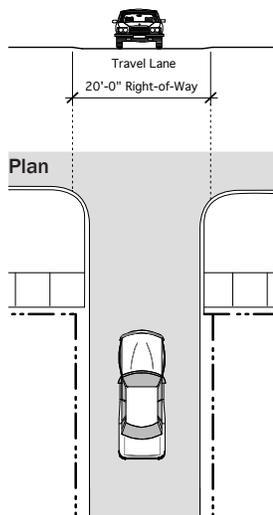


Figure 2.4 (1). Typical Alley.

Table 2.4 (1). Alley Requirements.

2.0 Street Types

2.5 Lane

1. Intent.

A Lane is a very low capacity Street Type that serves only those properties directly adjacent to it. Lanes can have designated realms for vehicular and pedestrian traffic, or these modes can share lanes given the low capacity and slow speed. Refer to the typical plan and section, Figure 2.5 (1).

2. General Requirements.

The Lane shall be developed using the standards in Table 2.5 (1).

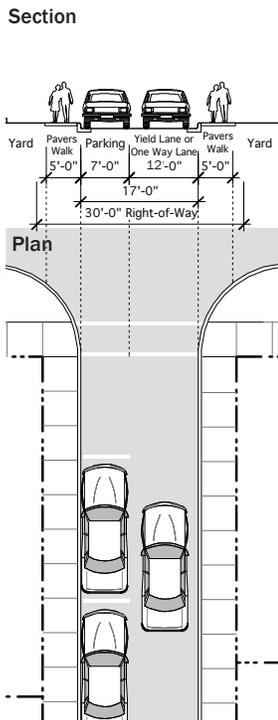


Figure 2.5 (1). Typical Lane.

Lane Requirements

Permitted Subdistricts All Subdistricts

Permitted Adjacent Building Types All Building Types

Typical Right-of-Way Width 27' to 32'

Vehicular Realm

Travel Lanes 1 yield lane

Lane Width 10'

Allowable Turn Lanes Not applicable

Parking Lanes¹ 1 parallel lane required

Pavement Width Minimum 17'
Maximum 20'

Median Prohibited

Bicycle Facilities² Shared

Pedestrian Realm

Pedestrian Facilities Shared; travel lanes are shared among drivers, pedestrians and bicyclists.

Street Buffer None required

¹ Reference 2.2 (3) for on-street parking requirements

² Reference 2.2 (4) for bicycle facility types and requirements

Table 2.5 (1). Lane Requirements.

2.6 Neighborhood Street.

1. Intent.

The Neighborhood Street is a low capacity street designed for slow speeds with a standard right-of-way. It primarily serves those residences or businesses directly adjacent to it. Refer to the typical plan and section, Figure 2.6 (1).

2. General Requirements.

The Neighborhood Street shall be developed using the standards in Table 2.6 (1).

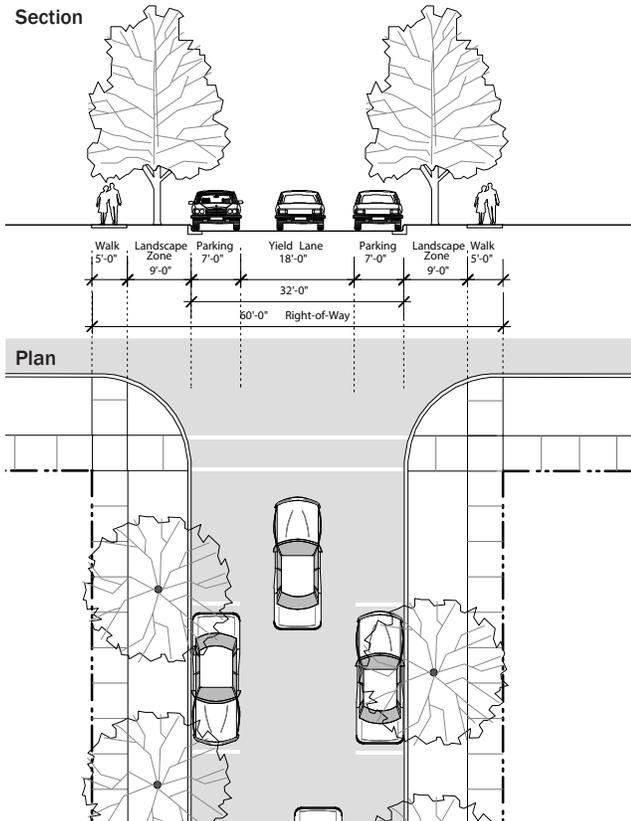


Figure 2.6 (1). Typical Neighborhood Street.

Neighborhood Street Requirements

Permitted Subdistricts All Subdistricts

Permitted Adjacent Building Types All Building Types

Typical Right-of-Way Width 60'

Vehicular Realm

Travel Lanes 1 yield lane

Lane Width 18'

Allowable Turn Lanes Not applicable

Parking Lanes¹ Parallel required on one side of street

Pavement Width 32', 20' for alternative

Median Prohibited

Bicycle Facilities² Shared

Pedestrian Realm

Pedestrian Facilities Minimum 5 feet wide clear sidewalk on both sides

Street Buffer Minimum 9 feet wide Landscape Zone (Parkway)

¹ Reference 2.2 (3) for on-street parking requirements

² Reference 2.2 (4) for bicycle facility types and requirements

Table 2.6 (1). Neighborhood Street Requirements.

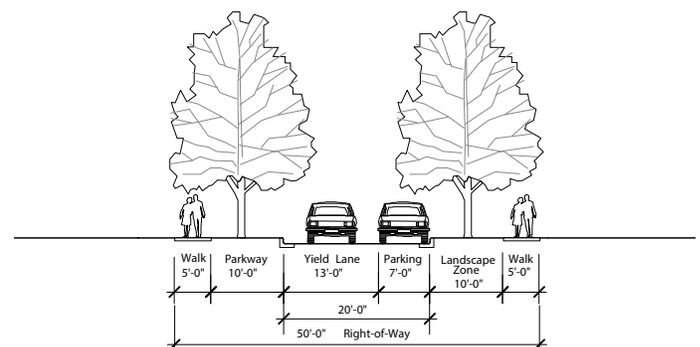


Figure 2.6 (2) Alternative 50' Right-of-Way Neighborhood Street.

2.0 Street Types

2.7 Connector Street.

1. Intent.

The Connector Street is a medium capacity street for slow speeds with a standard right-of-way. It primarily serves as a through street within the Neighborhood and connects Neighborhood Streets to Avenues. Refer to the typical plan and section, Figure 2.7 (1).

2. General Requirements.

Connectors shall be developed using the standards in Table 2.7 (1).

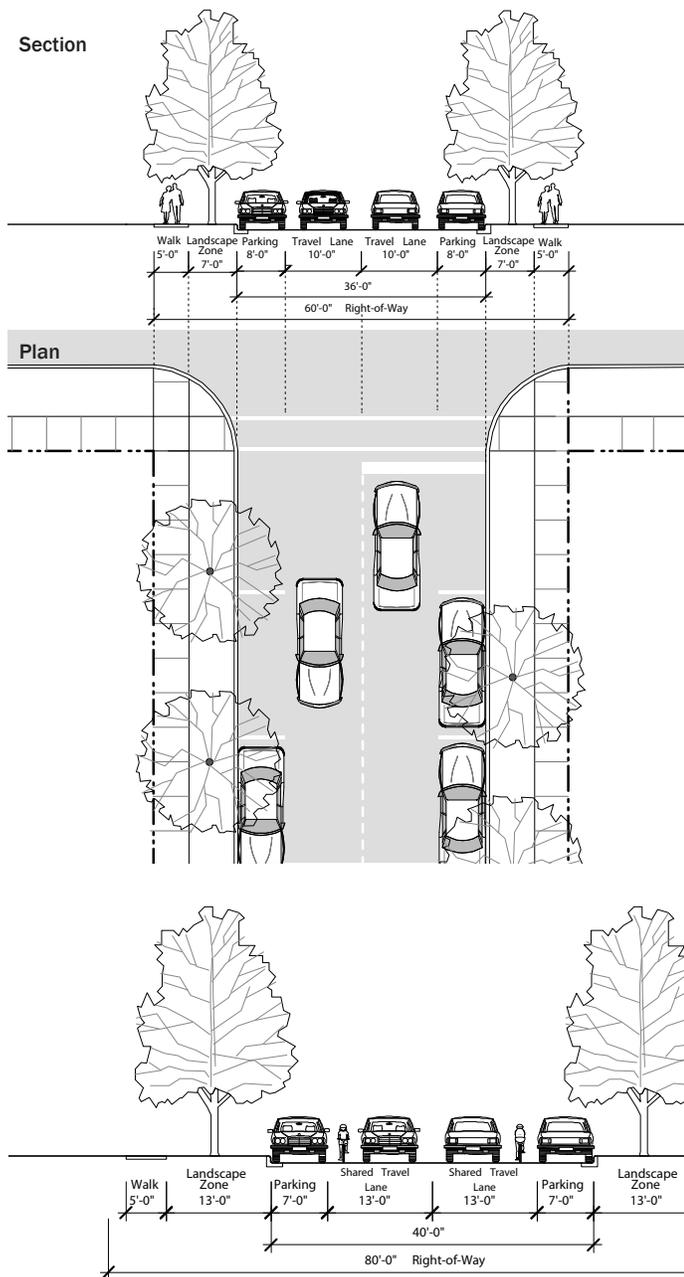


Figure 2.7 (1). Alternative 80' Shared Right-of-Way Connector.

Connector Street Requirements

Permitted Subdistricts	All Subdistricts
Permitted Adjacent Building Types	All Building Types
Typical Right-of-Way Width	60' to 70'
Vehicular Realm	
Travel Lanes	1 lane in each direction
Lane Width	10'
Allowable Turn Lanes	Right permitted in place of parking at intersections with Avenue; left only with median alternative
Parking Lanes ¹	Parallel required on both sides of street.
Pavement Width	36'; 40' for alternative
Median	Permitted with 80' or greater right-of-way.
Bicycle Facilities ²	Shared
Pedestrian Realm	
Pedestrian Facilities	Minimum 5' wide clear sidewalk on both sides
Street Buffer	Minimum 7 feet wide landscape zone or furnishings zone

¹ Reference 2.2 (3) for on-street parking requirements

² Reference 2.2 (4) for bicycle facility types and requirements

Table 2.7 (1). Connector Requirements.

2.8. Avenue.

1. Intent.

The Avenue is a medium to high capacity street for higher speeds with a wider right-of-way. It serves all types of development and provides crosstown connections. Refer to the typical plan and section in Figure 2.8 (1).

2. General Requirements.

Avenues shall be developed using the standards in Table 2.8 (1).

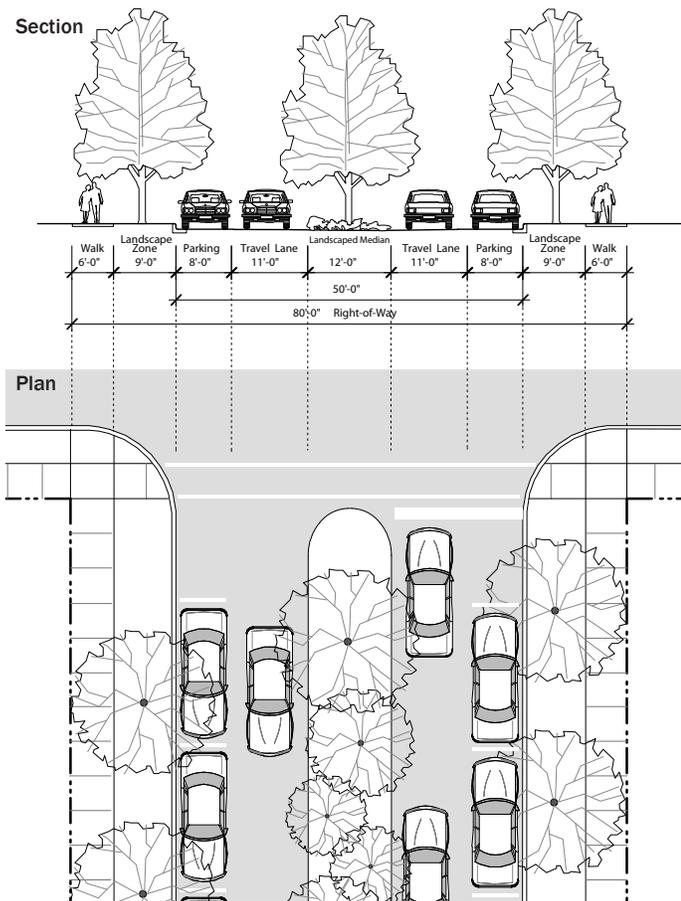


Figure 2.8 (1). Typical Avenue.

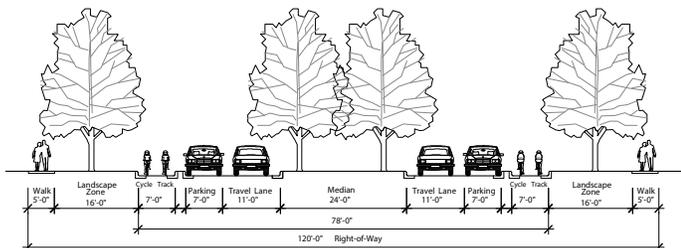


Figure 2.8 (2). Alternative 120' with Median & Cycle Track Connector.

Avenue Requirements

Permitted Subdistricts All Subdistricts

Permitted Adjacent Building Types All Building Types

Typical Right-of-Way Width 66' to 80'

Vehicular Realm

Travel Lanes 1 lane in each direction

Lane Width 11' or 12' with truck traffic

Allowable Turn Lanes Right permitted in place of parking at intersections with Connector; left only with median.

Parking Lanes¹ Parallel required on both sides of street; angled permitted for alternative.

Pavement Width 50'; 78' for alternative

Median Permitted with 80' or greater right-of-way.

Bicycle Facilities² Shared; dedicated bike lane with alternative.

Pedestrian Realm

Pedestrian Facilities Minimum 5' wide clear sidewalk on both sides

Street Buffer Minimum 7 feet wide landscape zone or furnishings zone

¹ Reference 2.2 (3) for on-street parking requirements

² Reference 2.2 (4) for bicycle facility types and requirements

Table 2.8 (1). Avenue Requirements.

3.0 Subdistricts

3.0 Subdistricts

3.1. Introduction

The following subdistricts are hereby created to regulate the location of distinct mixes of building forms and uses permitted within the City Center and 40th Street Corridor districts. Refer to 4.0 Uses for uses and 5.0 Building Types for building types permitted within each subdistrict.

Five subdistricts have been created, and each consists of a series of uses and building types that have been specifically calibrated for the subdistrict.

1. City Center “Core”.

The City Center “Core” constitutes the center of the community and heart of the new city center, and includes the majority of the shops and workplaces within the City Center. The storefront building type that comprises this subdistrict defines a street wall along the primary streets of the area with storefront glass windows. Upper stories of the storefront building may be utilized for living and working.

2. City Center “General”.

The City Center “General” Subdistrict serves as the interstitial fabric of the city, separate from the defined center or core and the edges. This area is primarily comprised by both the storefront building, and the more generic stoop building which have lower minimum transparency levels, and is mainly occupied by office, retail and residential uses at a variety of scales.

3. Riverdale Road “General”.

The Riverdale Road “General” Subdistrict serves as the interstitial fabric of the city, separate from the defined center or core and the edges. This area is primarily comprised by both the storefront building, and the more generic stoop building which have lower minimum transparency levels, and is mainly occupied by office, retail and residential uses at a variety of scales. This Subdistrict also permits drive-through structures and the limited bay building type to allow more flexibility for auto-oriented uses.

4. 40th Street “General”.

The 40th Street “General” Subdistrict combines the storefront building and stoop building to create a corridor that supports a future transit line along 40th Street. Development along this corridor will be at a smaller scale and finer grain, in relation to the city center.

5. Edge Subdistricts.

The Edge Subdistricts are made up of smaller scale residential buildings, which provide a buffer between existing single family residential neighborhoods and the “Core” and “General” Subdistricts.

3.2 Zoning Map.

1. Mapped Subdistricts.

The areas and boundaries of the subdistricts listed in 3.1 are established as shown on the map entitled “Zoning Map of the City of South Ogden and referred to herein as “Zoning Map”. See Figure

3.2 (1) Zoning Map.

3.0 Subdistricts

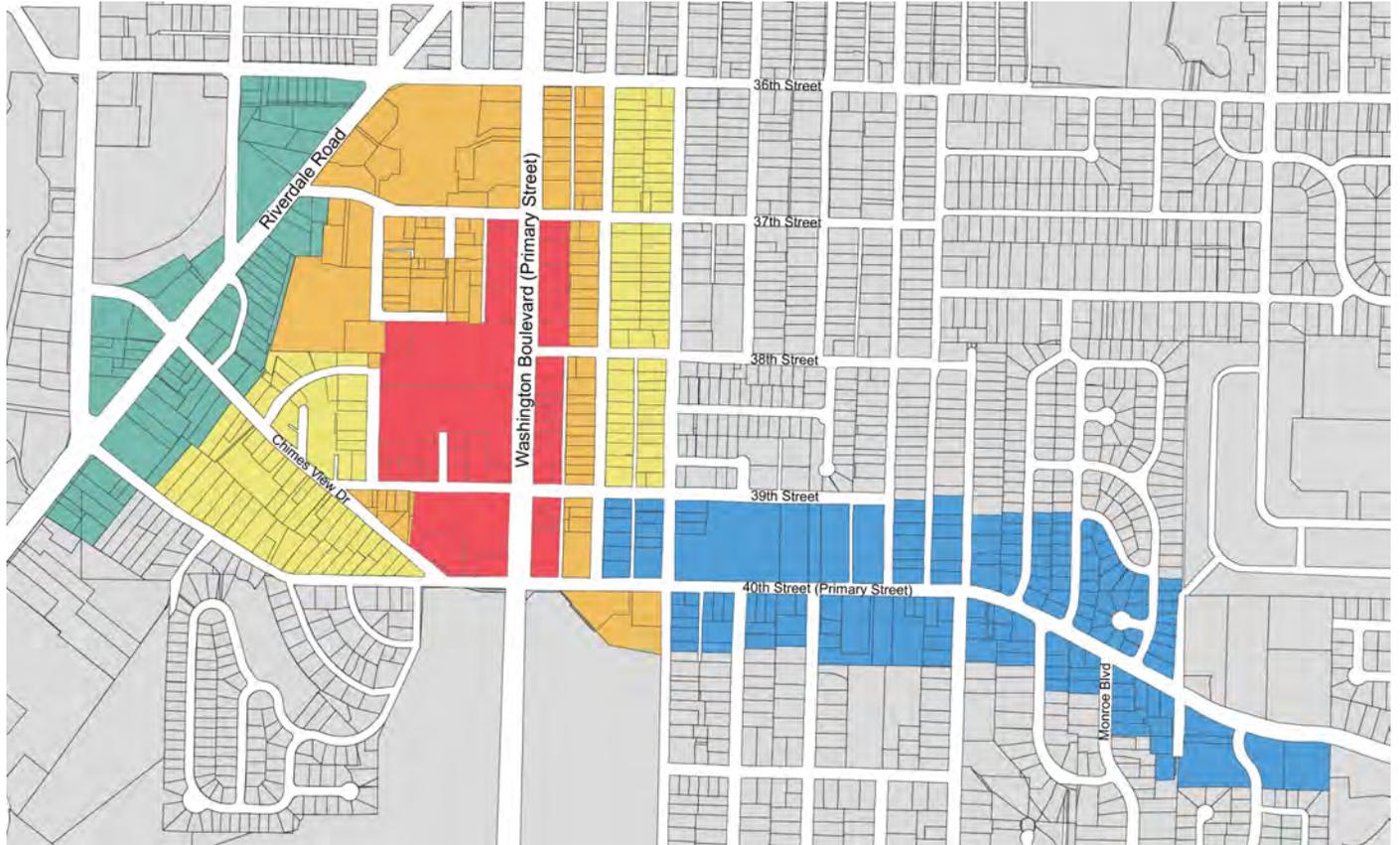


Table 3.2 (1). Zoning Map



4.0 Uses

4.0 Uses

4.1. General Requirements.

1. General Provisions.

The following general provisions apply to the uses outlined in this section.

- (1) A lot may contain more than one use.
- (2) Each of the uses may function as either a principal use or accessory use on a lot, unless otherwise specified.
- (3) Uses are either permitted by-right in a subdistrict, permitted by-right with specific development or design parameters, or require a Conditional Use Permit (refer to 10.2.6) in order to be developed.
- (4) Each use shall be located within a permitted Building Type (Refer to 5.0 Building Types), unless otherwise specified.
- (5) Each use may have both indoor and outdoor facilities, unless otherwise specified.

2. Organization.

The uses are grouped into general categories, which may contain lists of additional uses or clusters of uses.

- (1) Unlisted Similar Use. If a use is not listed but is similar in nature and impact to a use permitted within a zoning subdistrict, the City Manager or Designee may interpret the use as permitted.
 - a. The unlisted use will be subject to any development standards applicable to the similar permitted use.
 - b. If the unlisted use is similar in nature and impact to a use requiring a Conditional Use Permit, the City Manager or Designee may interpret the use as also requiring a Conditional Use Permit.
- (2) Unlisted Dissimilar Use. If a use is not listed and cannot be interpreted as similar in nature and impact to a use within a zoning subdistrict that is either permitted or requires a Conditional Use Permit, the use is not permitted and may only be approved through an amendment of this article.

3. Use Table.

Table 4.1 (1). Uses by Subdistrict outlines the permitted uses in each zoning subdistrict. Each use is given one of the following designations for each zoning subdistrict in which that use is permitted.

- (1) Permitted (“●”). These uses are permitted by-right in the subdistricts in which they are listed.
- (2) Permitted in Upper Stories Only (“◐”). These uses are permitted by-right in the subdistricts in which they are listed, provided that the uses are located in the upper stories of a structure. These uses may also be located in the ground story provided that they are located beyond a depth of at least 30 feet from the front facade.
- (3) Permitted with Development Standards (“◑”). These uses are

permitted by-right in the subdistricts in which they are listed, provided that they are developed utilizing the listed development standards. These standards are intended to alleviate any negative impacts associated with the use, making it appropriate in a subdistrict where it otherwise might not have been appropriate.

- (4) Requires a Conditional Use Permit (“○”). These uses require administrative review and approval (refer to 10.2.7) in order to occur in the subdistricts in which they are listed and must follow any applicable development standards associated with the use as well as meet the requirements of the Conditional Use.
- (5) Listed uses that are not permitted in the subdistrict are indicated by a blank space.

4. Building Types.

The uses permitted within the subdistrict may be further limited by the building types permitted. Refer to 5.0 Building Types.

4.2. Definition of Uses.

1. Residential and Lodging Uses.

A category of uses that include several residence types.

- (1) Residential. One or more dwelling units located within the principal structure of a lot, in which the units may or may not share a common wall with the adjacent (horizontally or vertically) unit or have individual entrances from the outside.
- (2) Hotel & Inn. A facility offering temporary to the general public consisting of sleeping rooms with or without in-room kitchen facilities. Secondary service uses may also be provided, such as restaurants and meeting rooms. Rooms shall be accessed from the interior of the building. In the subdistricts where a Hotel or Inn is permitted with development standards (“◑”), the following applies:
 - a. The facility is limited to twelve rooms.
 - b. Bed and Breakfasts and pensions are permitted.
- (3) Residential Care. A facility offering temporary or permanent lodging to the general public consisting of an unlimited number of sleeping rooms with or without in-room kitchen facilities. Residential care includes such uses as independent and assisted living facilities, and nursing homes. Assistance with daily activities may be provided for residents. Secondary service uses may also be provided, such as restaurants and meeting rooms. Rooms shall be accessed from the interior of the building. In the subdistricts where a residential care facility is permitted with development standards (“◑”), the facility is limited to twelve rooms.

2. Civic Uses.

A category of uses related to fulfilling the needs of day-to-day community life including assembly, public services, educational facilities, and hospitals.

- (1) Assembly. A facility that has organized services, meetings, or

Uses					
	City Center "Core"	City Center "General"	Riverdale Road "General"	40th Street "General"	Edge
Residential & Lodging					
Residential	●	●	●	●	●
Hotel & Inn	●	●	●	●	●
Residential Care	○	○	○	○	○
Civic					
Assembly	○	○	○	○	●
Transit Station	●	●	●	●	●
Hospital & Clinic	●	●	●	●	
Library/Museum/Post Office (no distribution)	●	●	●	●	○
Police & Fire	○	○	○	○	○
School	●	●	●	●	●
Retail					
Neighborhood Retail	●	●	●	●	
General Retail	○	○	●	X	
Outdoor Sales Lot			○		
Service					
Neighborhood Service	●	●	●	●	
General Service		○	○		
Vehicle Service		○	●		
Office & Industrial					
Office	●	●	●	●	●
Craftsman Industrial	●	●	●		
Infrastructure					
Parking Lot	●	●	●	●	
Parking Structure	●	●	●	●	
Utility & Infrastructure	○	○	○	○	
Open Space	●	●	●	●	●
Accessory Uses					
Home Occupation	●	●	●	●	●
Outdoor Storage of Goods		●	●		
Parking Lot	●	●	●	●	
Parking Structure	●	●	●	●	

KEY

- Permitted
- Permitted in Upper Stories Only
- Permitted with Development Standards
- Requires a Conditional Use Permit

Table 4.1 (1). Uses by subdistrict.

4.0 Uses

programs to benefit, educate, entertain, or promote discourse amongst the residents of the community in a public or private setting. Assembly includes such uses as a community center, house of worship, and private clubs and lodges. In the subdistricts where an outdoor sales lot is permitted with development standards (“●”), the following applies:

- a. Parking shall be limited to an area less than the total building footprint area.
 - b. The facility shall primarily serve the adjacent neighborhood.
- (2) Transit Station. A covered passenger boarding and a lighting facility with a platform(s), which may include a waiting room, ticket office or machines, restrooms, or concessions.
 - (3) Hospital & Clinic. A licensed institution providing medical care and health services to the community. These services may be located in one building or clustered in several buildings and may include laboratories, in- and out-patient facilities, training facilities, medical offices, staff residences, food service, pharmacies, and gift shop.
 - (3) Library/Museum. A structure open to the general public, which houses educational, cultural, artistic, or historic information, resources, and exhibits. May also include food service and a gift shop.
 - (4) Police and Fire. A facility providing public safety and emergency services; training facilities, locker rooms, and limited overnight accommodations may also be included. Police and fire facilities require a Conditional Use approval. The facilities shall be housed in a permitted building, but shall have the following additional allowances:
 - a. Garage doors are permitted on the front facade.
 - b. Exempt from maximum driveway widths.
 - (5) Post Office. A publicly accessed facility for the selling of supplies and mail related products and the small scale collection and distribution of mail and packages. Large-scale postal sorting and distribution is not permitted.
 - (6) School. An education facility with classrooms and offices, that may also include associated indoor facilities such as ball courts, gymnasium, theater, and food service.

3. Retail Uses.

A category of uses involving the sale of goods or merchandise to the general public for personal or household consumption.

- (1) Neighborhood Retail. A use in this category occupies a space of less than 12,000 square feet. Neighborhood retail includes such uses as those listed in Table 4.2 (1). Typical Retail Uses.
- (2) General Retail. A use in this category includes all Neighborhood Retail uses occupying a space of greater than 12,000 square feet and such uses as those listed in Table 4.2 (1). Typical Retail Uses.
- (3) Outdoor Sales Lot. A use involving the sale of goods or

merchandise to businesses and/or the general public, where the majority of the goods are stored or displayed outdoors. Outdoor sales lots include such uses as the sale and rental of automobiles, trucks, trailers, boats, and recreational vehicles; and the sale of building materials, landscape materials, and garden supplies. In the subdistricts where an outdoor sales lot is permitted by Conditional Use (“○”), the following applies:

- (1) Not permitted on corner parcels.
- (2) Includes permanent construction of a building utilizing one of the permitted Building Types in the subdistrict.

4. Service.

A category of uses that provide patrons services and limited retail products related to those services. Visibility and accessibility are important to these uses, as most patrons do not utilize scheduled appointments.

- (1) Neighborhood Service. A use in this category occupies a space of less than 12,000 square feet. Neighborhood service includes such uses as those listed in Table 4.2 (2).
- (2) General Service. A use in this category includes all Neighborhood Service uses occupying a space of greater than 12,000 square feet and such uses as those listed in Table 4.2 (2).

5. Vehicle Service.

A business involving the servicing of vehicles and/or the distribution of fuel to residents of the community and region. A convenience store may also be included as a secondary use, as well as the sale of propane and kerosene. Vehicle service includes such uses as automotive filling stations, vehicle repair, car wash facilities, and tire sales and mounting. In the subdistricts where vehicle service is permitted with development standards (“●”), the following apply:

- (1) Use Limitation. Repair and wash facilities for semi-trucks, recreational vehicles, boats, and other oversized vehicles are not permitted.
- (2) Service Bays. Vehicular service bays, including garages and car wash bays, shall not be located on the front facade, unless otherwise permitted by the Building Type.
- (3) Outdoor Storage. Disabled or inoperable vehicles and those awaiting pick-up may be stored outdoors if:
 - a. The vehicles are not stored for more than two days.
 - b. The storage area is located in the rear yard screened from view of the front lot line.
 - c. The storage area is screened using the Side & Rear yard buffer outlined in 7.0 Landscape, regardless of the adjacent land uses.
- (4) Outdoor Activities.
 - a. All repairs or washing activities must occur inside a structure.
 - b. Vacuuming activities may occur in open air, but must be

located in the side or rear yards, screened from the front lot line.

- c. Temporary outdoor display of seasonal items, such as windshield wiper fluid or salt, is permitted during business hours under the canopy and adjacent to the principal structure.

Neighborhood Retail

Alcohol & Liquor Sales
 Antique Shop
 Apparel & Accessory Store
 Art & Education Supplies
 Bakery, Retail
 Bicycle Sales & Repair
 Book, Magazine, & Newspaper Store
 Building Materials, Hardware, and Garden Supply
 Camera & Photo Supply Store
 China & Glassware Shop
 Convenience Store
 Drug Store/Pharmacy
 Fabric & Craft Store
 Florist
 Gift, Novelty, & Souvenir Shop
 Grocery Store
 Hardware Store
 Hobby Shop
 Jewelry Sales & Repair
 Luggage & Leather Goods
 Music Store
 Musical Instrument Repair & Sales
 Office Supply
 Optical Goods
 Paint & Wallpaper
 Party Supply Shop
~~Pawn Shop~~
 Pet & Pet Supply
~~Smoke Shop~~
 Specialty Food Market (Butcher, Candy, Fish Market, Produce, etc.)
 Sporting Goods Sales & Rental
 Stationary & Paper Store
 Toy Shop
 Video/Game Sales & Rental
~~Wine & Liquor Shop~~

Table 4.2 (1). Typical Retail Uses.

General Retail

All Neighborhood Retail
 Alcohol & Liquor Sales
 Appliance & Electronic Sales & Service
 Automotive Supply (no service)
 Computer Software Sales & Leasing
 Department Store
 Gun Shop
 Home Furnishings & Accessories Sales & Rentals
 Medical Supply Store & Rental
 Motorcycle & Motor Scooter Sales
 Heating, Air Conditioning & Plumbing Supplies, Sales, & Service
 Cabinet Supply (display only)
 Machine Sales and Rental
 Agriculture Equipment and Supply
 Electrical Supplies
 Merchandise Vending Machine Operators
 Medical Supply Store & Sales
 Pawn Shop
~~Smoke Shop~~
 Wine & Liquor Shop

Neighborhood Service

Arcade
 Bank or other Financial Service
 Barber Shop, Beauty Salon, & Spa
 Billiard Hall
 Catering
 Check Cashing
 Day Care, Adult or Child
 Dry Cleaning & Laundry
 Emergency Care Clinic
 Fitness, Dance Studio, & Gym
 Framing
 Home Furniture & Equipment
 Repair
 Locksmith
 Mailing Services
~~Microbrewery~~
 Pet Grooming
 Photocopying & Printing
 Photography Studio & Supplies (on-site processing permitted)
 Restaurants (refer to state law for alcoholic beverage requests)
 Shoe Repair
 Tailor & Seamstress
 Tanning Salon
~~Tattoo/Piercing Parlor~~
 Theater
 Training Center
 Travel Agency & Tour Operator
 Veterinarian

Table 4.2 (2). Typical Service Uses.

Office

Architecture/Engineering/Design
 Building Contractor (office only)
 Business Consulting
 Charitable Institutions
 Computer Programming & Support
 Detective Services
 Educational Services (tutor & testing)
 Employment Agency
 Financial & Insurance
 Government Offices
 Legal Services
 Management Services
 Physical Therapy/Physical Rehabilitation
 Medical & Dental with Laboratory
 PR & Advertising
 Property Development
 Radio & TV Studio
 Real Estate

Table 4.2 (3). Typical Office Uses.

General Service

All Neighborhood Services
 Animal Boarding (interior only)
 Aquatic Facilities
 Batting Cages
 Bowling Alley
 Concert Hall
 Exterminating & Disinfecting Service
 Funeral Home
 Miniature Golf Course
 Recreation, Commercial Indoor
 Repair of Small Goods & Electronics
 Shooting & Archery Ranges (indoor only)
 Skating Rink
 Tattoo/Piercing Parlor
 Alcohol & Liquor Sales
 Microbrewery
 Bars/Taverns

4.0 Uses

6. Office Uses.

A category of uses for businesses that involve the transaction of affairs of a profession, service, industry, or government. Patrons of these businesses usually have set appointments or meeting times; the businesses do not typically rely on walk-in customers. Office uses include those listed in Table 4.2 (3). In the districts where an office use is permitted with development standards (“O”), the use is considered a home occupation and shall meet the following standards:

- (1) In a live/work building, the use is exempt from the following standards.
 - a. Hour of Operation. Permitted hours of operations are 6:00 AM to 9:00 PM.
 - b. Residence. The operator of the business shall reside in the dwelling unit.
 - c. Vehicles. Parking of a vehicle associated with the business must be accommodated on site.

Craftsman Industrial

Apparel & Finished Fabric Products
Bakery & Confections
Beverages, including Beer, Wine, Liquor, Soft Drinks, Coffee
Botanical Products
Brooms & Brushes
Canning & Preserving Food
Commercial Scale Copying & Printing
Construction Special Trade Contractors
Cut Stone & Cast Stone
Dairy Products
Electronics Assembly
Engraving
Electrical Fixtures
Fabricated Metal Products
Film Making
Furniture & Fixtures
Glass
Household Textiles
Ice
Jewelry, Watches, Clocks, & Silverware
Leather Products
Meat & Fish Products, no Processing
Musical Instruments & Parts
Pasta
Pottery, Ceramics, & Related Products
Printing, Publishing & Allied Industries
Shoes & Boots
Signs & Advertising
Small Goods Manufacturing
Smithing
Taxidermy
Textile, Fabric, Cloth
Toys & Athletic Goods
Upholstery
Woodworking

Table 4.2 (4). Typical Craftsman Industrial Uses.

7. Craftsman Industrial.

A use involving small scale manufacturing, production, assembly, and/or repair with little to no noxious by-products that includes a showroom or small retail outlet that is accessible to the public. Craftsman industrial includes such uses as those found in Table 4.2 (4). This use may also include associated facilities such as offices and small scale warehousing, but distribution is limited. The maximum overall gross floor area is limited to 20,000 square feet, unless otherwise noted. In the subdistricts where a craftsman industrial use is permitted with development standards (“CI”), the following apply:

- (1) A minimum 20% of gross floor area shall be dedicated to a showroom located at the front of the space and is in view of a public Right-of-Way.
- (2) Outdoor activities and storage of goods are not permitted.

8. Parking Lot.

A lot that does not contain a permitted building or Open Space Type and is solely used for the parking of vehicles. In the subdistricts where a parking lot is permitted with development standards (“P”), the following apply:

- (1) Corner Lots. A corner lot shall not be used as a parking lot.
- (2) Adjacent Parking Lots. Two parking lots cannot be located directly adjacent to one another.
- (3) Single Family. Parking lot cannot be associated with a single family use.
- (4) Distance. Parking lot must be within 1,300 feet of the principal entrance to the associated use unless:
 - a. At least 75% of the spaces are dedicated for public use.
 - b. An approved parking agreement is in place (refer to 8.0 Parking).
- (5) Pedestrian Access. Must be connected to associated use by a dedicated, public pedestrian pathway.
- (6) Commercial Vehicles. Parking lots for commercial vehicles are not permitted in these subdistricts.

9. Parking Structure.

A parking structure on a lot that does not contain a permitted Building Type and is solely used for the parking of vehicles. In the subdistricts where a parking structure is permitted with development standards (“PS”), the following apply:

- (1) Corner Lots. A corner lot shall not be used for a parking structure on primary streets. Parking structures may be used for corner lots on other streets if ground floor of structure is dedicated for commercial use.
- (2) Adjacent Parking Lots. Two parking facilities (lots or structures) cannot be located directly adjacent to one another.
- (3) Primary Street. Parking structures fronting Primary Streets must have ground floor dedicated to commercial uses.

- (4) Distance. Parking structure must be within 1,300 feet of the principal entrance to the associated use unless:
 - a. At least 75% of the spaces are dedicated for public use.
 - b. An approved parking agreement is in place (refer to 8.0 Parking).
- (5) Pedestrian Access. Must be connected to associated use by a dedicated, public pedestrian pathway.
- (6) Commercial Vehicles. Parking structures for commercial vehicles are not permitted in these subdistricts.

10. Utility and Infrastructure.

A lot that is primarily utilized for the City’s infrastructure needs. Utility and infrastructure includes such uses as electric or gas services, sewage treatment, water treatment and storage, and energy conversion systems. In all subdistricts, utilities and infrastructure require a Conditional Use Permit (“○”).

11. Open Space.

A use of land for active or passive, public or private, outdoor space, including such uses as parks, plazas, greens, playgrounds, or community gardens. Refer to 6.0 Open Space Types for permitted forms of open space. Open space uses may also be utilized to host temporary private or community events, such as a farmer’s market or art fair. In the subdistricts where open space is permitted with development standards (“●”), the following apply:

- (1) Parking. Parking lots are not permitted in open space in any subdistrict unless otherwise approved by City Manager or Designee.
- (2) Stormwater Accommodations. Open space that incorporates stormwater management on a site or subdistrict scale is encouraged.
 - a. Stormwater facilities shall be designed to accommodate additional uses, such as an amphitheater or a sports field.
 - b. Stormwater facilities shall be designed not to be fenced and shall not impede public use of the land they occupy.
- (3) This use may involve small scale food and beverage service, no more than 200 square feet in space, located in a kiosk, with no service access.
- (4) Buildings located directly adjacent to an open space use shall treat facades facing this use with street facade requirements.

12. Accessory Uses.

A category of uses that are not permitted to serve as the principal use on a zoning lot.

- (1) Home Occupation. An occupational use that is clearly subordinate to the principal use as a residence and does not require any alteration to the exterior of a building.
- (2) Parking Lot. An uncovered paved surface used solely for the parking of vehicles, intended for use by the occupants in an

adjacent building on the lot. Parking lot locations are regulated by Building Type. Refer to 5.0 Building Types.

- (3) Parking Structure. A structure used solely for the parking of vehicles, intended for use by the occupants in an adjacent building on the lot. Parking Structures within the buildings are regulated per Building Type. Refer to 5.0 Building Type. Separate structure locations are also regulated by Building Type, but shall also meet all of the requirements of 5.2.9. Parking Structure.
- (4) Outdoor Storage of Goods. Permanent outdoor storage of goods not typically housed or sold indoors, such as large scale materials and building and landscape supplies. In the subdistricts where outdoor storage of goods is permitted with development standards (“●”), the following development standards apply:
 - (a) Outdoor storage areas shall be located in the rear or side yard of the lot.
 - (b) Loose materials shall not be stacked higher than six feet.
 - (c) Loose materials shall at a minimum be stored in a three-sided shelter and shall be covered.
 - (d) Materials shall be set back a minimum of five feet from any lot line.
 - (e) All outdoor storage areas shall be screened from view of adjacent parcels and vehicular rights-of-way using the heavy side or rear buffer, refer to 7.0 Landscape Requirements for Side and Rear Buffer.

5.0 Building Types

5.0 Building Types

5.1. Introduction to Building Type Standards

1. Introduction

The Building Types detailed in 5.0 Building Types outline the required building forms for new construction and renovated structures within the Subdistricts defined in 3.0.

2. General Requirements.

All Building Types must meet the following requirements.

- (1) Zoning Subdistricts. Each Building Type shall be constructed only within its designated subdistricts Refer to Table 5.1 (1) Permitted Building Types by Subdistricts.
- (2) Uses. Each Building Type can house a variety of uses depending on the subdistrict in which it is located. Refer to 4.0 Uses for uses permitted per subdistrict. Some Building Types have additional limitations on permitted uses.
- (3) No Other Building Types. All buildings constructed must meet the requirements of one of the Building Types permitted within the zoning subdistrict of the lot.
- (4) Permanent Structures. All buildings constructed shall be permanent construction without a chassis, hitch, or wheels, or other features that would make the structure mobile, unless otherwise noted.
- (5) Accessory Structures.
 - (a) Attached accessory structures are considered part of the principal structure.

- (b) Detached accessory structures are permitted per each Building Type and shall comply with all setbacks except the following:
 - (i) Detached accessory structures are not permitted in the front yard.
 - (ii) Detached accessory structures shall be located behind the principal structure in the rear yard.
 - (iii) Detached accessory structures shall not exceed the height of the principal structure.

5.2 Explanation of Building Type Table Standards

The following explains and further defines the standards outlined on the tables for each Building Type, refer to 5.3 through 5.8.

1. Building Siting.

The following explains the line item requirements for each Building Type Table within the first section entitled "Building Siting".

- (1) Multiple Principal Structures. The allowance of more than one principal structure on a lot.
- (2) Front Sidewalk Coverage. Refer to Figure 5.2 (1). Measuring Front Sidewalk Coverage. Measurement defining the minimum percentage of street wall or building facade required along the street. The width of the principal structure(s) (as measured within the front build-to zone) shall be divided by the maximum width of the front build-to zone (BTZ).
 - (a) Certain buildings have this number set to also allow the development of a courtyard along the front property line.
 - (b) Some frontage types allow side yard parking to be exempted from the front lot line coverage calculation. If such an exemption is permitted, the width of up to one double loaded aisle of parking, located with the drive perpendicular to the street and including adjacent sidewalks and landscaping, may be exempted, to a maximum of 72 feet.
- (3) Occupation of Corner. Occupying the intersection of the front and corner build-to zones with a principal structure.
- (4) Front Build-to Zone. The build-to zone or setback parallel to the front property line. Building components, such as awnings or signage, are permitted to encroach into the build-to zone

		Building Types by Subdistricts				
		City Center "Core"	City Center "General"	Riverdale Road "General"	40th Street "General"	Edge
Building Types	Storefront	●	●	●	●	
	General Stoop		●	●	●	
	Limited Bay			●		
	Row Building		●	●	●	●
	Yard Building					●
	Civic Building	●	●	●	●	●

● = Permitted

Table 5.1 (1). Permitted Building Types by subdistrict

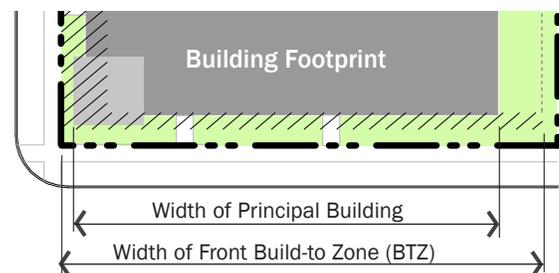


Figure 5.2 (1). Measuring Front Property Line Coverage

-
- (a) All build-to zone and setback areas not covered by building must contain either landscape, patio space, or sidewalk space.
 - (5) Corner Build-to Zone. The build-to zone or setback parallel to the corner property line.
 - (a) All build-to zone and setback areas not covered by building must contain either landscape, patio space, or sidewalk space.
 - (6) Minimum Side Yard Setback. The minimum required setback along a side property line.
 - (7) Minimum Rear Yard Setback. The minimum required setback along a rear property line.
 - (8) Minimum & Maximum Lot or Building Width. Depending on the Building Type, either the minimum or maximum building or unit width will be noted or the minimum and maximum width of a lot, all measured at or parallel to the front property line.
 - (9) Parking & Loading Location. The yard in which a surface parking lot, detached garage, attached garage door access, loading and unloading, and associated drive is permitted.
 - (10) Vehicular Access. The permitted means of vehicular ingress and egress to the lot.
 - (a) Alleys, when present, shall always be the primary means of access.
 - (b) When alleys are not present, a driveway may be permitted per Building Type and, if an alternative is available, shall not be located off a Primary Street.
 - (a) Floor height is measured in feet between the floor of a story to the floor of the story above it.
 - (b) Floor height requirements apply only to street facing facades.
 - (c) For single story buildings and the uppermost story of a multiple story building, floor to floor height shall be measured from the floor of the story to the tallest point of the ceiling.
 - (4) Existing Single Family Residential Buffer. In order to assure compatibility of new construction with adjacent single family zones along the 40th "Transit" Street.
 - (a) Transitions fro Single Family Homes. A 20-foot setback is required from the property line adjacent to a single family detached home. At 20 feet, 25-foot building height is permitted in between the property line and 30 feet. After 30 feet, every 2 feet in additional horizontal distance from the property line permits 1 foot of additional vertical building height. See figure 5.2 (5).

2. Height

The following explains the line item requirements for each Building Type Table within the second section entitled "Height".

- (1) Minimum Overall Height. The minimum overall height for the building shall be located within the build-to zone; stories above the required minimum height may be stepped back from the facade.
- (2) Maximum Overall Height. The sum of a building's total number of stories.
 - (a) Half stories are located either completely within the roof structure with street-facing windows or in a visible basement exposed a maximum of one half story above grade.
 - (b) A building incorporating both a half story within the roof and a visible basement shall count the height of the two half stories as one full story.
 - (c) Some Building Types require a building facade to step back as its height increases. If required, the upper stories of any building facade with street frontage shall be setback a designated amount beyond the building facade of the lower stories.
- (3) Ground Story and Upper Story, Minimum and Maximum Height. (Refer to Figure 5.2 (3). Measuring Height). Each frontage type includes a permitted range of height in feet for each story. Additional information is as follows:

5.0 Building Types

3. Uses

The following explains the line item requirements for each Building Type Table within the third section entitled "Uses." Refer to Section 4.0. Uses for uses permitted within each Zoning subdistrict. The requirements in this section of the Building Type Tables may limit those uses within a specific Building Type.

- (1) Ground and Upper Story. The uses or category of uses which may occupy the ground and/or upper story of a building.
- (2) Parking Within Building. The area(s) of a building in which parking is permitted within the structure.
- (3) Required Occupied Space. The area(s) of a building that shall be designed as occupied space, defined as interior building space regularly occupied by the building users. It does not include storage areas, utility space, or parking.

4. Street Facade Requirements

The following explains the line item requirements for each Building Type Table 5.3 through 5.8, within the fourth section of each table entitled "Street Facade Requirements". Street Facade Requirements apply only to facades facing a public or private right-of-way. The rear or interior side yard facades are not required to meet these standards unless otherwise stated.

- (1) Minimum Ground Story and Upper Floor Transparency. (Refer to Figure 5.2 (4), Measuring Transparency). The minimum amount of transparency required on street facades with street frontage.
 - (a) Transparency is any glass in windows and/or doors, including any mullions, that is highly transparent with low reflectance.
 - (i) Ground Story Transparency, when defined separately from the overall minimum transparency, shall be measured between two feet and eight feet from the average grade at the base of the front facade.
 - (ii) A general Minimum Transparency requirement shall be measured from floor to floor of each story.
- (2) Blank Wall Limitations. A restriction of the amount of windowless area permitted on a facade with street frontage. If required, the following shall both be met for each story:
 - (a) No rectangular area greater than 30% of a story's facade, as measured from floor to floor, may be windowless; and
 - (b) No horizontal segment of a story's facade greater than 15 feet in width may be windowless, unless approved by City Manager or Designee.
- (3) Entrance Type. The Entrance Type(s) permitted for the entrance(s) of a given Building Type. A mix of permitted Entrance Types may be utilized. Refer to 5.9 Entrance Types for definition of and additional requirements for each Entrance Type.
- (4) Principal Entrance Location. The facade on which the primary building entrance is to be located.
- (5) Required Number of Street Entrances. The minimum number of and maximum spacing between entrances on the ground floor building facade with street frontage.

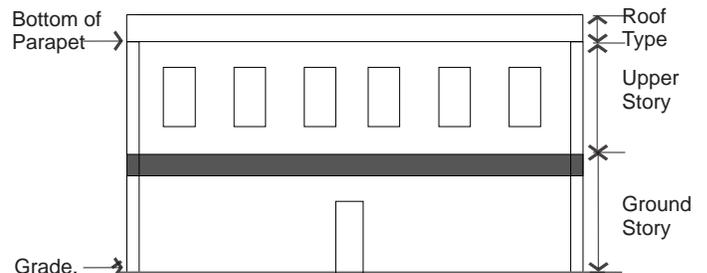
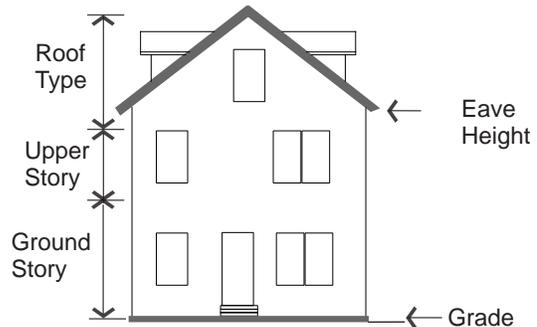


Figure 5.2 (3). Measuring Height

- (6) Vertical Facade Divisions. The use of a vertically oriented expression line or form to divide the facade into increments no greater than the dimension shown, as measured along the base of the facade. Elements may include a column, pilaster, or other continuous vertical ornamentation a minimum of one and a half inch depth.
- (7) Horizontal Facade Divisions. The use of a horizontally oriented expression line or form to divide portions of the facade into horizontal divisions. Elements may include a cornice, belt course, molding, string courses, or other continuous horizontal ornamentation a minimum of one and a half inch depth.

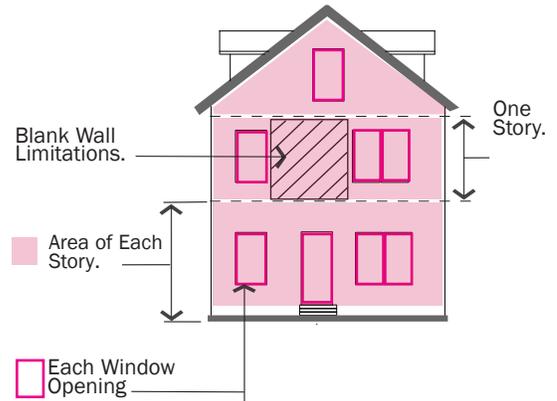
5. Roof Type

The following explains the line item requirements for each Building Type Table in Sections 5.3 through 5.8, within the fifth section entitled "Roof Types".

- (1) Permitted Roof Type. The roof type(s) permitted for a given Building Type. Refer to 5.10. Roof Types for more specific requirements.
- (2) Tower. A vertical building extension that may be permitted in conjunction with another roof type on certain Building Types. Refer to 5.10. Roof Types.



Measuring Ground Floor Transparency on a Storefront base.



Measuring Transparency on Each Story.

Figure 5.2 (4). Measuring Transparency.

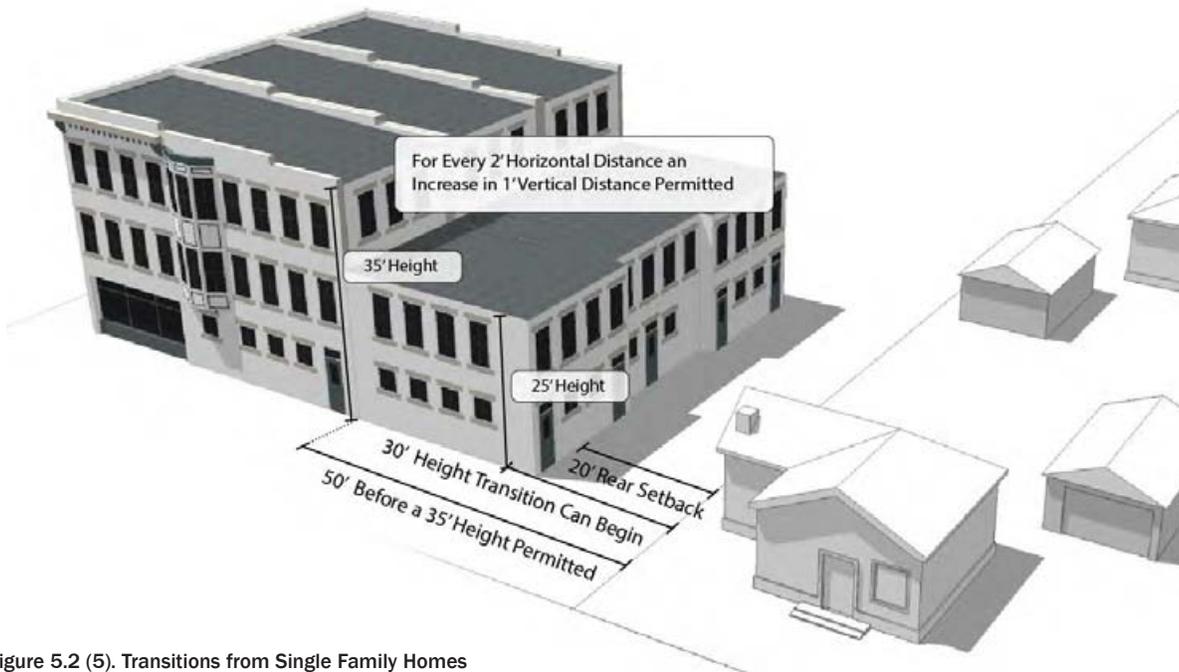


Figure 5.2 (5). Transitions from Single Family Homes

5.0 Building Types

5.3 Storefront Building

1. Description & Intent

The Storefront Building is intended for use as a mixed use building located close to the front property line with parking typically in the rear or side of the lot.

The key facade element of this Building Type is the storefront required on the ground floor front facade, with large amounts of glass and regularly spaced entrances.

This building is available in a variety of intensities, depending on the subdistrict within which it is located.

2. Regulations

Regulations for the Storefront Building Type are defined in the adjacent table.



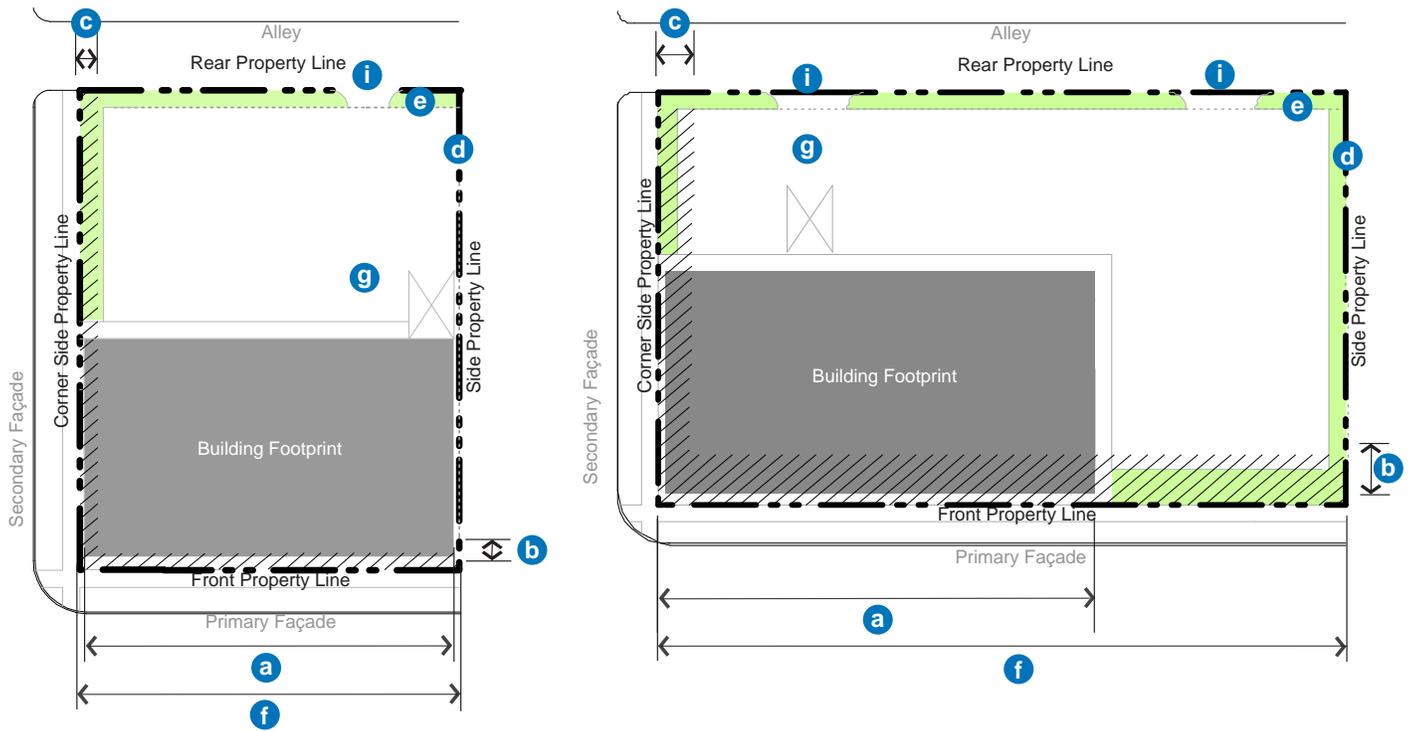
Notes

¹ Lots wider than 140 feet are permitted one double-loaded aisle of surface parking (maximum width of 72 feet), located perpendicular to the front property line, which is exempt from front property line coverage.

² Above the third story, the upper stories of any building facade with street frontage shall have a step back from the lower stories that is a minimum of six feet.

³ If 18 feet or more in height, ground story shall count as two stories towards maximum building height.

	Permitted Subdistricts			
	City Center "Core"	City Center "General"	Riverdale Road "General"	40th Street "General"
(1) Building Siting Refer to Figure 5.3 (1).				
Multiple Principal Buildings	permitted	permitted	permitted	permitted
a Front Sidewalk Coverage	85%	80%	80%	80% ¹
Occupation of Corner	required	required	required	required
b Front Build-to Zone	0' to 5'	0' to 5'	0' to 10'	0' to 5'
c Corner Build-to Zone	0' to 5'	0' to 5'	0' to 10'	0' to 5'
d Minimum Side Yard Setback	0'	0'	0'	0'
e Minimum Rear Yard Setback	5'	5'	5'	5'
f Minimum Lot Width Maximum Lot Width	none none	none none	none none	none none
g Parking & Loading Location	rear yard	rear yard	rear yard	rear & side yard ¹
i Vehicular Access	Alley only; if no alley exists, 1 driveway is permitted per non-Primary Façade, or as approved by the City Manager or Designee	Alley; if no alley exists, 1 driveway is permitted per non-Primary Façade, or as approved by the City Manager or Designee	Alley; if no alley exists, 1 driveway is permitted per non-Primary Façade, or as approved by the City Manager or Designee	Alley; if no alley exists, 2 driveways are permitted off non-Primary Façades, or as approved by the City Manager or Designee
(2) Height Refer to Figure 5.3 (2).				
j Minimum Overall Height	2 story	1 story	1 story	1 story
k Maximum Overall Height	5 stories ²	5 stories ²	5 stories ²	3 stories ²
l Ground Story: Minimum Height Maximum Height	14' 20' ³	14' 20' ³	14' 20' ³	14' 20' ³
m Upper Stories: Minimum Height Maximum Height	9' 14'	9' 14'	9' 14'	9' 14'
(3) Uses Refer to Figure 5.3 (2). Refer to 4.0 Uses for permitted uses.				
n Ground Story	retail, service	retail, service, office	retail, service, office	retail, service, office,
o Upper Story	any permitted use			
p Parking within Building	permitted fully in any basement and in rear of upper floors			
q Required Occupied Space	30' deep on all full floors measured from the front facade			
(4) Street Façade Requirements Refer to Figure 5.3 (3).				
r Minimum Ground Story Transparency Measured between 2' and 8' above grade	75%	65%	65%	65% front only
s Minimum Transparency per each Story	15%	15%	15%	15%
Blank Wall Limitations	required, see 5.2.4 (2)			
t Front Façade Entrance Type	storefront, arcade	storefront, arcade	storefront, arcade	storefront, arcade
u Principal Entrance Location	front facade	front facade	front facade	front or corner facade
Required Number of Street Entrances	1 per each 75' of front facade	1 per each 75' of front facade	1 per each 75' of front facade	1 per each 100' of front facade
Vertical Façade Divisions	every 30' of façade width	every 30' of façade width	every 50' of façade width	every 50' of façade width
Horizontal Façade Divisions	required within 3' of the top of the ground story, and every fifth floor above the first floor			
(5) Roof Type Requirements Refer to Figure 5.3 (3).				
v Permitted Roof Types	parapet, pitched, flat	parapet, pitched, flat	parapet, pitched, flat	parapet, pitched, flat
Tower	permitted	permitted	permitted	permitted



Typical Site Plan

Site Plan with Side Yard Parking "Core"

Figure 5.3 (1). Storefront Building: Building Siting.

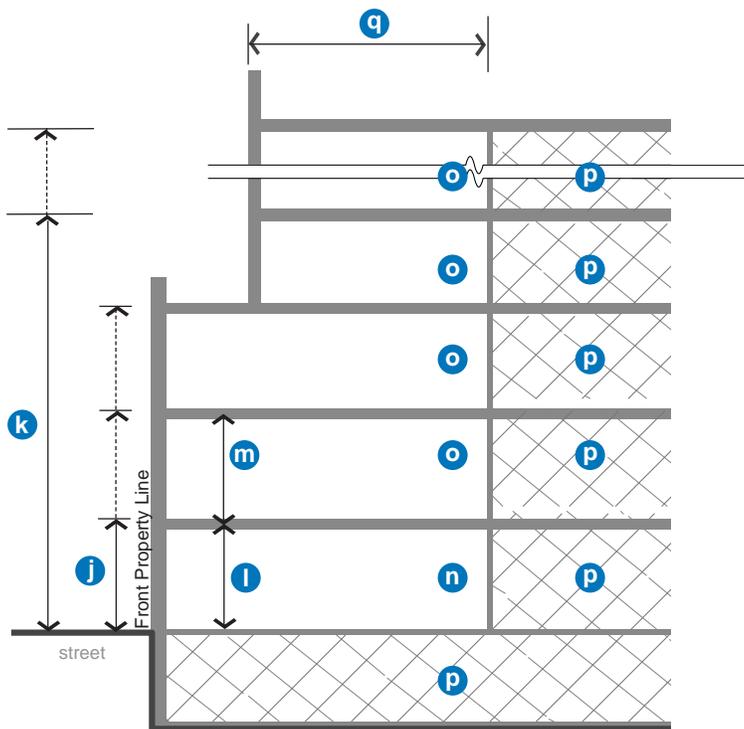


Figure 5.3 (2). Storefront Building: Height & Use Requirements.

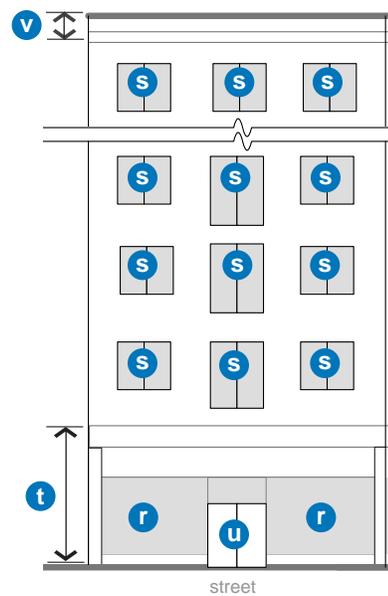


Figure 5.3 (3). Storefront Building: Street Facade Requirements.

5.0 Building Types

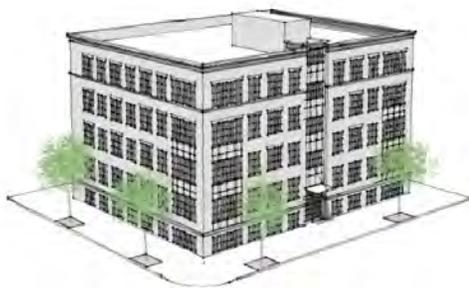
5.4 General Stoop Building

1. Description & Intent

The General Stoop Building Type is limited in terms of uses by the subdistrict within which it is located, generally housing office and/or residential uses. Similar to the Main Street Building, the General Stoop building is intended to be built close to the front and corner property lines allowing easy access to passing pedestrians and transit riders. Parking may be provided in the rear of the lot, internally in the building, or, in some cases, one double loaded aisle of parking is permitted in the interior or the side yard at the front property line. The minimum and maximum heights of this Building Type depend on the subdistrict within which it is located.

2. Regulations

Regulations for the General Stoop Building Type are defined in the adjacent table.



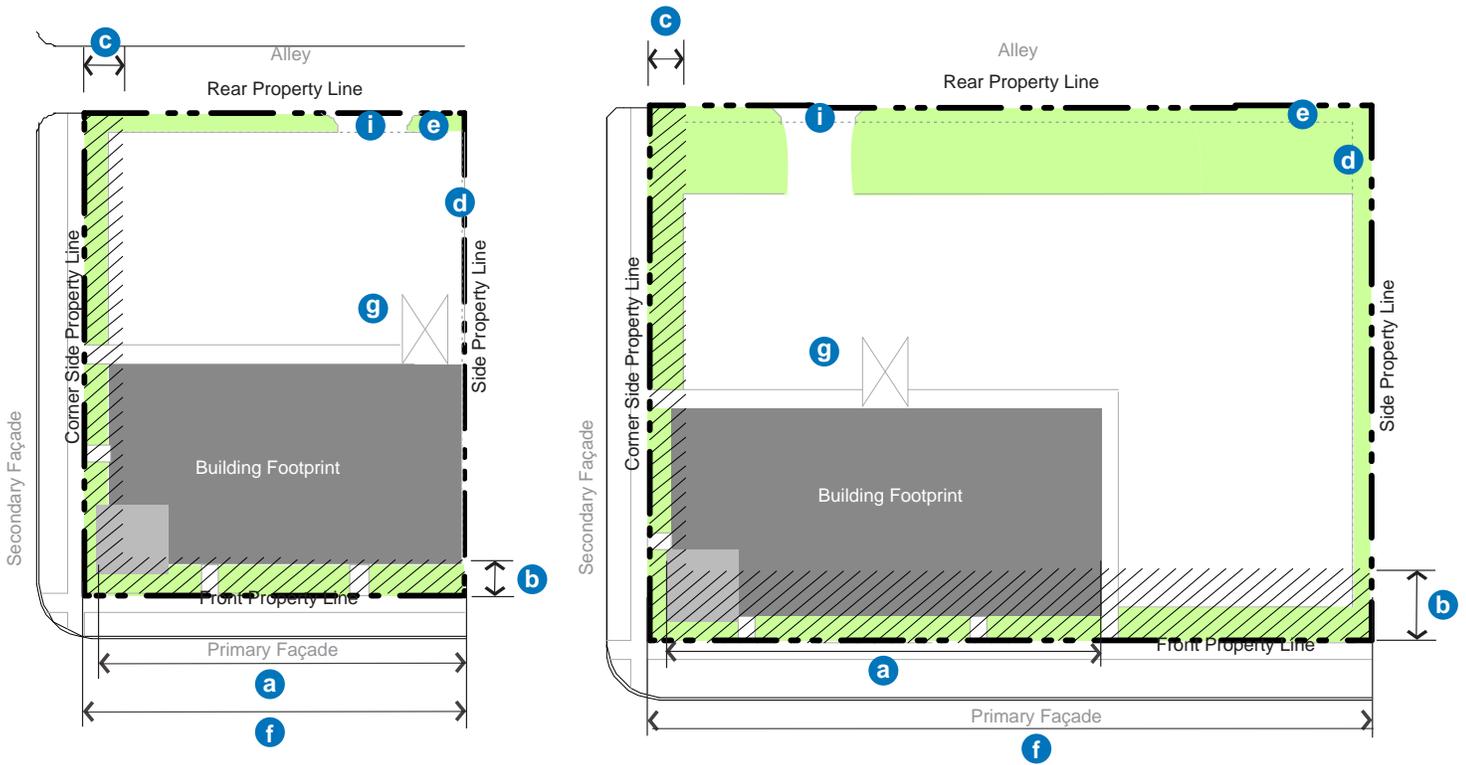
Notes

¹ A courtyard covering up to 35% of the front facade is permitted and may contribute to the Front Lot Line Coverage requirement.

² Lots wider than 140 feet are permitted one double-loaded aisle of parking (maximum width of 72 feet), located perpendicular to the front property line, which is exempt from front property line coverage.

³ Upper stories above the third story on any building facade with street frontage shall have a step back from the lower stories that is a minimum of six feet.

	City Center "General"	Riverdale Road "General"	40th Street "General"
(1) Building Siting Refer to Figure 5.4 (1).			
a Multiple Principal Buildings	not permitted	not permitted	permitted
Front Sidewalk Coverage	80% ¹	80% ¹	80%
b Occupation of Corner	required	required	required
c Front Build to Zone	0' to 10'	0' to 10'	0' to 10'
d Corner Build to Zone	0' to 10'	0' to 10'	0' to 10'
e Minimum Side Yard Setback	0'	0'	5'
f Minimum Rear Yard Setback	5'	5'	5'
Minimum Lot Width	none	none	100'
Maximum Lot Width	none	none	none
g Parking & Loading Location	rear yard	rear yard	rear & side yard
i Vehicular Access	Alley; if no alley exists, 1 driveway is permitted per non-Primary Façade, or as approved by the City Manager or Designee	Alley; if no alley exists, 1 driveway is permitted per non-Primary Façade, or as approved by the City Manager or Designee	Alley; if no alley exists, 1 driveway is permitted street, or as approved by the City Manager or Designee
(2) Height Refer to Figure 5.4 (2).			
j Minimum Overall Height	1 story	1 story	1 story
k Maximum Overall Height	5 stories ³	5 stories ³	3 stories ³
l All Stories: Minimum Height	9'	9'	9'
Maximum Height	14'	14'	14'
(3) Uses Refer to Figure 5.4 (2). Refer to 4.0 Uses for permitted uses.			
n All Stories	any permitted use		
p Parking within Building	permitted fully in basement and in rear of upper floors		
q Required Occupied Space	30' deep on all full floors from the front facade		
(4) Street Facade Requirements Refer to Figure 5.4 (3).			
r Minimum Transparency per each Story	35%	35%	15%
Blank Wall Limitations	required, see 5.2.4 (2)		
t Front Facade Entrance Type	stoop, porch, storefront	stoop, porch, storefront	stoop, porch storefront
u Principal Entrance Location	front facade	front facade	front or corner facade
Required Number of Street Entrances	1 per each 100' of front facade	1 per each 100' of front facade	1 per each 150' of front facade
Vertical Facade Divisions	every 25' of facade width	every 50' of facade width	every 50' of facade width
Horizontal Facade Divisions	required within 3' of the top of any visible basement and of the ground story, and at the fifth floor above the ground floor		
(5) Roof Type Requirements Refer to Figure 5.4 (3).			
v Permitted Roof Types	parapet, pitched, flat	parapet, pitched, flat	parapet, pitched, flat
w Tower	permitted	permitted	permitted



Typical Site Plan

Site Plan with Side Yard Parking "General"

Figure 5.4 (1). General Stoop Building: Building Siting.

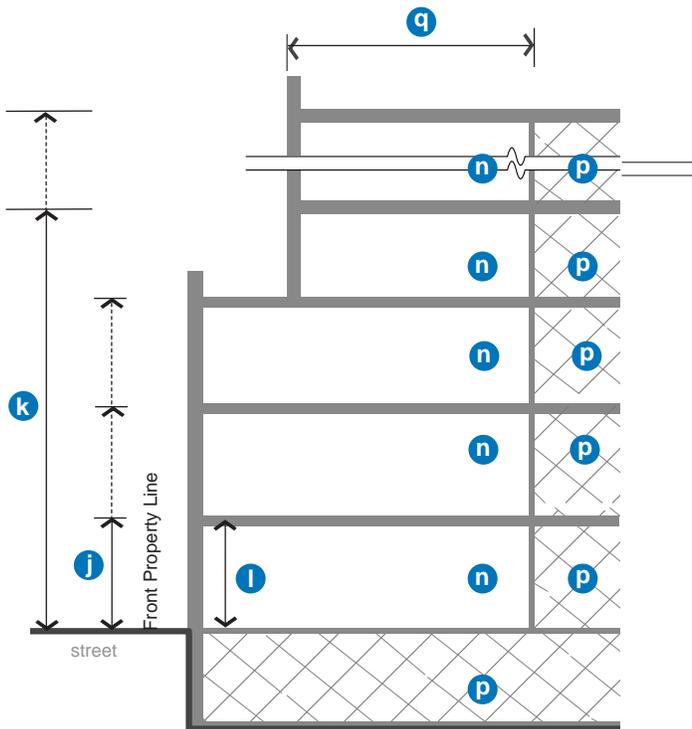


Figure 5.4 (2). General Stoop Building: Height & Use Requirements.

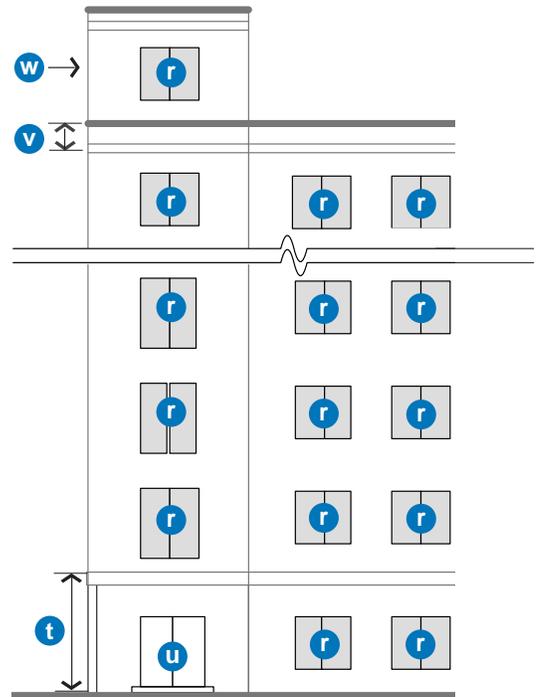


Figure 5.4 (3). General Stoop Building: Street Facade Requirements.

5.0 Building Types

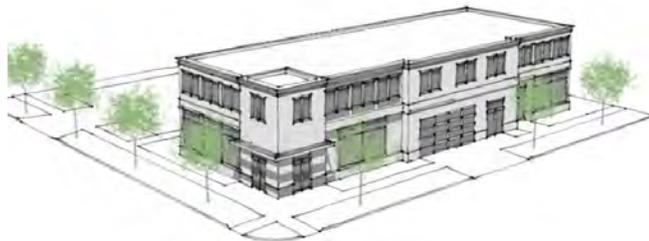
5.5 Limited Bay

1. Description & Intent

The Limited Bay Building Type permits a lower level of ground floor storefront facade and a single vehicle bay with garage door access on the Primary Street. A wider range of uses can also be accommodated within this Building Type, including craftsman industrial uses. This Building Type is still intended to be built close to the front and corner property lines allowing easy access to passing pedestrians and transit riders, and continuing the fabric of the Storefront Building Type. Parking may be provided in the rear of the lot, internally in the building, or one double loaded aisle of parking is permitted in the interior or the side yard at the front property line. The minimum and maximum heights of this Building Type depend on the subdistrict within which it is located.

2. Regulations

Regulations for the Limited Bay Building Type are defined in the adjacent table.



Notes

¹ Lots wider than 140 feet are permitted one double-loaded aisle of parking (maximum width of 72 feet), located perpendicular to the front property line, which is exempt from front property line coverage.

² Upper stories above the third story on any building facade with street frontage shall have a step back from the lower stories that is a minimum of six feet.

³ If 18 feet or more in height, ground story shall count as two stories towards maximum building height.

		Permitted Subdistricts
		Riverdale Road "General"
(1) Building Siting Refer to Figure 5.5 (1).		
Multiple Principal Buildings		not permitted
a Front Sidewalk Coverage		75%
Occupation of Corner		required
b Front Build to Zone		0' to 15'
c Corner Build to Zone		0' to 10'
d Minimum Side Yard Setback		5'
e Minimum Rear Yard Setback		5'
f Minimum Lot Width Maximum Lot Width		50' none
g Parking & Loading		rear & side yard
h Street Facade Service Bay Entrance		limited to one per street facade, maximum width 18'
i Vehicular Access		From alley; if no alley exists, maximum 1 driveway per street frontage
(2) Height Refer to Figure 5.5 (2).		
j Minimum Overall Height		1 story
k Maximum Overall Height		4 stories ²
l Ground Story: Minimum Height Maximum Height		14' 24' ³
m Upper Stories: Minimum Height Maximum Height		9' 14'
(3) Uses Refer to Figure 5.5 (2). Refer to 4.0 Uses for permitted uses.		
n Ground Story		retail, service, office, craftsman industrial
o Upper Story		any permitted use
p Parking within Building		permitted fully in basement and in rear of upper floors plus one service bay width at ground floor
q Required Occupied Space		30' deep on all full floors from the front facade
(4) Street Facade Requirements Refer to Figure 5.5 (3).		
r Minimum Ground Story Transparency Measured between 2' and 8' above grade		50% , Service Bay door shall be transparent
s Minimum Transparency per each Story		15%
Blank Wall Limitations		required, see 5.2.4 (2)
t Front Facade Entrance Type		storefront, stoop
u Principal Entrance Location		front or corner facade
Required Number of Street Entrances		1 per 100' of facade; service bay door not included; 1 per 150' of facade
Vertical Facade Divisions		every 60' of facade width
Horizontal Facade Divisions		required within 3' of the top of the ground story for all buildings over 2 stories
(5) Roof Type Requirements Refer to Figure 5.5 (3).		
v Permitted Roof Types		parapet, pitched, flat
Tower		permitted

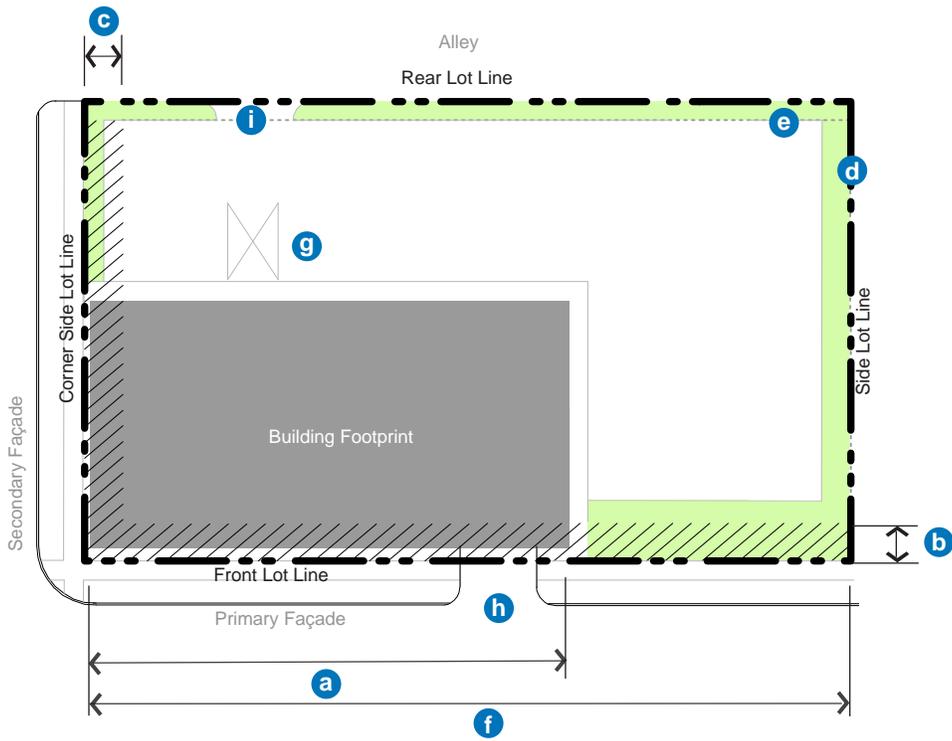


Figure 5.5 (1). Limited Bay Building: Building Siting.

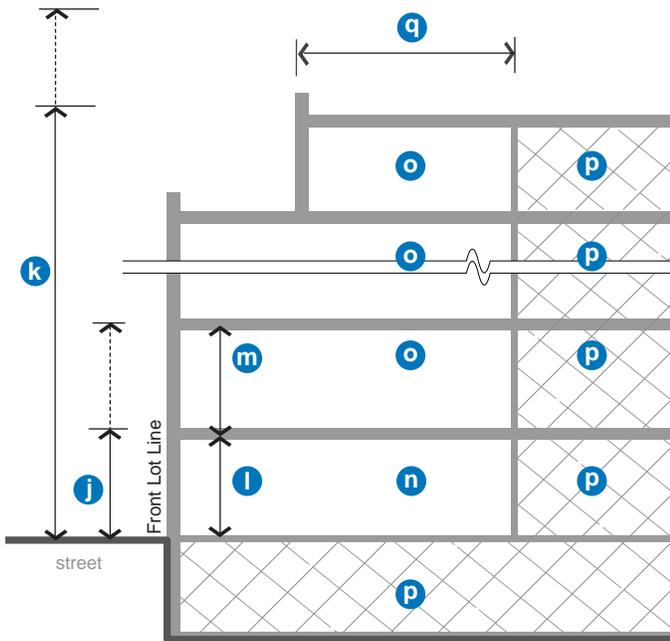


Figure 5.5 (2). Limited Bay Building: Height & Use Requirements.

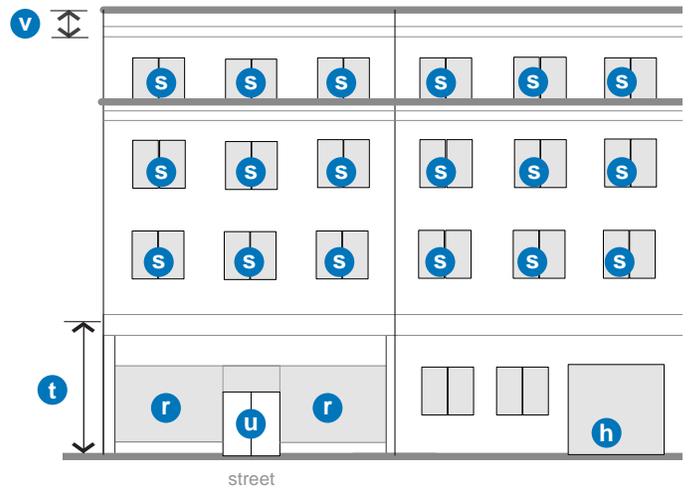


Figure 5.5 (3). Limited Bay Building: Street Façade Requirements.

5.0 Building Types

5.6. Row Building

1. Description & Intent

The Row Building is a building typically comprised of multiple vertical units, each with its own entrance to the street. This Building Type may be organized as townhouses or rowhouses, or it could also incorporate live/work units where uses are permitted.

Parking is required to be located in the rear yard and may be incorporated either into a detached garage or in an attached garaged accessed from the rear of the building. However, when the garage is located within the building, a minimum level of occupied space is required on the front facade to ensure that the street facade is active.

2. Regulations

Regulations for the Row Building type are defined in the adjacent table.



Notes:

¹ For the purposes of the Row Building, a building consists of a series of units. When permitted, multiple buildings may be located on a lot with the minimum required space between them. However, each building shall meet all requirements of the Building Type unless otherwise noted.

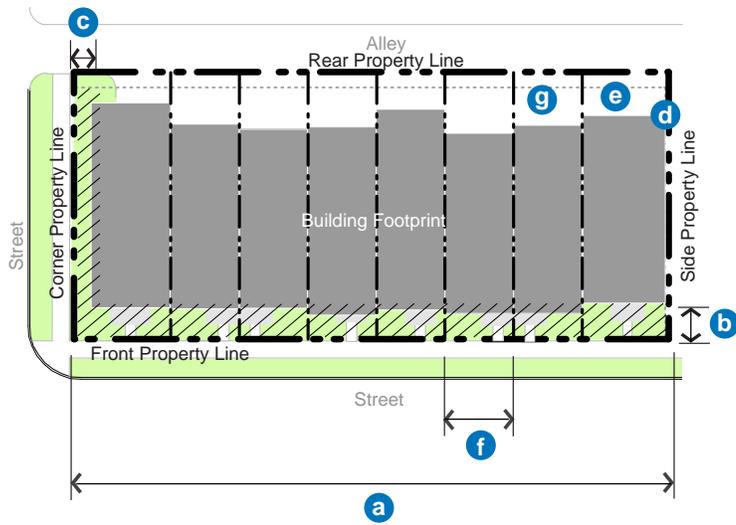
² Each building shall meet the front property line coverage requirement, except one of every five units may front a courtyard with a minimum width of 30 feet. The courtyard shall be defined on three sides by units.

³ Rear yard setback on alleys is five feet.

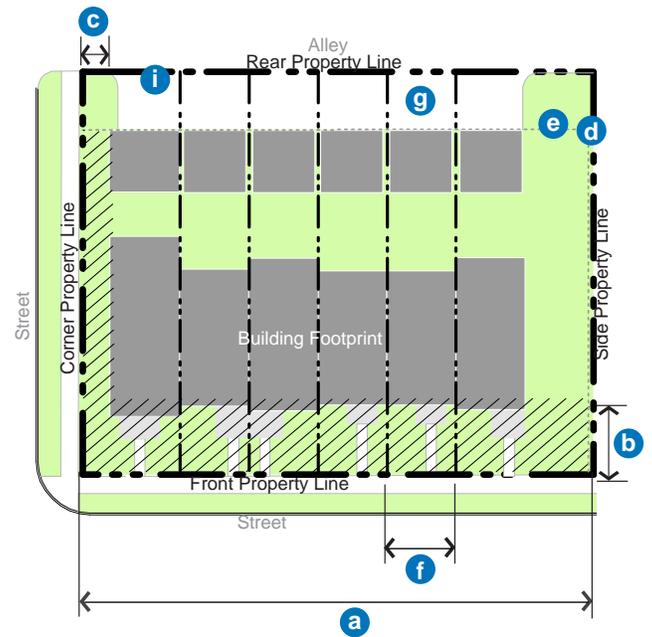
⁴ When the storefront entrance type is utilized, the maximum ground story transparency for the unit is 55% as measured between two feet and eight feet above grade.

⁵ The storefront entrance type is permitted only on corners or buildings that are designated for live/work units.

	Permitted Subdistricts		
	City Center "General" & Riverdale Road "General"	40th Street "General"	Edge
(1) Building Siting Refer to Figure 5.6 (1).			
Multiple Principal Buildings	permitted	permitted	permitted
a Front Sidewalk Coverage	65% ²	65% ²	65% ²
Occupation of Corner	required	required	required
b Front Build to Zone	0' to 10'	5' to 15'	10' to 20'
c Corner Build to Zone	0' to 10'	5' to 10'	5' to 10'
d Minimum Side Yard Setback	0' per unit; 10' between buildings	0' per unit; 15' between buildings	0' per unit; 15' between buildings
e Minimum Rear Yard Setback	5'	10' ³	15' ³
f Minimum Unit Width Maximum Building Width	18' per unit maximum of 10 units per building	20' per unit maximum of 8 units per building	22' per unit maximum of 6 units per building
g Parking	rear yard/facade	rear yard/facade	rear yard/facade
i Vehicular Access	From alley; if no alley exists, 1 driveway per building per street frontage. From alley on Washington Boulevard, 40th Street, and Riverdale Road, unless in Edge Subdistrict.		
(2) Height Refer to Figure 5.6 (2).			
j Minimum Overall Height	2 story	2 story	2 story
k Maximum Overall Height	4 stories	4 stories	3.5 stories
l All Stories: Minimum Height Maximum Height	9' 14'	9' 14'	9' 14'
(3) Uses Refer to Figure 5.6 (2). Refer to 4.0 Uses for permitted uses.			
n Ground Story	residential, service, office, limited craftsman industrial	residential, service, office, limited craftsman industrial	residential only
o Upper Story	residential only		
p Parking within Building	permitted fully in basement and in rear of all floors		
q Required Occupied Space	30' deep on all full floors from the front facade		
(4) Street Facade Requirements Refer to Figure 5.6 (3).			
r Minimum Transparency per each Story	15% ⁴	15%	15%
Blank Wall Limitations	required, see 5.2.4 (2)		
t Front Facade Permitted Entrance Type	stoop, porch, limited storefront ⁵	stoop, porch, limited storefront ⁵	stoop, porch
u Principal Entrance Location per Unit	front or corner side facade		
Vertical Facade Divisions	not required		
Horizontal Facade Divisions	for buildings over 3 stories, required within 3' of the top of any visible basement or ground story		
(5) Roof Type Requirements Refer to Figure 5.6 (3).			
v Permitted Roof Types	parapet, pitched, flat	parapet, pitched, flat	parapet, pitched, flat
Tower	permitted	permitted	permitted



Site Plan with Rear Access Attached Garage



Site Plan with Rear Yard & Detached Garage

Figure 5.6 (1) Row Building: Building Siting

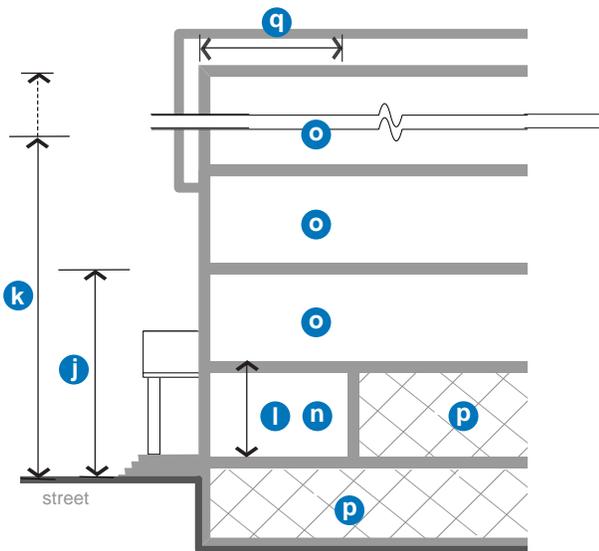


Figure 5.6 (2). Row Building: Height & Use Requirements

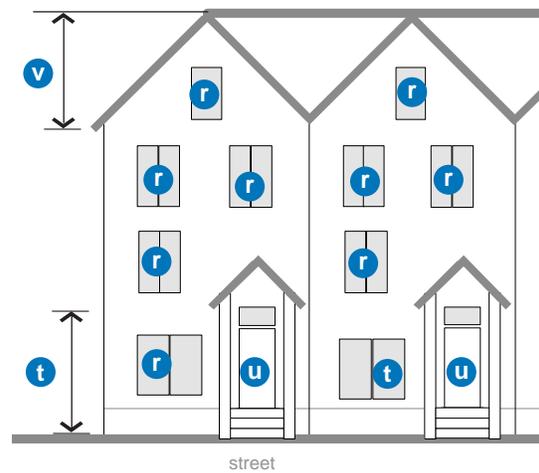


Figure 5.6 (3). Row Building: Street Facade Requirements

5.0 Building Types

5.7. Yard Building

1. Description & Intent

The Yard Building is a mainly residential building, incorporating a landscaped yard surrounding all sides of the building. Parking and garages are limited to the rear only with preferred access from an alley.

The Yard Building can be utilized in newly developing locations to create somewhat denser traditional neighborhoods, or as a buffer to existing neighborhoods.

2. Regulations

Regulations for the Yard Building Type are defined in the adjacent table.



Notes

¹ Each building shall meet all requirements of the Building Type.

² When multiple buildings are located on a single lot, each building shall meet the front property line coverage requirement, except one of every three buildings may front a courtyard with a minimum width of 30 feet. The courtyard shall be defined on three sides by units.

³ Rear yard setback for detached garages on alleys is five feet.

Permitted Subdistricts	
Edge	

(1) Building Siting <small>Refer to Figure 5.7 (1).</small>	
Multiple Principal Buildings	permitted ¹
a Front Sidewalk Coverage	65% ²
Occupation of Corner	required
b Front Setback	15'
c Corner Setback	7.5'
d Minimum Side Yard Setback	5'
e Minimum Rear Yard Setback	15' ³
f Minimum Lot Width Maximum Lot Width	30' 60'
g Parking	rear yard/facade
i Vehicular Access	From alley; if no alley exists, 1 driveway per street frontage
(2) Height <small>Refer to Figure 5.7 (2).</small>	
j Minimum Overall Height	1.5 story
k Maximum Overall Height	3.5 stories
l All Stories: Minimum Height Maximum Height	9' 14'
(3) Uses <small>Refer to Figure 5.7 (2). Refer to 4.0 Uses for permitted uses.</small>	
n All Stories	residential
p Parking within Building	permitted fully in basement and in rear of all floors
q Required Occupied Space	25' deep on all full floors from the front facade
(4) Street Facade Requirements <small>Refer to Figure 5.7 (3).</small>	
r Minimum Transparency per each Story	15%
Blank Wall Limitations	required, see 5.2.4 (2)
t Front Facade Entrance Type	stoop, porch
u Principal Entrance Location per Unit	front, corner, or corner side facade
Required Number of Street Entrances	not required
Vertical Facade Divisions	not required
Horizontal Facade Divisions	not required
(5) Roof Type Requirements <small>Refer to Figure 5.7 (3).</small>	
v Permitted Roof Types	parapet, pitched, flat
Tower	not permitted

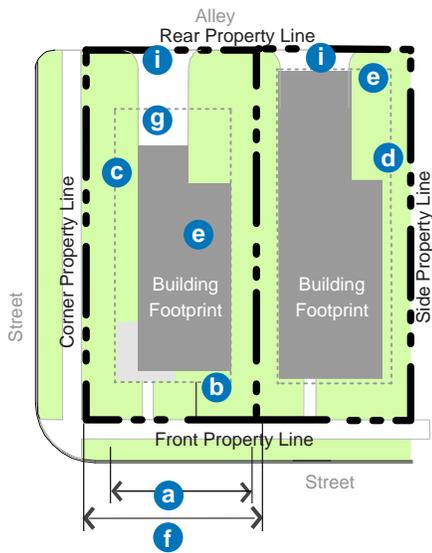


Figure 5.7 (1) Yard Building: Building Siting

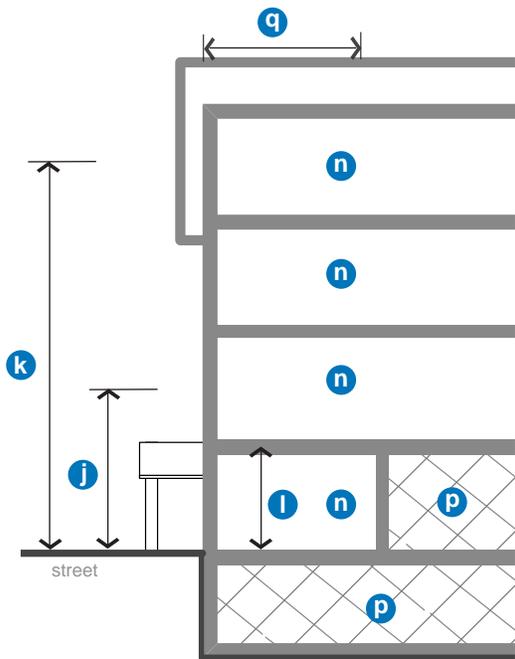


Figure 5.7 (2). Yard Building: Height and Use Requirements

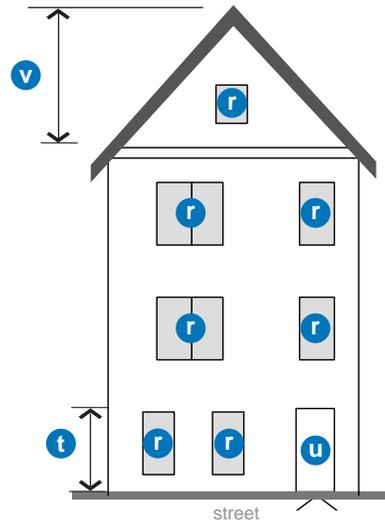


Figure 5.7 (3). Yard Building: Street Facade Requirements

5.0 Building Types

5.8. Civic Building

1. Description & Intent

The Civic Building is the most flexible Building Type intended only for civic and institutional types of uses. These buildings are distinctive within the urban fabric created by the other Building Types and could be designed as iconic structures. In contrast to most of the other Building Types, a minimum setback line is required instead of a build to zone, though this setback is required to be landscaped. Parking is limited to the rear in most cases.

The minimum and maximum heights of this Building Type depend on the subdistrict within which it is located.

2. Regulations

Regulations for the Civic Building type are defined in the adjacent table.



Notes

¹ Lots wider than 140 feet are permitted one double-loaded aisle of parking (maximum width of 72 feet), located perpendicular to the front property line, which is exempt from front property line coverage.

² If 18 feet or more in height, ground story shall count as two stories towards maximum building height.

	Permitted Subdistricts				
	City Center "Core"	City Center "General"	Riverdale Road "General"	40th Street General	Edge
(1) Building Siting Refer to Figure 5.8 (1).					
Multiple Principal Buildings	permitted				
Front Sidewalk Coverage	not required				
Occupation of Corner	not required				
b Front Setback	5'	10'	10'	10'	5''
c Corner Setback	0'	5'	5'	5'	5'
d Minimum Side Yard Setback	5'	5'	5'	5'	5'
e Minimum Rear Yard Setback	5'	5'	5'	5'	5'
f Minimum Lot Width Maximum Lot Width	50' none	50' none	50' none	50' none	50' none
g Parking & Loading	rear	rear	rear & interior side yard ¹	rear & interior side yard ²	rear & interior side yard ¹
i Vehicular Access	From alley; if no alley exists, 1 driveway per street frontage				
(2) Height Refer to Figure 5.8 (2).					
j Minimum Overall Height	1 story	1 story	1 story	1 story	1 story
k Maximum Overall Height	5 stories	5 stories	5 stories	3 stories	2 stories
l All Stories: Minimum Height Maximum Height	9' 20' ²	9' 20' ²	9' 20' ²	9' 20' ²	9' 20' ²
(3) Uses Refer to Figure 5.8 (2). Refer to 4.0 Uses for permitted uses.					
n All Stories	limited to civic & institutional uses only				
p Parking within Building	permitted fully in basement and in rear of upper floors				
q Required Occupied Space	30' deep on all full floors from the front facade				
(4) Street Facade Requirements Refer to Figure 5.8 (3).					
r Minimum Transparency per each Story	10%				
Blank Wall Limitations	not required				
t Front Facade Permitted Entrance Type	arcade, stoop				
u Principal Entrance Location	front or corner facade	front or corner facade	front or corner facade	front or corner facade	front or corner facade
Required Number of Primary Street Entrances	1 per 100' of facade	1 per 150' of facade	1 per 150' of facade	1 per 150' of facade	1 per 150' of facade
Vertical Facade Divisions	not required				
Horizontal Facade Divisions	not required				
(5) Roof Type Requirements Refer to Figure 5.8 (3).					
v Permitted Roof Types	parapet, pitched, flat; other roof types are permitted by Conditional Use				
w Tower	permitted				

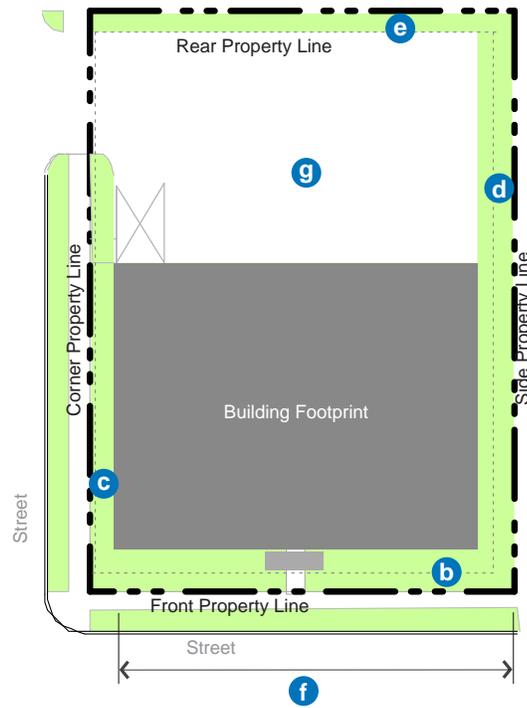


Figure 5.8 (1). Civic Building: Building Siting

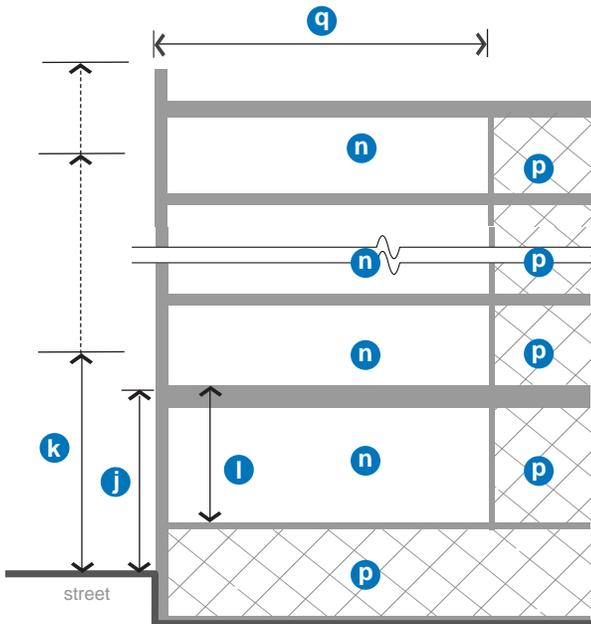


Figure 5.8 (2). Civic Building: Height and Use Requirements

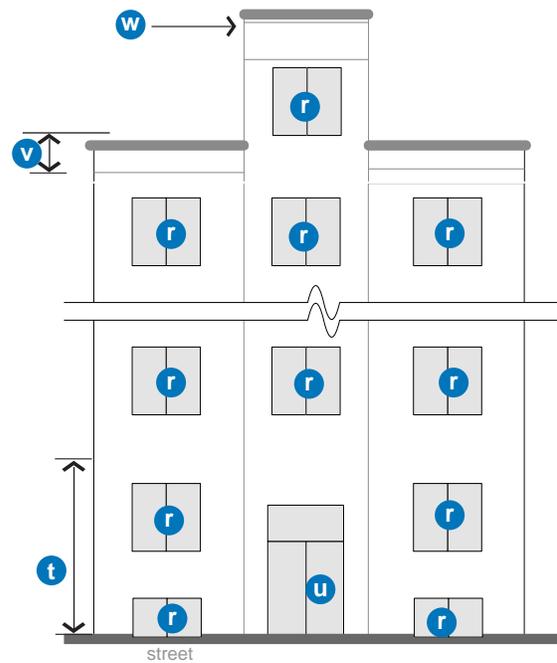


Figure 5.8 (3). Civic Building: Street Facade Requirements

5.0 Building Types

5.9 Entrance Types.

Entrance type standards apply to the ground story and visible basement of front facades of all Building Types as defined in this Section. Refer to the Building Type Table Requirements, Sections 5.3 through 5.8.

1. General.

The following provisions apply to all entrance types.

- (1) Intent. To guide the design of the ground story of all buildings to relate appropriately to pedestrians on the street. Treatment of other portions of the building facades is detailed in each Building Type standard (refer to Building Types 5.3 through 5.8).
- (2) Applicability. The entire ground story street-facing facade(s) of all buildings shall meet the requirements of at least one of the permitted entrance types, unless otherwise stated.
- (3) Measuring Transparency. Refer to 5.2 Explanation of Building Type Table Standards, for information on measuring building transparency.
- (4) Visible Basements. Visible basements, permitted by entrance type, are optional. The visible basement shall be a maximum of one-half the height of the tallest story.

2. Storefront Entrance Type.

(Refer to Figure 5.9 (1)). The Storefront entrance type is a highly

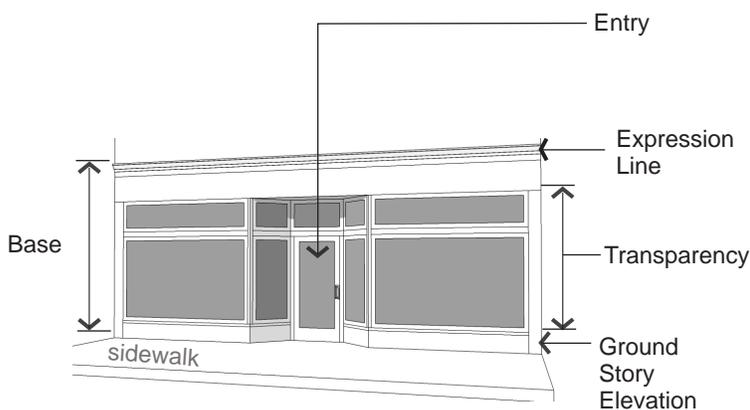


Figure 5.9 (1). Storefront Entrance Type

transparent ground story treatment designed to serve primarily as the display area and primary entrance for retail or service uses.

- (1) Transparency. Minimum transparency is required per Building Type.
- (2) Elevation. Storefront elevation shall be between zero and two feet above sidewalk.
- (3) Visible Basement. A visible basement is not permitted.
- (4) Horizontal Facade Division. Horizontally define the ground story facade from the upper stories.
- (5) Entrance. All entries shall be recessed from the front facade closest to the street.
 - (a) Recess shall be a minimum of three feet and a maximum of eight feet deep, measured from the portion of the front facade closest to the street.
 - (b) When the recess falls behind the front build-to zone, the recess shall be no wider than eight feet.

3. Arcade Entrance Type.

(Refer to Figure 5.9 (2)). An Arcade entrance type is a covered pedestrian walkway within the recess of a ground story.

- (1) Arcade. An open-air public walkway is required to be recessed into the building, from the face of the building, a minimum of eight and a maximum of 15 feet.

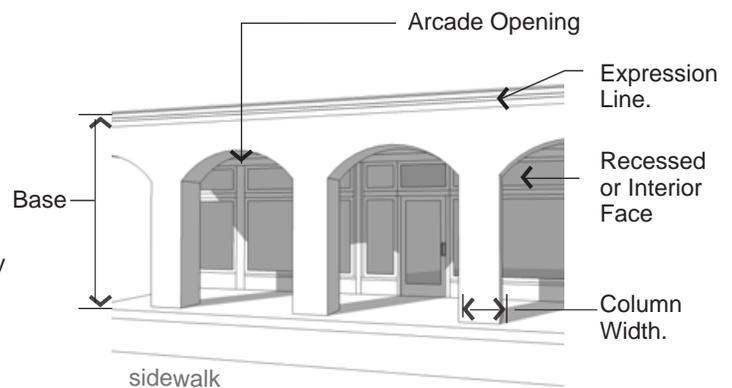


Figure 5.9 (2). Arcade Entrance Type

- (2) Build-to Zone. When the Arcade is utilized, the outside face of the Arcade shall be considered the front facade, located within the required build-to zone.
- (3) Recessed or Interior Facade. Storefront entrance type is required on the recessed ground story facade.
- (4) Column Spacing. Columns shall be spaced between ten feet and 18 feet on center.
- (5) Column Width. Columns shall be a minimum of 1'-8" and a maximum 2'-4" in width.
- (6) Arcade Opening. Opening shall not be flush with interior arcade ceiling and may be arched or straight.
- (7) Horizontal Facade Division. Horizontally define the ground story facade from the upper stories.
- (8) Visible Basement. A visible basement is not permitted.

4. Stoop Entrance Type.

(Refer to Figure 5.9 (3)). A stoop is an unroofed, open platform.

- (1) Transparency. Minimum transparency is required per Building Type.
- (2) Stoop Size. Stoops shall be a minimum of three feet deep and six feet wide.

- (3) Elevation. Stoop elevation shall be located a maximum of 2'-6" above the sidewalk without visible basement and a maximum of 4'-6" above the sidewalk with a visible basement.
- (4) Visible Basement. A visible basement is permitted and shall be separated from the ground story by an expression line.
- (5) Entrance. All entries shall be located off a stoop.

5. Porch Entrance Type.

(Refer to Figure 5.9 (4)). A porch is a raised, roofed platform that may or may not be enclosed on all sides. If enclosed, the space shall not be climate controlled.

- (1) Transparency.
 - (a) Minimum transparency per Building Type is required.
 - (b) If enclosed, a minimum of 40% of the enclosed porch shall be comprised of highly transparent, low reflectance windows.
- (2) Porch Size. The porch shall be a minimum of five feet deep and eight feet wide.
- (3) Elevation. Porch elevation shall be located a maximum of 2'-6" above the sidewalk without a visible basement and a maximum of 4'-6" above the sidewalk with a visible basement.
- (4) Visible Basement. A visible basement is permitted.
- (5) Height. Porch may be two stories to provide a balcony on the second floor.
- (6) Entrance. All entries shall be located off a porch.

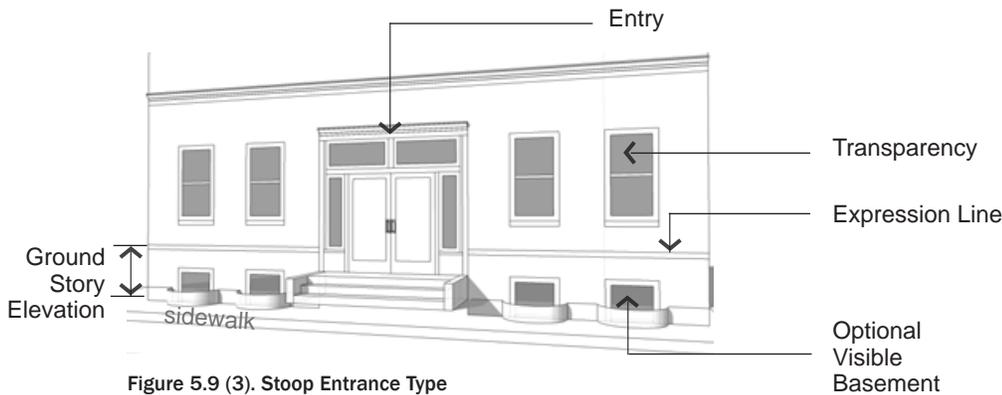


Figure 5.9 (3). Stoop Entrance Type

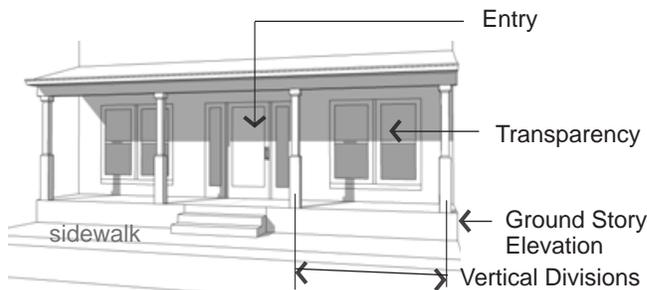


Figure 5.9 (4). Porch Entrance Type

5.0 Building Types

5.10 Roof Types.

Roof type standards apply to the roof and cap of all Building Types as defined in this Section. Refer to the Building Type Table Requirements, Sections 5.3 through 5.8.

1. General Provisions.

The following provisions apply to all roof types.

- (1) Intent. To guide the design of the cap of all buildings.
- (2) Applicability. All buildings shall meet the requirements of one of the roof types permitted for the Building Type.
- (3) Measuring Height. Refer to Section 5.2.2 for information on measuring building height.
- (4) Other Roof Types. Other building caps not listed as a specific type may be made by a request to the City Manager or Designee with the following requirements:
 - (a) The roof type shall not create additional occupiable space beyond that permitted by the Building Type.
 - (b) The shape of the Roof Type shall be significantly different from those defined in this section 5.10 Roof Types, i.e. a dome, spire, vault.
 - (c) The building shall warrant a separate status within the community from the fabric of surrounding buildings, with a correspondence between the form of the roof type and the meaning of the building use.

2. Parapet Roof Type.

(Refer to Figure 5.10 (1), Parapet Roof Type). A parapet is a low wall projecting above a building's roof along the perimeter of the building. It can be utilized with a flat or low pitched roof and also serves to limit

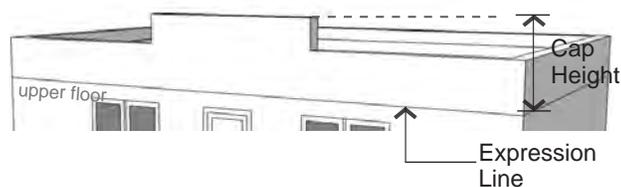


Figure 5.10 (1). Parapet Roof Type

the view of roof-top mechanical systems from the street.

- (1) Parapet Height. Height is measured from the top of the upper story to the top of the parapet.
 - (a) Minimum height is two feet with a maximum height of six feet.
 - (b) The parapet shall be high enough to screen the roof and any roof appurtenances from view of the street(s).
- (2) Horizontal Expression Lines. An expression line shall define the parapet from the upper stories of the building and shall also define the top of the cap.
- (3) Occupied Space. Occupied space shall not be incorporated behind this roof type.

3. Pitched Roof Type.

(Refer to Figure 5.10 (2), Pitched Roof Type). This roof type has a sloped or pitched roof. Slope is measured with the vertical rise divided by the horizontal span or run.

- (1) Pitch Measure. The roof may not be sloped less than a 4:12 (rise:run) or more than 16:12.
 - (a) Slopes less than 4:12 are permitted to occur on second story or higher roofs. (Refer to Figure 5.10 (2) - Low Pitched Roof).
- (2) Configurations.
 - (a) Hipped, gabled, and combination of hips and gables with or without dormers are permitted.
 - (b) Butterfly roofs (inverted gable roof) are permitted with a maximum height of eight feet, inclusive of overhang.
 - (c) Gambrel and mansard roofs are not permitted.
- (3) Parallel Ridge Line. A gabled end or perpendicular ridge line shall occur at least every 100 feet of roof when the ridge line runs

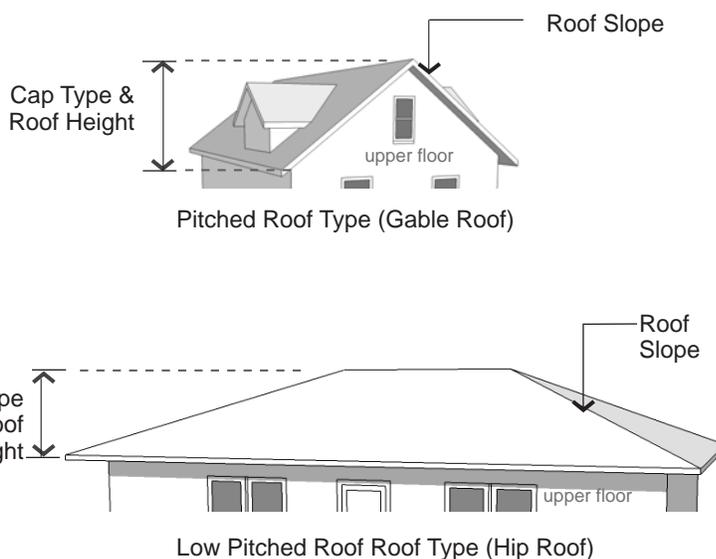


Figure 5.10 (2). Pitched Roof Type

parallel to the front lot line. (Refer to Figure 5.10 (3). Parallel Ridge Line).

- (4) Roof Height. Roofs without occupied space and/or dormers shall have a maximum height on street-facing facades equal to the maximum floor height permitted for the Building Type.
- (5) Occupied Space. Occupied space may be incorporated behind this roof type.

4. Flat Roof Type.

(Refer to Figure 5.10 (4). Flat Roof Type). This roof type has a flat roof with overhanging eaves.

- (1) Configuration. Roofs with no visible slope are acceptable. Eaves are required on all street facing facades.
- (2) Eave Depth. Eave depth is measured from the building facade to the outside edge of the eave. Eaves shall have a depth of at least 14 inches.
- (3) Eave Thickness. Eave thickness is measured at the outside edge of the eave, from the bottom of the eave to the top of the eave. Eaves shall be a minimum of eight inches thick.
- (4) Interrupting Vertical Walls. Vertical walls may interrupt the eave and extend above the top of the eave with no discernible cap.
 - (a) No more than one-half of the front facade can consist of an interrupting vertical wall.
 - (b) Vertical walls shall extend no more than four feet above the top of the eave.



Figure 5.10 (3). Parallel Ridge Line

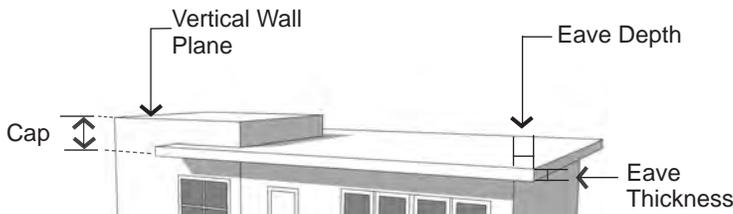


Figure 5.10 (4). Flat Roof Type

- (3) Occupied Space. Occupied space shall not be incorporated behind this roof type.

5. Towers.

(Refer to Figure 5.10 (5) Tower). A tower is a rectilinear or cylindrical, vertical element, that must be used with other roof types.

- (1) Quantity. All Building Types, with the exception of the Civic Building, are limited to one tower per building.
- (2) Tower Height. Maximum height, measured from the top of the parapet or eave to the top of the tower, is the equivalent of the height of one upper floor of the building to which the tower is applied.
- (3) Tower Width. Maximum width along all facades is one-third the width of the front facade or 30 feet, whichever is less.
- (4) Horizontal Expression Lines. An expression line shall define the tower from the upper stories, except on single family or attached house residential Building Types.
- (5) Occupied Space. Towers may be occupied by the same uses allowed in upper stories of the Building Type to which it is applied.
- (6) Application. May be combined with all other roof types.
- (7) Tower Cap. The tower may be capped by the parapet, pitched, low pitched, or flat roof roof types, or the spire may cap the tower.

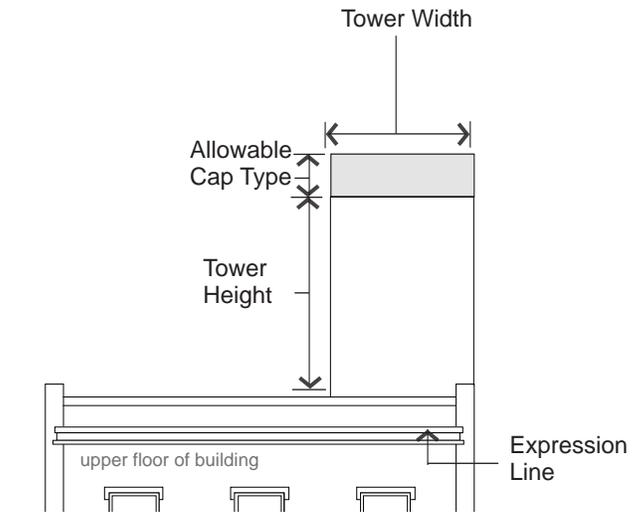


Figure 5.10 (5). Tower

5.0 Building Types

5.11 Additional Design Requirements.

The following outlines the subdistrict design guidelines that affect a building's appearance and subdistrict cohesiveness. They improve the physical quality of buildings, enhance the pedestrian experience, and protect the character of the neighborhood.

1. Materials and Color.

- (1) Primary Facade Materials. 80% of each facade shall be constructed of primary materials. For facades over 100 square feet, more than one material shall be used to meet the 80% requirement.
 - (a) Permitted primary building materials include high quality, durable, natural materials, such as stone, brick; wood lap siding; fiber cement board lapped, shingled, or panel siding; glass. Other high quality synthetic materials may be approved during the site plan process with an approved sample and examples of successful, high quality local installations. Refer to Figure 5.11 (1).

- (2) Secondary Facade Materials. Secondary materials are limited to details and accents and include gypsum reinforced fiber concrete for trim and cornice elements; metal for beams, lintels, trim, and ornamentation, and exterior architectural metal panels and cladding.
 - (a) Exterior Insulation and Finishing Systems (EIFS) is permitted for trim only or on upper floor facades only.
- (3) Roof Materials. Acceptable roof materials include 300 pound or better, dimensional asphalt composite shingles, wood shingles and shakes, metal tiles or standing seam, slate, and ceramic tile. "Engineered" wood or slate may be approved during the site plan process with an approved sample and examples of successful, high quality local installations. Refer to Figure 5.11 (2).
- (4) Color. Main building colors shall be complementary to existing building stock.
- (5) Appropriate Grade of Materials. Commercial quality doors, windows, and hardware shall be used on all Building Types with



Primary Materials: Brick



Primary Materials: Stone



Primary Materials: Painted Wood



Roof Materials: Asphalt Composite Shingles



Roof Materials: Ceramic Tile

Figure 5.11 (1). Primary Materials.

Figure 5.11 (2). Roof Materials.

the exception of the Row Building and the Yard Building. Refer to Figure 5.11 (3).

2. Windows, Awnings, and Shutters.

- (1) Windows. All upper story windows on all historic, residential, and mixed use buildings shall be recessed, double hung. Percent of transparency is required per Building Type.
- (2) Awnings. All awnings shall be canvas or metal. Plastic awnings are not permitted. Awning types and colors for each building face shall be coordinated. Refer to Figure 5.11 (4).
- (3) Shutters. If installed, shutters, whether functional or not, shall be sized for the windows. If closed, the shutters shall not be too small for complete coverage of the window. Shutters shall be wood. "Engineered" wood may be approved by City Manager or Designee during the site plan process with an approved sample and examples of successful, high quality local installations.



Permitted Awnings: Metal



Prohibited: Residential Grade Doors on Commercial Buildings.



Permitted Awnings: Canvas



Permitted: Commercial Grade Doors & Windows on Commercial Buildings.



Prohibited Awnings: Plastic

Figure 5.11 (3).Commercial Grade Doors & Windows.

Figure 5.11 (4). Awnings.

5.0 Building Types

3. Balconies.

The following applies in all locations where balconies are incorporated into the facade design facing any street or parking lot. Refer to Figure 5.11 (5).

- (1) **Size.** Balconies shall be a minimum of six feet deep and five feet wide.
- (2) **Connection to Building.** Balconies that are not integral to the facade shall be independently secured and unconnected to other balconies.
- (3) **Facade Coverage.** A maximum of 40% of the front and corner side facades, as calculated separately, may be covered with balconies, including street-facing railing and balcony structure.

4. Treatments at Terminal Vistas.

When a street terminates at a parcel, the parcel shall be occupied by one of the following:

- (1) If the parcel is open space, any Open Space Type with the exception of the Pocket Park shall be utilized and a vertical element shall be terminate the view. Acceptable vertical elements include a stand or grid of trees, a sculpture, or a fountain.
- (2) If the parcel is not utilized as an Open Space Type, the front or corner side of a building, whether fronting a Primary Street or not, shall terminate the view.



Figure 5.11 (5). Balconies Integral to Facade.



Figure 5.11 (7). Building Variety.

5. Building Variety.

Building design shall vary between vertical facade divisions, where required per the Building Types, and from adjacent buildings by the type of dominant material or color, scale, or orientation of that material and at least two of the following. Refer to Figure 5.11 (7) for one illustration of this requirement.

- (1) The proportion of recesses and projections.
- (2) The location of the entrance and window placement, unless storefronts are utilized.
- (3) Roof type, plane, or material, unless otherwise stated in the Building Type requirements.

6. Drive-through Structures.

Refer to Figure 5.11 (8) for one illustration of the following requirements.

- (1) **Application.** Drive-through structures are only allowed in the Riverdale Road “General” subdistrict.
- (2) **Structure/Canopy.** Drive-through structures or canopies shall be located on the rear facade of the building or in the rear of the lot behind the building, where permitted by use. The structure shall not be visible from any Primary Street.
- (3) **Stacking Lanes.** Stacking lanes shall be located perpendicular to the Primary Façade or behind the building.
- (4) The canopy and structure shall be constructed of the same materials utilized on the building.

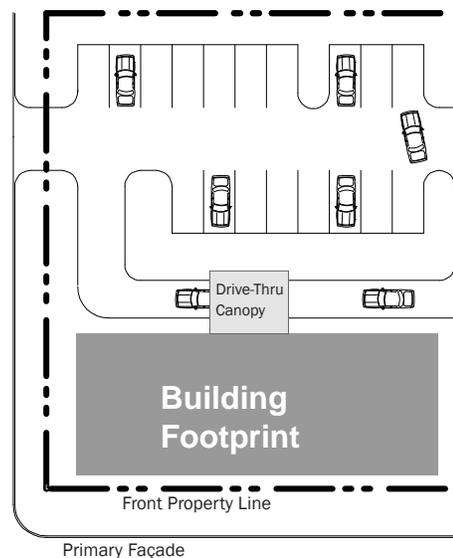


Figure 5.11 (8). Recommended Drive-Through Facility Layout.

6.0 Open Space Types

6.0 Open Space Types

6.1 General Requirements.

1. Intent.

To provide open space as an amenity that promotes physical and environmental health within the community and to provide each household with access to a variety of active and passive open space types.

2. General Requirements.

Development of parcels over 5 acres are required to provide 5% total lot size as civic open space. Developer shall work with City to determine appropriate location of open space.

- (1) All open space provided within any Core, General, or Edge Zoning Subdistrict shall comply with one of the Open Space Types defined by 6.2 through 6.8.
- (2) Access. All Open Space types shall provide public access from a vehicular right-of-way.
- (3) Location. Open Space Types shall be platted as a lot or, with permission of the City, may be located within the right-of-way. Open Space Types shall either be zoned as an open space zoning designation, or an adjacent zoning designation, such as Core, General, or Edge Zoning Subdistricts.
- (3) Fencing. Open Space Types may incorporate fencing provided that the following requirements are met.
 - (a) Height. Fencing shall be a maximum height of 48 inches, unless approved by the City Manager or Designee for such circumstances as proximity to railroad right-of-way and use around swimming pools, ball fields, and ball courts.
 - (b) Level of Opacity. Fence opacity shall be no greater than 60% except in Edge subdistricts where opacity shall be no greater than 80%.
 - (c) Type. Chain-link fencing is not permitted along any street frontage, with the exception of dedicated sports field or court fencing approved by the City Manager or Designee.
 - (d) Spacing of Openings. Openings or gates shall be provided on every street face at key locations and intersections, and at a minimum of every 200 feet.
- (4) Ownership. Open Space Types may either be publicly or privately owned.
- (5) Parking Requirements. Parking shall not be required for any Open Space Type, unless a use other than open space is determined by the City Manager or Designee.
- (6) Continuity. Connections to existing or planned trails or open space types shall be made when the Open Space abuts an existing or planned trail right-of-way or other civic open space type.

3. Definition of Requirements.

The following further explains or defines the requirements included in Tables 6.2 (1) through 6.8 (1) for each Open Space Type. Refer to each table for the specific requirements of each Open Space Type.

- (1) Size.
 - (a) Minimum Size. The minimum size of the Open Space Type is measured within the parcel lines of the property.
 - (b) Maximum Size. The maximum size of the Open Space Type is measured within the parcel lines of the property.
 - (c) Minimum Dimension. The minimum length or width of the Open Space Type, as measured along the longest two straight lines intersecting at a right angle defining the maximum length and width of the lot. Refer to Figure 6.1 (1).
- (2) Minimum Percentage of Vehicular Right-of-Way Frontage Required. The minimum percentage of the civic open space perimeter, as measured along the outer parcel line, that shall be located directly adjacent to a vehicular right-of-way, excluding alley frontage. This requirement provides access and visibility to the Open Space.
- (3) Adjacent Parcels. Parcels directly adjacent to as well as directly across the street from an Open Space Type.
 - (a) Frontage Orientation of Adjacent Parcels. The preferred orientation of the adjacent parcels' frontages to the civic open space. Front, corner side, side, and rear refers to the property line either adjacent to the Open Space or facing the Open Space across the street.
- (4) Improvements. The following types of development and improvements may be permitted on an Open Space Type.
 - (a) Designated Sports Fields Permitted. Sports fields, ball courts, or structures designated for one or more particular sports including, but not limited to, baseball fields, softball fields, soccer fields, basketball courts, football fields, tennis courts, climbing walls, and skate parks are permitted.
 - (b) Playgrounds Permitted. Playgrounds include a defined area with play structures and equipment typically for children under 12 years of age, such as slides, swings, climbing structures.
 - (c) Fully Enclosed Structures Permitted. Fully enclosed structures may include such uses as park offices, maintenance sheds, community centers, and restrooms.
 - (i) Maximum Area. For some civic open space types, fully enclosed structures are permitted, but limited to a maximum building coverage as a percentage of the open space area.
 - (ii) Semi-Enclosed Structures. Open-air structures, such as gazebos, are permitted in all open space types.
 - (d) Maximum Percentage of Open Water Body. The maximum amount of area within an Open Space Type that may be covered by an open water body, including, but not limited to, ponds, lakes, and pools.

4. Stormwater in Open Space Types.

Stormwater management practices, such as storage and retention facilities, may be integrated into Open Space Types and utilized to meet stormwater requirements for surrounding parcels.

- (1) **Stormwater Features.** Stormwater features in civic open space may be designed as formal or natural amenities with additional uses other than stormwater management, such as an amphitheater, sports field, or a pond or pool as part of the landscape design. Stormwater features shall not be fenced and shall not impede public use of the land they occupy. Stormwater facilities shall be designed for public safety so that in the case of a storm event so that water depths are minimized.
- (2) **Qualified Professional.** A qualified landscape design professional, such as a landscape architect or certified landscape designer, shall be utilized to incorporate stormwater features into the design of the civic open spaces.



Figure 6.2 (1). Typical Plaza.

6.2 Plaza.

1. Intent.

To provide a formal Open Space of medium scale to serve as a gathering place for civic, social, and commercial purposes. The Plaza may contain a greater amount of impervious coverage than any other Open Space Type. Special features, such as fountains and public art installations, are encouraged.

2. Plaza Requirements

(1) Dimensions

Minimum Size (acres)	0.05
Maximum Size (acres)	1.5
Minimum Dimension (feet)	30'
Minimum % of Vehicular ROW Frontage Required	50%; 80% building frontage required on non-street frontage

(2) Adjacent Parcels

Permitted Subdistricts	All
Frontage Orientation of Adjacent Parcels	Front or Corner Side

(3) Improvements

Designated Sports Fields Permitted	Not permitted
Playgrounds Permitted	Not permitted
Fully Enclosed Structures Permitted	Permitted; maximum 5% of area
Maximum % of Open Water	50%

(4) Additional Design Requirements

- (a) **Minimum Building Frontage.** At least 80% of the plaza's perimeter that does not front on vehicular right-of-way shall be lined by building frontages.
- (b) **Fully Enclosed Structures Permitted.** Fully enclosed structures are permitted, and are allowed to cover a maximum of 5% of the total area of the plaza.

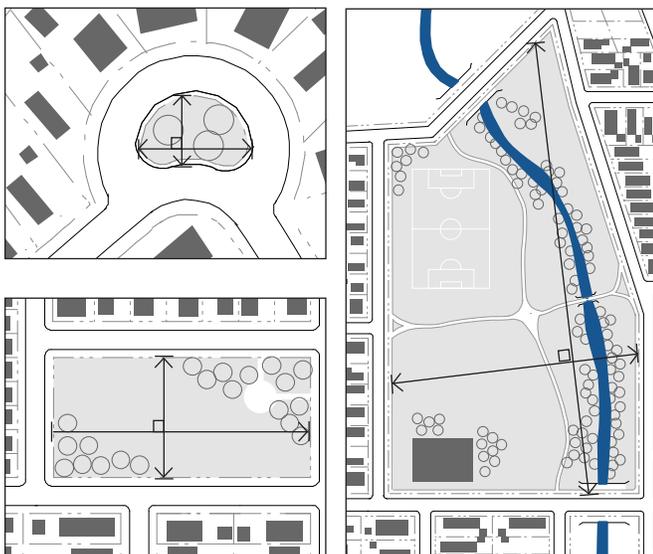


Figure 6.1 (1). Examples of Measuring the Minimum Dimension of Open Space Types.

6.0 Open Space Types

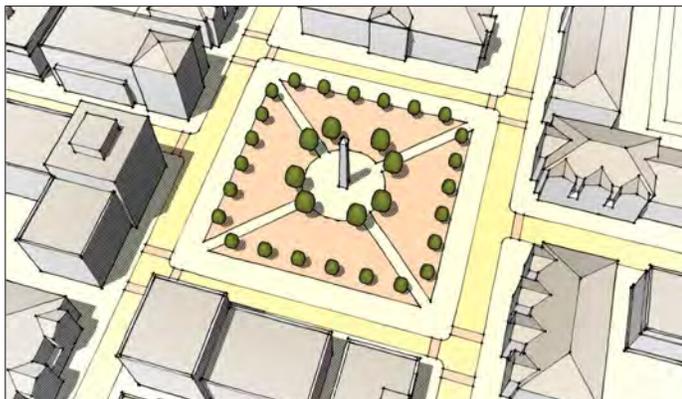


Figure 6.3 (1). Typical Square.

6.3 Square.

1. Intent.

To provide a formal Open Space of medium scale to serve as a gathering place for civic, social, and commercial purposes. Squares are rectilinear in shape and are bordered on all sides by a vehicular right-of-way, which together with building facades creates its definition.

2. Square Requirements	
(1) Dimensions	
Minimum Size (acres)	0.25
Maximum Size (acres)	3
Minimum Dimension (feet)	80'
Minimum % of Vehicular ROW Frontage Required	100%
(2) Adjacent Parcels	
Permitted Districts	City Center "Core" City Center "General" 40th Street "General"
Frontage Orientation of Adjacent Parcels	Front or Corner Side
(3) Improvements	
Designated Sports Fields Permitted	Not permitted
Playgrounds Permitted	Not permitted
Fully Enclosed Structures Permitted	Permitted; maximum 5% of area
Maximum % of Open Water	30%
(4) Additional Design Requirements	

(a) Fully Enclosed Structures Permitted. Fully enclosed structures are permitted, and are allowed to cover a maximum of 5% of the total area of the Square.



Figure 6.4 (1). Typical Green Layout.

6.4 Green.

1. Intent.

To provide informal, medium scale active or passive recreation for neighborhood residents within walking distance, mainly fronted by streets..

2. Green Requirements	
(1) Dimensions	
Minimum Size (acres)	0.25
Maximum Size (acres)	2
Minimum Dimension (feet)	80'
Minimum % of Vehicular ROW Frontage Required	100%; 50% for over 1.25 acres
(2) Adjacent Parcels	
Permitted Subdistricts	All
Frontage Orientation of Adjacent Parcels	Front or Corner Side
(3) Improvements	
Designated Sports Fields Permitted	Not permitted
Playgrounds Permitted	Permitted
Fully Enclosed Structures Permitted	Permitted; maximum 5% of area
Maximum % of Open Water	30%



Figure 6.5 (1). Typical Commons Layout.



Figure 6.6 (1). Typical Pocket Park Layout.

6.5 Commons.

1. Intent.

To provide an informal, small to medium scale space for active or passive recreation for a limited neighborhood area. Commons are typically internal to a block and tend to serve adjacent residents.

2. Commons Requirements	
(1) Dimensions	
Minimum Size (acres)	0.25
Maximum Size (acres)	1.5
Minimum Dimension (feet)	45'
Minimum % of Vehicular ROW Frontage Required	0%; 2 access points required, minimum width each of 20'
(2) Adjacent Parcels	
Permitted Subdistricts	All
Frontage Orientation of Adjacent Parcels	Side or Rear
(3) Improvements	
Designated Sports Fields Permitted	Not permitted
Playgrounds Permitted	Permitted
Fully Enclosed Structures Permitted	Not permitted
Maximum % of Open Water	30%
(4) Additional Design Requirements	

(a) Access Points. Commons shall have a minimum of two access points from a vehicular right-of-way. Each access point shall have a minimum width of 20 feet.

6.6 Pocket Park Open Space Type.

1. Intent.

To provide small scale, primarily landscaped active or passive recreation and gathering space for neighborhood residents within walking distance.

2. Pocket Park Requirements	
(1) Dimensions	
Minimum Size (acres)	0.05
Maximum Size (acres)	1
Minimum Dimension (feet)	None
Minimum % of Vehicular ROW Frontage Required	15%
(2) Adjacent Parcels	
Permitted Subdistricts	All
Frontage Orientation of Adjacent Parcels	Any
(3) Improvements	
Designated Sports Fields Permitted	Not permitted
Playgrounds Permitted	Permitted
Fully Enclosed Structures Permitted	Not permitted
Maximum % of Open Water	30%

6.0 Open Space Types



Figure 6.7 (1). Typical Park.

6.7 Park.

1. Intent.

To provide informal active and passive large-scale recreational amenities to local residents and the greater region. Parks have primarily natural plantings and are frequently created around an existing natural feature such as a water body or stands of trees.

2. Park Requirements	
(1) Dimensions	
Minimum Size (acres)	1
Maximum Size (acres)	None
Minimum Dimension (feet)	100'
Minimum % of Vehicular ROW Frontage Required	30%; up to 5 acres; 20% over 5 acres
(2) Adjacent Parcels	
Permitted Subdistricts	City Center "General" 40th Street "General" Riverdale Road "General" Edge
Frontage Orientation of Adjacent Parcels	Any
(3) Improvements	
Designated Sports Fields Permitted	Permitted
Playgrounds Permitted	Permitted
Fully Enclosed Structures Permitted	Permitted, maximum 5% of area
Maximum % of Open Water	30%
(4) Additional Design Requirements	
(1) Vehicular Right-of-Way Frontage of Parks Less Than 5 Acres. At least 30% of the park shall continuously front on a vehicular right-of-way.	
(2) Vehicular Right-of-Way Frontage of Parks Larger Than 5 Acres. At least 20% of the park shall continuously front on a vehicular right-of-way.	



Figure 6.8 (1). Typical Greenway.

6.8 Greenway.

1. Intent.

To provide informal, primarily natural linear open spaces that serve to enhance connectivity between open space types and other uses. Greenways are linear open spaces that often follow a natural feature, such as a river, stream, ravine, or man-made feature, such as a vehicular right-of-way. A greenway may border other open space types.

2. Greenway Requirements	
(1) Dimensions	
Minimum Size (acres)	1
Maximum Size (acres)	None
Minimum Dimension (feet)	30'; recommended minimum average width 50'
Minimum % of Vehicular ROW Frontage Required	0%; 1 access point required per quarter mile of length, minimum 20' width
(2) Adjacent Parcels	
Permitted Subdistricts	All
Frontage Orientation of Adjacent Parcels	Any
(3) Improvements	
Designated Sports Fields Permitted	Permitted
Playgrounds Permitted	Permitted
Fully Enclosed Structures Permitted	Not permitted
Maximum % of Open Water	30%

7.0 Landscape Standards

7.0 Landscape Standards

7.1 General Requirements.

1. Intent.

The landscape standards outlined in this section are designed to meet the following set of goals.

- (1) To provide for healthy, long-lived street trees within all public ways to improve the appearance of streets and create a buffer between pedestrian and vehicular travel lanes.
- (2) To increase the compatibility of adjacent uses and minimize the adverse impacts created by adjoining or neighboring uses.
- (3) Refer to South Ogden City Code, Title 10, Chapter 23 for landscape regulations regarding water efficient landscaping, tree and plant types and sizes, and other elements related to efficient landscape design standards.
- (4) To shade large expanses of pavement and reduce the urban heat island effect.

2. Applicability.

Landscaping, trees, and buffers shall be installed as detailed in this section.

- (1) General Compliance. Application of this section to existing uses shall occur with the following developments.
 - (a) Any development of new or significant improvements to existing parking lots, loading facilities, and driveways. Significant improvements include new driveways, new spaces, new medians, new loading facilities, or complete reorganization of the parking and aisles.
 - (b) Alteration to an existing principal or accessory structure that results in a change of 15% or more in the structure's gross floor area.
 - (c) When compliance is triggered for existing parking lots, landscape improvements shall take precedence over parking requirements.
- (2) Buffers. Landscape buffers are required according to the provisions in this section with the following exceptions.
 - (a) Shared Driveways. Buffers shall not be required along a property line where a curb cut or aisle is shared between two adjoining lots.
 - (b) Points of Access. Buffering is not required at driveways or other points of access to a lot.
- (3) Temporary Uses. These provisions do not apply to temporary uses, unless determined otherwise by the City Manager or Designee.
- (4) Street Trees. Refer to section 2.0 Streets for appropriate street tree specifications.

3. Water Efficient Landscaping.

Refer to South Ogden, Utah City Code, Title 10, Chapter 23 for landscape regulations regarding water efficient landscaping.

7.2 Installation of Landscape.

1. Intent.

The following provisions aid in ensuring that all required landscaping is installed and maintained properly.

2. Applicability.

These provisions apply to landscape installation as required by this section.

3. General Installation Requirements.

The installation of landscaping shall adhere to the following standards.

- (1) National Standards. Best management practices and procedures according to the nationally accepted standards shall be practiced.
 - (a) Installation. All landscaping and trees shall be installed in conformance with the practices and procedures established by the most recent edition of the American Standard for Nursery Stock (ANSI Z60.1) as published by the American Association of Nurserymen.
 - (b) Maintenance and Protection. All landscaping and trees shall be maintained according to the most recent edition of the American National Standards Institute, including its provisions on pruning, fertilizing, support systems, lighting protection, and safety.
- (2) Installation. Landscaping shall be fully installed prior to the issuance of a certificate of completeness.
 - (a) If seasonal conditions preclude the complete installation, a cash escrow or irrevocable letter of credit, equal to 1.5 times the installation costs as estimated by a qualified professional.
 - (b) Complete installation is required within nine months of the issuance of the temporary certificate of completeness or occupancy permit or the cash escrow or letter of credit may be forfeited.
- (3) Plant Size Requirements. Plant material shall be sized according to Table 7.2 (1) at the time of installation, unless otherwise noted in this section.
- (4) Condition of Landscape Materials. The landscaping materials used shall be:
 - (a) Healthy and hardy with a good root system.
 - (b) Chosen for its form, texture, color, fruit, pattern of growth, and suitability to local conditions.
 - (c) Tolerant of the natural and man-made environment, including tolerant of drought, wind, salt, and pollution.
 - (d) Appropriate for the conditions of the site, including slope, water table, and soil type.
 - (e) Protected from damage by grates, pavers, or other measures.
 - (f) Plants that will not cause a nuisance or have negative impacts on an adjacent property.

- (g) Species native or naturalized to the Wasatch Front, whenever possible.
- (5) Compost, Mulch, and Organic Matter. Compost, mulch, and organic matter may be utilized within the soil mix to reduce the need for fertilizers and increase water retention.
- (6) Establishment. All installed plant material shall be fully maintained until established, including watering, fertilization, and replacement as necessary.

4. Ground Plane Vegetation.

All unpaved areas shall be covered by one of the following.

- (1) Planting Beds.
 - (a) Planting beds may include shrubs, ornamental grasses, ground cover, vines, annuals, or perennials.
 - (b) Nonliving materials, such as bark mulch, colored gravel, or mulch, are permitted for up to 50% of a bed area.
 - (c) Annual beds must be maintained seasonally, replanting as necessary.
- (2) Grass. Seeded, plugged, or sodded grass may be planted throughout landscaped areas.
 - (a) Grass shall be established within 90 days of planting or the area must be reseeded, replugged, or resodded.

5. Tree Installations.

Refer to the list of permitted tree types, available from South Ogden Parks Division.

- (1) Tree Measurement. New trees shall be measured at six inches above the mean grade of the tree's trunk when four inch caliper or less and twelve inches for tree trunks above four inches, and noted as caliper inches throughout this ordinance.
- (2) Tree Maintenance. Tree trimming, fertilization, and other similar work shall be performed by or under the management of an ISA certified arborist.
- (3) Tree Size. All trees to be installed to meet the requirements of this section shall be a minimum of 2 inch caliper at the time of installation.
- (4) Tree Spacing. See Section 7.3.4 (4).
- (5) Permeable Surface. For each tree preserved or planted, a minimum amount of permeable surface area is recommended, unless otherwise stated in this ordinance.
 - (a) Planted trees have a suggested minimum permeable area and soil volume based upon tree size; refer to Table 7.2 (2) for details.
 - (b) Permeable area for one tree cannot count toward that of another tree.
- (6) Structural Soil. When the Soil Surface Area (per Table 7.2 (2)) of a tree will extend below any pavement, structural soil is required underneath that pavement. Structural soil is a medium that can

be compacted to pavement design and installation requirements while still permitting root growth. It is a mixture of gap-graded gravels (made of crushed stone), clay loam, and a hydrogel stabilizing agent to keep the mixture from separating. It provides an integrated, root penetrable, high strength pavement system that shifts design away from individual tree pits (source: Cornell University, Urban Horticulture Institute).

Plant Material Type	Minimum Size
Deciduous Shade/Overstory Tree	
Single Trunk	2" caliper
Multi Trunk	10' in height
Evergreen Tree	8' in height
Understory Tree	6' in height
Ornamental Tree	1.5" caliper
Shrubbery - Deciduous	container class 5
Shrubbery - Evergreen	container class 5
Groundcover	3" in height

Table 7.2 (1). Plant Material Size at Installation.

Tree Size	Soil Volume (cubic ft)	Soil Surface Area (sq ft) with 2.5' Soil Depth	Permeable Surface Area Requirement (sq ft)
Very Small	181	72 (approx. 8.5' x 8.5')	25 (5' x 5')
Small	736	294 (approx. 17' x 17')	100 (10' x 10')
Medium	2852	1141 (approx. 34' x 34')	225 (15' x 15')
Large	6532	2681 (approx. 50' x 50')	400 (20' x 20')

Table 7.2 (2). Minimum Recommended Soil Volumes and Permeable Area per Planted Tree.

6. Irrigation Systems.

Permanent irrigation, beyond establishment, is required and shall adhere to the following standards.

- (1) All irrigation systems shall be designed to minimize the use of water.
- (2) Non residential landscape irrigation shall have an automatic clock-activated permanent system.
- (3) The irrigation system shall provide sufficient coverage to all landscape areas.

7.0 Landscape Standards

- (4) The irrigation system shall not spray or irrigate impervious surfaces, including sidewalks, driveways, streets, and parking and loading areas.
- (5) All systems shall be equipped with a back-flow prevention device.
- (6) All mechanical systems including controllers and back-flow prevention devices shall be properly screened from public view.

7. Maintenance of Landscape.

All landscaping shall be maintained in good condition at all times to ensure a healthy and orderly appearance.

- (1) All required landscape shall be maintained to adhere to all requirements of this ordinance.
- (2) **Replacing Unhealthy Landscaping.** Unhealthy landscaping shall be replaced with healthy, live plants by the end of the next applicable growing season. This includes all plant material that shows dead branches over a minimum of 25% of the normal branching pattern.
- (3) **Maintenance Responsibility.** The owner is responsible for the maintenance, repair, and replacement of all landscaping, screening, and curbing required herein.
- (4) **Maintain Quality and Quantity.** Maintenance shall preserve at least the same quantity, quality, and screening effectiveness as initially installed.
- (5) **Fences and Other Barriers.** Fences, walls, and other barriers shall be maintained in good repair and free of rust, flaking paint, graffiti, and broken or damaged parts.
- (6) **Tree Topping.** Tree topping is not permitted. When necessary, crown reduction thinning or pruning is permitted. Refer to 7.3.4(2) for clear branch height of street trees.

7.3 Street Trees & Streetscape Design.

1. Intent.

To line all new streets with a consistent and appropriate planting of trees, pavement design, and identity to establish tree canopy for environmental benefit and a sense of identity for all new streets.

2. Applicability.

The requirements herein apply to all new development requiring Regulating Plan approval.

3. Streetscape Design Submittal.

A consistent streetscape design shall be submitted for approval for all new streets within the development. At a minimum, the submittal shall include the following:

- (1) **Street Trees.** Trees meeting the minimum requirements of 7.3.4, below, shall be included in the streetscape design, with details related to tree pits, tree planting to meet the requirements of 7.2.5 Tree Installations.

- (1) **Sidewalk Pavement Design.** Sidewalk paving materials and pattern shall be set for each street type (refer to 2.0 Street Types).
- (2) **Street Furnishings.** Benches, seatwalls, planters, planter fences, trash receptacles, and bicycle racks at the least shall be specified and quantities and locations listed for each street type (refer to 2.0 Street Types).
- (3) **Landscape Design.** Ground plane vegetation shall be designated for any landscape bed areas, planter areas, and tree wells.
- (4) **Lighting.** Pedestrian and vehicular lighting shall be specified and locations and quantities noted.
- (5) **Identity Elements.** Any other elements designed to establish the identity of each Street, such as banners, pavement markers, artwork, or signage, shall be included in the streetscape design submittal.

4. Minimum Street Tree Requirements.

The following standards apply to the installation of street trees.

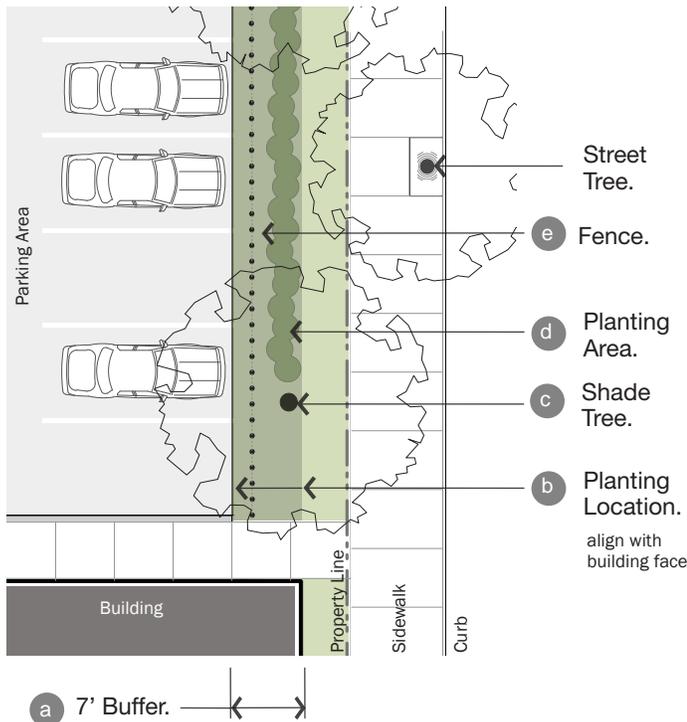
- (1) **Exception.** Street Trees are not required on Alleys or the Lane Street Types (refer to 2.4 and 2.5 Street Types).
- (2) **Clear Branch Height.** Minimum clear branch height is eight feet.
- (3) **Street Tree Type.** Medium and large shade trees are permitted to be installed as street trees. Refer to the list of permitted tree types in the South Ogden City Approved Shade Tree List for Park Strip Planting.
- (4) **Street Tree Spacing.** Street trees shall be planted as follows.
 - (a) Each Lot is required to have one tree for every 30 feet of street frontage with a minimum of one street tree per street frontage.
 - (b) **Spacing.**
 - (i) Large trees must be spaced a minimum of 30 and a maximum of 60 feet on center.
 - (ii) Medium trees must be spaced a minimum of 20 and a maximum of 30 feet on center.
 - (c) No trees may be planted closer to any curb or sidewalk than as follows unless a permeable surface is provided:
 - (1) **Medium trees: three feet.**
 - (2) **Large trees: four feet.**
 - (d) **Limited Distance between Curb and Sidewalk.** Where the distance from the back of the curb to the edge of the right-of-way or property line is less than nine feet with a sidewalk, Applicant shall work with the City staff to determine the appropriate tree species.
 - (i) City Manager or Designee may waive the street tree requirement in spaces less than nine feet.
- (5) **Tree Wells.** In commercial subdistricts, where the sidewalk extends from the back of curb to the property line, tree wells shall be utilized.
 - (a) For tree wells adjacent to sidewalks five feet wide or less, open pit is not permitted.

- (i) The opening must be covered with a tree grate or pervious pavement.
- (ii) The opening in a tree grate for the trunk must be expandable.

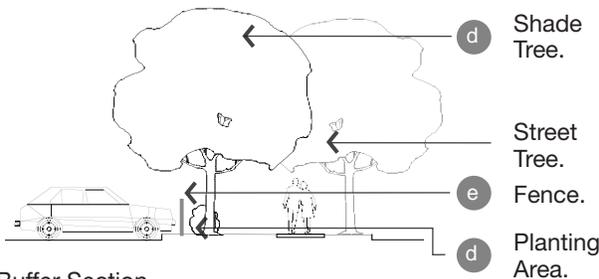
7.4 Frontage Buffer.

1. Intent & Applicability.

- (1) Intent. To lessen the visual impact of vehicular areas visible from the street.
- (2) General Applicability. Applies to properties in all “Core”, “General”, and “Edge” subdistricts where a vehicular area is located adjacent to a right-of-way.
 - (a) Exceptions. Vehicular areas along alleys, except when a residential subdistrict is located across the alley; Single and two family residences.



Front Buffer Plan.



Front Buffer Section.

Figure 7.4 (1). Frontage Buffer Plan and Section.

7.4 Frontage Buffer Requirements

1. Buffer Depth & Location ¹

Depth	7'	a
Location on the Site	Between street facing property line and parking area ²	b

2. Buffer Landscape Requirements

Uses & Materials	Uses and materials other than those indicated are prohibited in the buffer	
Shade Trees	Medium or large shade tree required at least every 40'; Locate on the street side of the fence; Spacing should alternate with street trees	c
Planting Area	Required continuous planting area on street side of fence, between shade trees & in front of vehicular areas	d
Planting Area Composition	Individual shrubs with a minimum width of 24", spaced no more than 36" on center, height maintained no more than 48".	
Existing Vegetation	May be credited toward buffer area	

3. Fence **e**

Location	2' from back of curb of vehicular area
Materials	Composites, steel, wood, or colored PVC; Masonry columns (maximum width 2'6") and base (maximum 18" height) permitted
Minimum Height	3'
Maximum Height	4'
Colors	No bright or white colors
Opacity	Minimum 30%; Maximum 80%
Gate/Opening	One gate permitted per street frontage; Opening width maximum 6'

Notes:

¹ This screening requirement does not prohibit the installation of or provision for openings necessary for allowable access drives and walkways connecting to the public sidewalk.

² In front, corner, and rear yards (on a through lot), when the parking area is located adjacent to any building on the lot, the buffer must be located so that it aligns with or is behind the face of the adjacent building back to the vehicular area. The area between the buffer and the property line must be landscaped.

7.0 Landscape Standards

7.5 Side & Rear Buffer.

1. Intent & Applicability.

- (1) Intent. To minimize the impact that one zoning subdistrict may have on a neighboring subdistrict and to provide a transition between subdistricts.
- (2) General Applicability. Applies to all directly adjoining properties in all "Core", "General", and "Edge" subdistricts.

7.5 Side & Rear Buffer Requirements	
1. Buffer Depth & Location	
Depth	Varies based on the zoning subdistrict of the lot and the adjacent lot; see Table 7.5 (1). a
Location on the Site	Locate buffers on more intensively zoned lot; Buffer is measured from side and rear property lines.
2. Required Landscape Screen	
Width	5' landscape screen in addition to any other buffer landscaping b
Location	Directly adjacent to the rear or side property line
Planting Area	Continuous double row of shrubs required between shade trees c
Planting Area Composition	A professionally-designed water-efficient planting design that is engaging, beautiful and appropriate for the specific setting and context. Plants should include a range of perennials, decorative grasses and small shrubs as appropriate for reducing the visual impact of vehicular areas visible from the street while also meeting the requirements of Title 10, Chapter 23 – Water Efficient Landscaping d
Planting Frequency	Minimum of 15 shrubs per 100' of property line is required
Shade Trees	At least 1 medium or large shade tree per every 30' within the buffer
3. Buffer Landscape Requirements	
Uses and Materials	Uses and materials other than those indicated are prohibited within the buffer
Tree Canopy Coverage	1 medium or large shade tree required per 2,000 square feet of buffer, excluding the area within the required landscape screen
Existing Vegetation	May be credited toward buffer area

Notes:

¹ City Manager or Designee may reduce width of buffer, width of landscape screen, or location of landscape screen based on existing landscaping and topography.

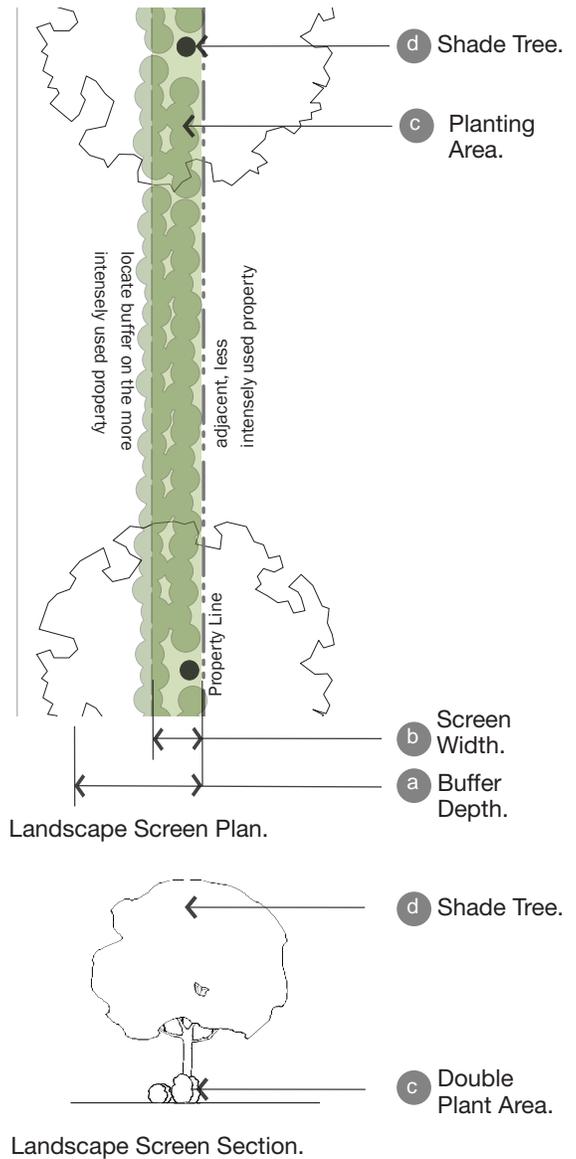


Figure 7.5 (1). Landscape Screen within Light Side & Rear Buffer.

Buffer Requirements between Subdistricts			
Buffer Required by these Subdistricts			
	Core	General	Edge
Core	not required	not required	not required
General	not required	not required	not required
Edge	5'	5'	not required
any existing single family	20'	10'	not required

Table 7.5 (1). Side & Rear Buffer Requirements between subdistrict.

7.6 Interior Parking Lot Landscape.

1. Intent & Applicability.

- (1) Intent. To provide shade, minimize paving & associated stormwater runoff, & improve the aesthetic look of parking lots.
- (2) General Applicability. All open-air, off-street parking lots in all “Core”, “General”, and “Edge” subdistricts.

7.6 Interior Parking Lot Landscape Requirements	
1. Landscape Island Requirements a	
Required Island Locations b	Terminal ends ² of free standing rows or bays of parking; After every ninth parking space for rows of parking greater than 8 spaces in length ³
Minimum Width	5'; Islands less than 15' must utilize structural soil under any paved surface within a tree's critical root zone; Islands under 9' must install an aeration system and utilize permeable pavement
Required Trees Within Islands c	Minimum of 1 medium or large shade tree per island
2. Landscape Median Requirements d	
Required Median Location	Required in each free-standing bay of parking along the length of the bay
Minimum Width	5'; Medians less than 15' must utilize structural soil under any paved surface within a tree's critical root zone; Islands under 9' must install an aeration system and utilize permeable pavement
3. Tree Requirements	
Requirements per Parking Space ⁴	Each parking space must be located within 50' of a tree planted within parking lot interior Minimum of 1 shade tree must be planted within parking lot interior or within 4' of parking lot's edge for every 3 parking spaces
Tree Shade Goal	Within 20 years of tree installation, 30% of the interior of the parking lot should be shaded by tree canopy. Refer to Table 7.6 (1) for calculation.
4. Shade Structure Requirements	
Shade Structure Requirements	Shade structures should be considered an acceptable alternative for meeting the tree shade goal that 30% of the interior parking lot should be shaded. Detail designs for such features should be submitted as part of Chapter 10.2 Development Review Procedures for review and approval.

¹ Parking lot interior is defined as the area dedicated to parking on a given parcel as measured from edge of pavement to edge of pavement.
² Freestanding rows or bays of parking are those not abutting the parking lot perimeter or building face, and may have a single or double row of parking.
³ There shall be no more than 8 continuous parking spaces in a row without a landscape island.
⁴ Trees within a designated buffer area may not be utilized to meet these requirements

- (3) Other Internal Parking Lot Areas. Internal areas not dedicated to parking or drives shall be landscaped with a minimum of one medium or large shade tree for the first 150 square feet and one medium or large shade tree for every 650' thereafter.
- (4) Existing Vegetation. Existing vegetation may be credited toward these requirements.

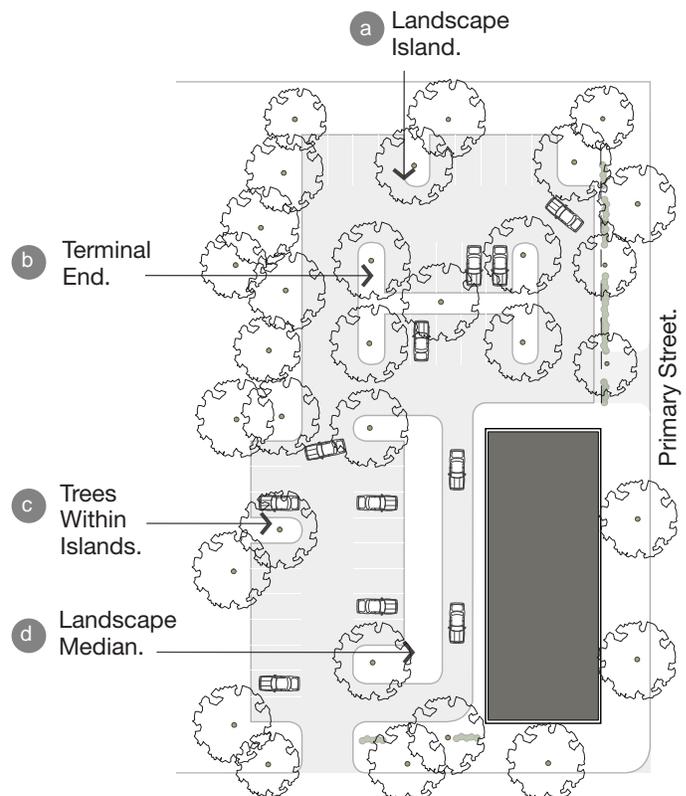


Figure 7.6 (1). Interior Parking Lot Landscaping.

Tree Size	Estimated Canopy at Maturity (sq ft)	Estimated Height at Maturity (ft)
Very Small	150	under 15'
Small	400	15'-25'
Medium	900	25'-40'
Large	1600	40'+

Table 7.6 (1). Estimated Canopy and Height at Maturity.

7.0 Landscape Standards

7.7 Active Frontage Buffer.

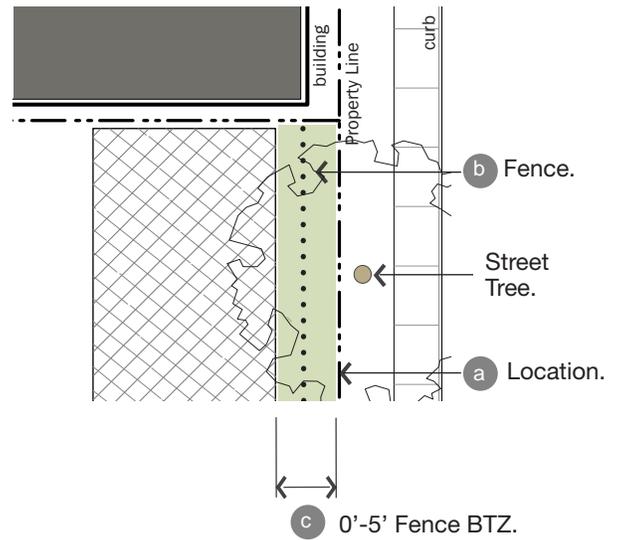
1. Intent & Applicability

- (1) Intent. To continue the street wall of adjacent facades.
- (2) General Applicability. Applies to non-vehicular outdoor sites all in all "Core", "General", and "Edge" subdistricts. For vehicular areas, refer to the 7.4 Frontage Buffer.

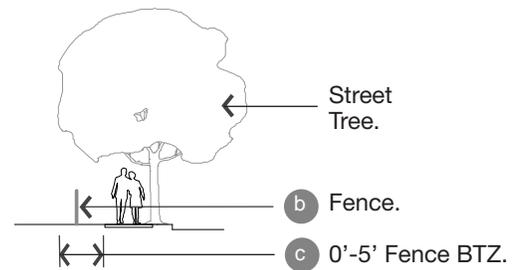
7.7 Active Frontage Requirements	
1. Frontage Location	
Location on the Site	Required adjacent to dining patio or display area
2. Required Fence	
Location	Between 0' and 5' from the front and corner side property lines; Only required in front of patio/display area a
Materials	Steel or colored PVC; Masonry base or columns permitted b
Minimum Height	3' c
Maximum Height	4'
Opacity	Minimum 30%; Maximum 60% ¹
Gate/Opening	One gate permitted per street frontage; Opening width maximum 6'

Notes:

¹ Fence may be solid if 42" or less in height



Active Frontage Plan.



Active Frontage Section.

Figure 7.7 (1). Active Frontage.

7.8 Screening of Open Storage, Refuse Areas, and Utility Appurtenances.

1. Intent & Applicability.

- (1) Intent. To reduce the visibility of open storage, refuse areas, and utility appurtenances from public areas and adjacent properties.
- (2) General Applicability. All dumpsters, open storage, refuse areas, and utility appurtenances in all "Core", "General", and "Edge" Subdistricts.

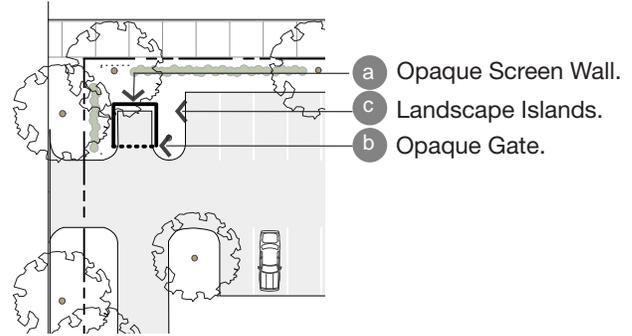


Figure 7.8 (1). Screening of Open Storage & Refuse Areas.

7.8 Screening of Open Storage, Refuse Areas, & Utility Appurtenances

1. Open Storage & Refuse Area Screening Requirements

Location on the Site	Not permitted in front or corner side yards
Opaque Screen Wall ¹	Required around 3 sides of the dumpster and trash bin area a
Screen Wall Height	Height shall be the higher of the following: <ol style="list-style-type: none"> 1. 6' 2. Height of use to be screened 3. Height as determined by City to accomplish objective of the screen
Visible Openings	Openings visible from the public way or adjacent properties must be furnished with opaque gates b
Landscape Requirement	If refuse area is located within larger paved area, such as a parking lot, landscape islands must be located on 3 sides of the area, with at least 1 medium or large shade tree in at least 1 of the landscape areas ² c

2. Utility Appurtenance Screening Requirements

Large Private Mechanical Equipment ³	Shall be fenced with opaque wood or brick-faced masonry on all sides facing right-of-way
Small Private Mechanical Equipment ⁴	Shall have landscape screening and a shrub bed containing shrubs spaced no more than 36" on center

Notes:

¹ Vertical structured barrier to visibility at all times such as a fence or wall

² This tree, if located within 50' of a parking space, may be utilized to meet the minimum shade requirements

³ Large private mechanical equipment is equal to or greater than 4' in height-

⁴ Small private mechanical equipment is smaller than 4' in height

8.0 Parking

8.0 Parking

8.1 General Requirements.

1. Intent.

The following provisions are established to accomplish the following:

- (1) Ensure an appropriate level of vehicle parking, loading, and storage to support a variety of land uses.
- (2) Provide appropriate site design standards to mitigate the impacts of parking lots on adjacent land uses and zoning subdistricts.
- (3) Provide specifications for vehicular site access.

2. Applicability.

This section shall apply to all new development and changes in use or intensity of use for existing development, in any subdistrict.

- (1) Compliance. Compliance with the standards outlined shall be attained in the following circumstances:
 - (a) Development of all new parking facilities, loading facilities, and driveways.
 - (b) Improvements to existing parking facilities, loading facilities, and driveways, including reconfiguration, enlargement, or the addition of curbs, walkways, fencing, or landscape installation.
 - (c) Change in use requiring a change in the amount of parking.
- (2) Damage or Destruction. When a use that has been damaged or destroyed by fire, collapse, explosion, or other cause is reestablished, any associated off-street parking spaces or loading facilities must be reestablished based on the requirements of this section.
- (3) Site Plan Approval Required. Parking quantities and parking design and layout shall be approved through the Site Plan Approval process. Refer to 10.2.5 Site Plan Approval for more information.

8.2 Parking Requirements.

1. General Requirements for Parking.

Off-street parking spaces shall be provided in conformance with Tables 8.2 (1) Bicycle Parking and 8.2 (2) Required Vehicular Parking.

- (1) Required Accessible Parking. Parking facilities accessible for persons with disabilities shall be in compliance with or better than the standards detailed in the state Accessibility Code, including quantity, size, location, and accessibility.
- (2) Requirements for Unlisted Uses. Upon receiving a site plan approval, occupancy certificate, or other permit application for a use not specifically addressed in this section, the City Manager or Designee is authorized to apply off-street parking standards specified for the Use deemed most similar to the proposed Use. In instances where an equivalent may not be clearly determined, the City Manager or Designee may require the applicant to submit a parking study or other evidence that will help determine the appropriate requirements.

- (3) Private Off-Premises Parking. Where private off-site parking facilities are approved, such facilities shall be in the same possession as the zoning lot occupied by the building or use to which the parking facilities are accessory
 - (a) Such possession may be either by deed or lease, guaranteeing availability of the parking commensurate with the use served by the parking.
 - (b) The agreement providing for the use of off-site parking, executed by the parties involved, shall be in a form approved by the City Attorney and filed with the City Manager or Designee.
 - (c) The deed or lease shall require the owner to maintain the required number of parking facilities for the duration of the use served or of the deed or lease, whichever shall terminate sooner.
 - (d) Location Parking. Any off-premise parking must be within 1,300 feet from the entrance of the use to the closest parking space measured along a dedicated pedestrian path.
- (5) Tandem Parking. Tandem parking is permitted with approval of the City Manager or Designee through the site plan review process.

2. Required Vehicular and Bicycle Parking.

Tables 8.2 (1) and 8.2 (2) outline the required vehicular and bicycle parking requirements.

- (1) Organized by Use. The parking requirements are organized by use, in a similar fashion to Table 4.1 (1) Use Table in 4.0 Uses.
 - (a) Parking rates are provided for general use categories; these numbers are applicable for all of the uses within these categories.
 - (b) If a specific use requires a different parking rate than its use category, it is also listed in Tables 8.2 (1) and 8.2 (2) Required Vehicular and Bicycle Parking.
- (2) Vehicular Spaces Required. The vehicular spaces required column indicates the required off-street parking ratio, which may be subject to credits and other reductions and a maximum number, as are detailed in this section.
- (3) Maximum Allowable Vehicular Spaces. When a use requires more than 20 spaces, it is not permitted to provide greater than 20% over the minimum parking requirement.
 - (a) For those uses with no requirements, the maximum number of spaces required should be no more than the next level up of that use. For example, for Neighborhood Retail, the number of spaces should be no more than the requirements for General Retail.
- (4) Required Bicycle Parking. The Required Bicycle Parking Table 8.2 (1) indicates the minimum bicycle parking ratio for a given use.
- (5) Computation. Off-street parking spaces shall be calculated using the following information.
 - (a) Area Measurements. The following units of measurements shall be utilized to calculate parking requirements.

- (i) Dwelling Unit. Parking standards for residential buildings shall be computed using dwelling unit as the unit of measure, unless otherwise stated.
 - (ii) Gross Square Footage. Unless otherwise expressly stated, parking standards for non-residential Uses shall be computed on the basis of gross floor area in square feet.
 - (iii) Occupancy- or Capacity-Based Measurements. Parking spaces required per available seat or per employee, student, or occupant shall be based on the greatest number of persons on the largest shift, the maximum number of students enrolled, or the maximum fire-rated capacity, whichever measurement is applicable.
 - (iv) Bench Seating. For uses in which users occupy benches, pews, or other similar seating facilities, each 24 inches of such seating shall be counted as one seat.
- (b) Fractions. When computation of the number of required off-street parking spaces results in a fractional number, any result of 0.5 or more shall be rounded up to the next consecutive whole number. Any fractional result of less than 0.5 may be rounded down to the previous consecutive whole number.
- (c) Multiple Uses on a Lot. When there are multiple uses on a lot, required spaces shall be calculated as an amount equal to the total requirements for all uses on the lot, unless the uses qualify for shared, cooperative, or other credits to reduce parking. (Refer to 8.2 (3) and 8.2 (4), below.)

3. Multiple Use Reductions.

The following reductions may be taken for multiple non-residential uses.

- (1) Shared Vehicular Parking. An arrangement in which two or more non-residential uses with different peak parking demands use the same off-street parking spaces to meet their off-street parking requirements.
 - (a) General Provisions. Through review of the site plan the City Manager or Designee may permit up to 100% of the parking

Use	Bicycle Spaces
Multifamily	Minimum 2 spaces or .05 spaces / bedroom, whichever is greater
Civic/Institutional	Minimum 2 spaces, 1 / additional 10,000 sf
Retail	Minimum 2 spaces, 1 / additional 5,000 sf
Services	Minimum 2 spaces, 1 / additional 5,000 sf
Office	Minimum 2 spaces, 1 / additional 10,000 sf
Open Space	Per City Manager or Designee

Table 8.2 (1). Required Bicycle Parking.

Use	Required Vehicle Space
Residential	
Single Family, all sizes, or Multifamily, 1 Bedroom	1.5 / Dwelling Unit
Multifamily, 2 Bedrooms	2 / Dwelling Unit
Multifamily, 3 or 3+ Bedrooms	2 / Dwelling Unit
Hotel & Inn	1 / Room & 1 / 200 sq.ft. Office and Dining Room
Residential Care	.33 / Unit & .66 / Employee
Civic/Institutional	
Assembly	1 / 5 Seats
Transit Station	City Manager or Designee
Hospital	.20 / Bed & .66 / Employee
Library / Museum / Post Office (no distribution)	1 / 600 sq. ft.
Police & Fire	City Manager or Designee
Post Office (distribution)	1 / 400 sq. ft.
School: Pre K to Jr. High	1 / Classroom & 1 / 200 sq. ft Office
School: High School, Higher Education	1 / Classroom, 1 / 200 sq. ft Office, & .17 / Student
Retail	
Neighborhood Retail	1 / 300 sf
General Retail	1/ 300 sf
Outdoor Sales Lot	1 / 250 sq. ft. of Sales Area, with 1 / 10 Vehicle Display
Service	
Neighborhood Service	1/ 250 sf
General Service	1/ 250 sf
Eating & Drinking Establishments	1.0 / 3 seats + 1/3 number of employees
Vehicle Services	2 / Service Bay & 1 / 200 sq.ft of retail
Office & Industrial	
Neighborhood, General Office	1 / 300 sf
Craftsman Industrial	1 / 1,000 sq. ft. of Production Space & 1 / 500 sq. ft. of Retail Space
Open Space & Recreation	
Open Space & Recreation	City Manager or Designee

Table 8.2 (2). Required Off-Street Vehicular Parking.

8.0 Parking

required for a daytime use to be supplied by the off-street parking spaces provided for a nighttime or Sunday use and vice versa.

- (b) Approval. In order to approve a shared parking arrangement, the City Manager or Designee must find, based on competent evidence provided by the applicant, that there is no substantial conflict in the principal operating hours of the uses for which the sharing of parking is proposed.
- (c) Description of Uses with Weekday, Nighttime, and Sunday Peak Parking.
 - (i) The following uses are considered predominantly weekday uses: office and industrial uses and other similar uses as authorized by the City Manager or Designee.
 - (ii) The following uses are typically considered predominantly nighttime or Sunday uses: eating and drinking establishments, assembly uses, and other similar uses with peak activity at night or on Sundays, as authorized by the City Manager or Designee.
- (2) Cooperative Vehicular Parking. When two or more categories of non-single family residential uses share a parking lot and are located on the same lot or adjacent lots, the following applies:
 - (a) General Provisions. Cooperative parking will be approved in accordance with the following. Refer to Table 8.2 (3).
 - (i) For each applicable land use category, calculate the number of spaces required as if it were the only use. Refer to Table 8.2 (2).
 - (ii) Use the figures for each individual land use to calculate the number of spaces required for that use for each time period specified in Table 8.2 (3). This table establishes six time periods per use.
 - (iii) For each time period, add the number of spaces required for all applicable land uses to obtain a grand total for each of the six time periods.
 - (iv) Select the time period with the highest total parking requirement and use that as the total number of parking spaces required and use that as the total

number of parking spaces required for the site on a share parking basis.

- (b) Uses in Different Buildings. Through review of the site plan the City Manager or Designee may approve the cooperative agreement if any of the uses are not located in the same structure or building.
- (c) Location of Cooperative Parking. Any cooperative parking must be within 660 feet from the entrance of the use to the closest parking space within the cooperative parking lot, measured along a dedicated pedestrian path.
- (d) Off-Site Cooperative Parking Agreement. An agreement approved by the City Attorney providing for cooperative use of off-site parking spaces, executed by the parties involved, shall be reviewed by the City Manager or Designee during review of the site plan.
 - (i) Off-site cooperative parking arrangements shall continue in effect only as long as the agreement remains in force.
 - (ii) If the agreement is no longer in force, then parking must be provided as otherwise required in this section.

4. Parking Credits.

Vehicular parking standards in Table 8.2 (2) may be reduced by achieving one or all of the following credits.

- (1) On-Street Parking Credit. For all non-residential uses, on-street parking spaces that meet the following shall be credited one for one against the parking requirement.
 - (a) Spaces shall be designated on-street parking available 24 hours of every day.
 - (b) On-street space must be located adjacent to the property line.
- (2) Public Parking Credit. For all non-residential uses, public parking spaces located within 660 feet of any property line may be credited against the parking requirement at a rate of one credit for every three public parking spaces.
- (3) Transit Credit. For all uses, vehicular parking requirements may be

Use Category	Weekdays			Weekends		
	Midnight-7:00 am	7:00 am-6:00 pm	6:00 pm-Midnight	Midnight-7:00 am	7:00 am-6:00 pm	6:00 pm-Midnight
Residential	100%	50%	80%	100%	80%	80%
Retail & Service	5%	100%	80%	5%	100%	60%
Hotel & Inn	100%	65%	100%	100%	65%	100%
Place of Worship	0%	30%	50%	0%	100%	75%
Eating & Drinking Establishment	50%	70%	100%	70%	60%	100%
Office	5%	100%	5%	5%	5%	5%
Theater / Entertainment	5%	30%	100%	5%	80%	100%

Table 8.2 (3). Cooperative or Shared Vehicular Parking Spaces.

reduced with proximity to any commuter rail station or transit line with up to 15 minutes headways. Proximity is measured along a walking path from any point along the property line to the platform or transit stop.

- (a) Within 400 feet. A reduction of 15% of the required off-street parking.
 - (b) Within 800 feet. A reduction of 10% of the required off-street parking.
- (4) Car-Share Parking Credit. The vehicular parking requirements can be reduced with the inclusion of car-share parking spaces as follows.
- (a) Per each car-share parking space provided, required parking spaces shall be reduced by four spaces.
 - (b) Required parking spaces may be reduced up to 40%.
 - (c) Approval. Applicant must provide documentation of an agreement with a car-share company. If this agreement should terminate at any point, applicant shall be required to provide parking as otherwise required herein.

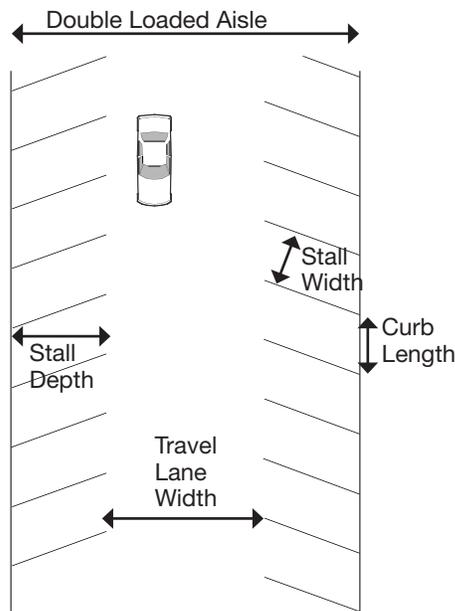


Figure 8.3 (1). Parking Lot Layout.

- (5) Other Parking Reductions. Additional reductions may be approved by the City Manager or Designee with the submittal of a parking study illustrating the reduction.

8.3 Parking Design Standards.

1. Vehicular Off-Street Parking Lots.

The design or redesign of all off-street parking facilities shall be subject to the site plan approval procedure. Refer to 10.2.5 Site Plan Approval for more information.

- (1) Vehicular Parking Space Dimensions. The appropriate dimensions for parking spaces are outlined in Table 8.3 (1) Parking Space Dimensions and Figure 8.3 (1) Parking Lot Layout.
 - (a) The width of a parking space shall be measured from the center of a stripe.
 - (b) Each space shall have a vertical clearance of at least seven feet.
- (2) Wheel Stops. Install wheel stops or bumper guards when parking is adjacent to a pedestrian pathway to limit vehicle overhang that reduces the sidewalk width. Such stops or guards shall be properly anchored or secured.

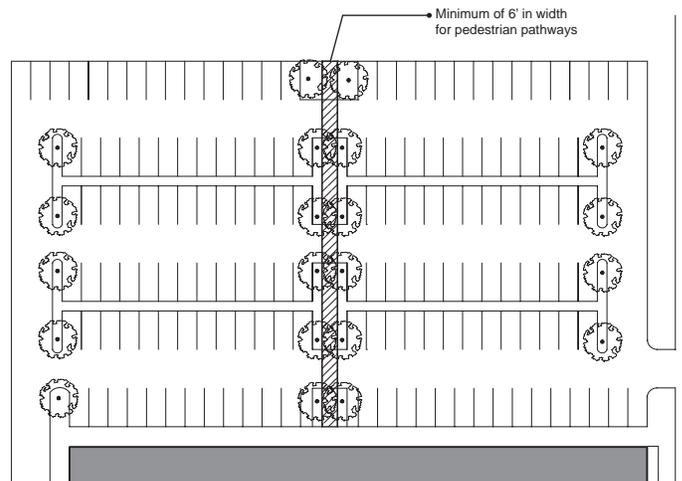


Figure 8.3 (2). Parking Lot Pedestrian Walkway.

Angle (degrees)	Curb Length (feet)	Stall Width (feet)	Stall Depth (feet)	Travel Lane Width: One-Way (feet)	Travel Lane Width: Two-Way (feet)
0	20	7	-	12	20
45	12	8.5	17	12	20
60	10	8.5	18	18	20
90	9	8.5	18 ¹	22	22

Note

¹ Stall depth may be reduced 2' when stall directly abuts an interior parking lot median that includes an additional area beyond the minimum width outlined in 6.14.3, permitting the overhang of the adjacent parked vehicle's front bumper.

Table 8.3 (1). Parking Space Dimensions.

8.0 Parking

- (3) Location of Parking. Refer to 5.0 Building Type Standards for information on the location of parking facilities.
 - (4) Access. All off-street parking and loading facilities shall open directly onto an aisle, alley, or driveway designed to provide safe access to such facilities. Exceptions include:
 - (a) Tandem Parking. No more than two spaces may be included in a tandem parking spot, and the rear space must meet the access requirement.
 - (b) Parking Lifts. The lift exit shall meet the access requirement.
 - (5) Edge of Lot and Drives. All curb and gutter shall be located a minimum of 3 feet from any adjacent property line or right-of-way.
 - (6) Slopes. All parking and driveway or sidewalk access shall meet the requirements of the Utah Accessibility Code.
 - (7) Landscape Screening. All parking areas shall meet the requirements of in 7.0 Landscape Standards.
 - (8) Landscape Areas. Areas not used specifically for sidewalks, parking spaces, driving aisles, loading, or refuse shall not be paved. Areas striped with diagonal striped islands are not permitted.
 - (9) Pavement Construction. All parking and driveways shall be constructed using asphalt, concrete, pavers, or other semi-pervious material approved by the City Manager or Designee. One of the following shall be met:
 - (a) Paving materials with a solar reflectance index (SRI) of at least 29.
 - (b) Recycled content of 15% or more.
 - (10) Illumination. All off-street parking lots or parking structures shall provide a level of illumination at any point in the parking lot or structure not less than one foot-candle measured at the pavement. All lighting shall be shielded or otherwise optically controlled to provide glare-less illumination and limit trespass on adjacent properties.
- (c) counted toward bicycle parking requirements.
 - (c) Bicycle parking facilities shall be separated from vehicular parking areas to protect parked bicycles from damage. The separation may be accomplished through grade separation, distance or physical barrier, such as curbs, wheel stops, poles or other similar features.
 - (3) Racks and Structures. Racks and structures shall be provided for each unprotected parking space, and shall be designed to accommodate both chain and U-shaped locking devices supporting the bicycle frame at two points.
 - (4) Bicycle Storage. In multifamily or office uses bicycle storage shall be lockable and enclosed.
 - (5) Surface. The parking surface shall be designed and maintained to be mud and dust free. The use of rock or gravel areas for bicycle parking is permitted provided that edging materials, so that the bicycle parking area is clearly demarcated and the rock material is contained.
 - (6) Signage. If required bicycle parking for public use is not visible from the street, signs must be posted indicating their location.
 - (7) Maintenance and Lighting. Areas used for required bicycle parking must be well-lit with acceptable drainage to be reasonably free of mud and standing water. Accessory off-street parking for bicycles shall include provision for secure storage of bicycles. Such facilities shall provide lockable enclosed lockers or racks or equivalent structures in or upon which a bicycle may be locked by the user.
 - (8) Shower Facilities. Office and manufacturing uses with more than 50 employees shall provide shower and changing room facilities.
 - (9) Long Term Parking. For multifamily residential uses, half of the bicycle parking spaces should be provided as long term parking, safe and secure from vandalism and theft, and protected from the elements.

3. Bicycle Parking Design.

Bicycle parking (refer to Table 8.2 (1) Required Bicycle Parking for quantity required) shall be designed and located as follows.

- (1) Dimensions.
 - (a) Required bicycle parking spaces shall have minimum dimensions of two feet in width and six feet in length.
 - (b) An aisle a minimum of five feet wide shall be provided behind bicycle parking facilities to allow for maneuvering.
 - (c) A minimum of two feet shall be provided beside each parked bicycle to allow access. This access may be shared by adjacent bicycles.
 - (d) Racks shall be installed a minimum of two feet from any wall or other obstruction.
- (2) Location. Bicycle parking should be located within 50 feet of the entrance of the use.
 - (a) Indoor or outdoor spaces are permitted, provided they are located on the lot with which they are associated.
 - (b) Spaces located within individual dwelling units may not be

8.4 Loading Requirements.

1. General Requirements.

All loading facilities shall adhere to the following requirements, unless otherwise approved during Site Plan Approval (refer to Section 10.2.5).

- (1) Use of Off-Street Loading Areas. Space allocated to any off-street loading use shall not be used to satisfy the space requirements for any off-street parking facilities or portions thereof.
- (2) Location. Unless otherwise specified, all required loading facilities shall be located on the same lot as the use to be served. No loading space shall block or project into a street, alley, access drive, or parking area.
- (3) Building Frontage. Loading facilities shall be located per 5.0 Building Type requirements.
- (3) Access. Loading facilities shall have clear access onto an alley or be connected to an alley or street via a driveway.

- (a) Direct access to a public way, other than an alley, is prohibited.
- (b) Each required off-street loading space shall be designed with appropriate means of vehicular access to a street or alley in a manner which will least interfere with traffic movement.

2. Loading Requirements.

All uses except in the residential and lodging, open space, and civic and institutional categories shall provide off-street loading spaces in compliance with Table 8.4 (1) Required Loading Facilities.

3. Computation.

Loading facilities shall be calculated using the following information.

- (1) Gross Square Footage. Unless otherwise expressly stated, loading standards for non-residential buildings shall be computed on the basis of gross floor area in square feet.
- (2) Fractions. When computation of the number of required off-street loading spaces results in a fractional number, any result of 0.5 or more shall be rounded up to the next consecutive whole number. Any fractional result of less than 0.5 may be rounded down to the previous consecutive whole number.
- (3) Shared or Central Loading Facilities. Shared or central loading facilities are permitted if the following conditions are met.
 - (a) Each zoning lot served shall have direct access to the central loading area without crossing streets or alleys.
 - (b) Total off-street loading spaces provided shall meet the minimum requirements herein specified, based on the sum of the several types of uses served unless reviewed and approved by the City Manager or Designee through site plan review.
 - (c) No zoning lot served shall be more than 500 feet from the central loading area.

4. Dimensions.

A standard off-street loading space shall be a minimum of ten feet in width by 26 feet in length and an oversized loading space shall be a minimum of 12 in width and 40 feet in length, exclusive of aisle and maneuvering space and shall have a minimum vertical clearance of 15 feet.

5. Pavement Materials.

Refer to in the City Code for details. One of the following shall also be met.

- (1) Paving materials with a solar reflectance index (SRI) of at least 29.
- (2) Pervious pavement.
- (3) Recycled content of 15% or more.

Gross Floor Area (sq. ft.)	Loading Spaces Required
Under 5,000	0
5,000 to 20,000	1
20,001 to 40,000	2
40,001 to 70,000	3
70,001 to 100,000	4
100,001+	4 + 1 for each 100,000 over 100,001

Table 8.4 (1). Required Loading Facilities.

8.5 Site Access and Driveways.

1. General Requirements.

These standards shall supplement the provisions for access provided in 5.0 Building Type Standards. Each driveway providing site access from a street, alley, or other vehicular right-of-way shall be designed, constructed, and permanently maintained as follows.

2. Quantity of Driveways.

The number of driveways permitted for each Building Type is located in 5.0 Building Type Standards.

3. Dimensions and Design.

- (1) Driveway Width at Property Line. All driveways shall have a maximum width of 22 feet as measured at the property line (Figure 8.5 (1) Driveway Width) except as stated below.
 - (a) Residential Building Types. Driveways constructed in residential subdistricts shall have a maximum width of 11 feet when crossing the front or corner property line.
 - (c) Maximum width for one-way driveways is 12 feet at the property line.
- (2) Maximum Width. When a garage door is located on the front facade of the structure, the driveway shall be no more than two feet wider than the garage door at any location.
- (3) Shared Access. When possible, adjacent developments should share points of access to minimize impervious surface.
 - (a) Shared Driveway Width. When access is shared between three or more non-residential users, a dedicated turn lane may be constructed, allowing an increase in the maximum driveway width from 22 feet to 32 feet provided that:
 - (i) A traffic impact study states its necessity.
- (4) Sidewalk Pavement. Sidewalk pavement elevation, width, design, scoring, material, and design shall extend continuously over the driveway pavement with the intent of prioritizing the sidewalk path over the driveway. If the driveway and sidewalk are of the same material, the sidewalk path shall be scored or designated linearly over the driveway.

8.0 Parking

4. Location.

Specific location information can be found in 5.0 Building Type Standards. Refer to Figure 8.5 (1)

- (1) Driveways accessing rear yard garages are permitted within the side or rear yard setback, no closer than two feet from a side or rear property line, unless the driveway is shared. .
- (2) Driveways shall not be closer than 25 feet from the intersection of two streets (corner), unless otherwise stated in 5.0 Building Type Standards.

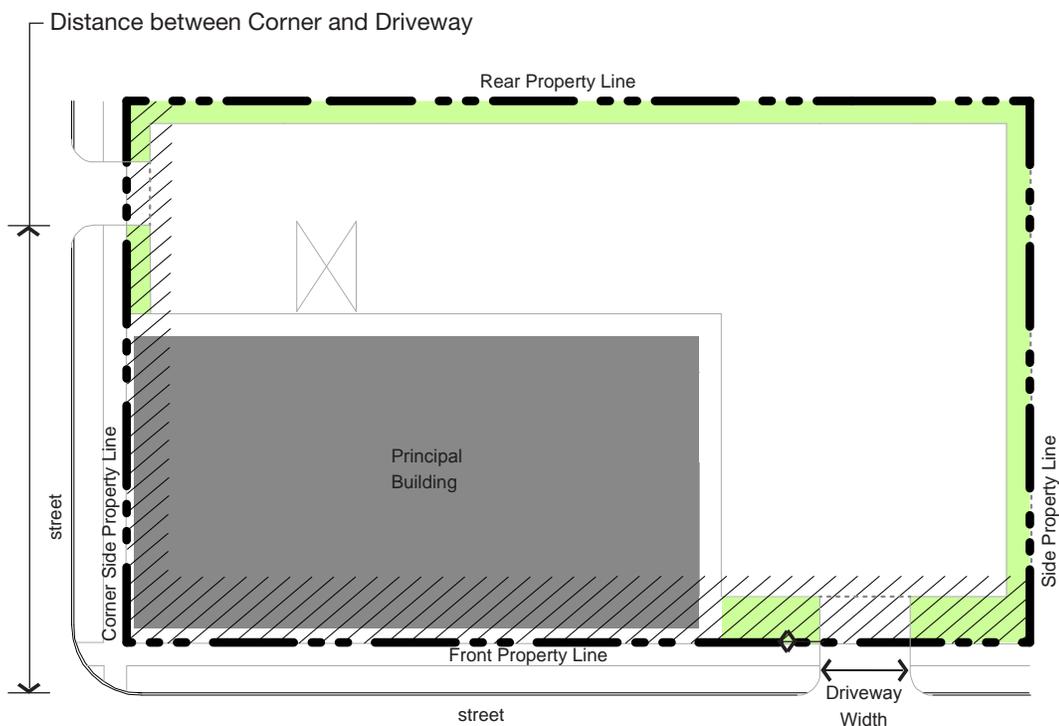


Figure 8.5 (1). Driveway Width and Location.

9.0 Sign Types

9.0 Sign Types

9.1 General Requirements.

1. Intent.

This section seeks to enhance the economic and aesthetic appeal in each Subdistrict through the reasonable, orderly, safe, and effective display of signage.

2. Applicability.

These standards shall apply to all Subdistricts for non-residential uses only. Unless otherwise stated in this chapter, all requirements of the South Ogden, Utah City Code pertaining to sign requirements shall apply. Refer to the South Ogden City Sign Code (Title 10, Chapter 21) for permit processes, construction, design, and maintenance standards.

3. General Compliance.

Compliance with the regulations outlined shall be attained under the following situations.

- (1) **Newly Constructed or Reconstructed Signage.** All new signs and structural improvements to existing signs.
- (2) **Change in Use for Single Business Signage.** For signage serving one business, whenever the existing Use is changed to a new use resulting in a change in signage, including rewording.
- (3) **Multiple-Business Signage.** For signage serving multiple businesses, whenever 50% or more of the existing uses are changed to new uses resulting in a change in signage, including rewording.
- (4) **Damage or Destruction.** When a sign has been damaged or destroyed by fire, collapse, explosion or other cause and the cost of restoration is greater than 50% of the replacement value at the time of the destruction or damage, the replacement sign shall comply with the standards in this article.

4. Prohibited, Temporary, Exempt Signage

Refer to the South Ogden, Utah City Code for information on Prohibited, Temporary, and Exempt Signs.

5. Sign Location.

Unless otherwise specified, signs shall only be located within the boundaries of the lot and not in the right-of-way or on public property.

- (1) Certain Sign types may extend beyond a property line into the right-of-way or public property with permission from the City and in accordance with the regulations outlined in this section.
- (2) No sign shall be attached to a utility pole, tree, standpipe, gutter, or drain.
- (3) Signs shall be erected so as to permit free ingress to or egress from any door, window, the roof, or any other exit-way required by the building code or by fire department regulations.
- (4) No Sign shall be erected or maintained in such a manner as to

obstruct free and clear vision of, interfere with, or be confused with any authorized traffic sign, signal, or device.

6. Illumination.

All signs shall be illuminated according to the following provisions unless otherwise stated.

- (1) Signs shall be illuminated only by steady, stationary light sources directed solely at the Sign or internal to it, except as permitted for Electronic Message Boards.
- (2) Individual letters or logos may be internally illuminated as permitted per each sign type; no other portion of the sign shall be internally illuminated, except as permitted for Electronic Message Boards or unless otherwise stated.
- (3) When an external artificial light source is used to illuminate a sign, the lamp (or bulb) shall be located, shielded, and directed so as to not be visible from any public street or private residence.
 - (a) No receptacle or device housing a permitted light source which is attached to the sign itself shall extend more than 18 inches from the face of the Sign.
 - (b) If ground lighting is used to illuminate a sign, the receptacle or device should not extend more than 12 inches above ground and must be fully screened and housed.
- (4) The illumination of any sign, resulting from any internal or external artificial light source, shall not exceed 250 nits at the Sign face during the day and 125 nits at the Sign face after sunset, with no light trespass onto adjacent property.
 - (a) Signs located within "Core" subdistricts are exempt from this standard.

7. Computation.

The following standards generally apply to computing the area of signs by type and by building lot. Refer to the Sign Types 9.3 - 9.11 for more information.

- (1) Exempt and temporary signs are not included in the maximum signage area calculations, unless otherwise specified.
- (2) Height for freestanding signs is measured from the average grade at the front property line to the top of the sign, sign cabinet, or cap, whichever is highest.
- (3) For the purposes of determining area, lot width or frontage is measured along the front property line.
 - (a) If the lot is a corner lot, the width shall be measured along the front yard.
 - (b) Building frontage is the width of the front facade of a building.

9.2 Sign Types.

1. Sign Type Requirements.

The following pertain to specific sign types detailed in this section.

- (1) Permitted Quantity of Signage by Subdistrict. Table 9.2 (1) details

the maximum permitted amount of signage on a lot within each subdistrict. Refer to 3.0 Subdistricts for more information on each subdistrict.

- (b) Window Signs. Window Signs shall not count towards a lot’s maximum permitted amount of signage. Refer to 9.9 Window Signs.
 - (c) Signs Located on Parking Lots. One sign is permitted in addition to the maximum Signage quantities detailed in Table 9.2 (1) provided the following.
 - (1) Permitted Sign Types are a wall, projecting, or awning sign.
 - (2) Maximum sign area is 30 square feet.
 - (3) Permitted location is either the side or rear facade along a parking lot;
 - (d) Through Lots. In addition to the maximum amount of signage permitted per lot, through lots may incorporate an additional 30 square feet of signage permitted for the Lot located in either the rear yard or along the rear facade.
- (2) Exempt/Temporary Signs. Table 9.2 (1) does not apply to exempt or temporary signs unless otherwise specified.
- (3) Iconic Sign Elements. Iconic Sign Elements of three dimensional symbols or logos are permitted under the following conditions.
- (a) Symbol or Logo Size. The symbol may not be larger than four feet in any direction, included in overall sign area and the surface area counts towards the Maximum Permitted Quantity of Signage per Lot.
 - (b) No moving parts or external illumination of the symbol may be provided.
 - (c) Text. The text component of the sign may not be more than 30% of the overall area of the sign.

Maximum Permitted Quantity of Signage Per Lot		
“Core” Subdistricts	“General” Subdistricts	“Edge” Subdistricts
2 square feet per 1 linear foot of lot width with a maximum of 200 square feet. An additional 40 square feet per additional tenant over 3 tenants permitted	1.5 square feet per 1 linear foot of lot width with a maximum of 200 square feet	No signage permitted

Table 9.2 (1). Permitted Quantity of Signage by Subdistrict.

9.0 Sign Types

9.3 Wall Sign.

1. Description.

Wall Signs, also known as flat or band signs, are mounted directly to the building face to which the sign is parallel. Refer to Figures 9.3 (1) and 9.3 (2).

2. General Requirements.

Wall Signs shall be developed according to the standards in Table 9.3 (1).

- (1) Building Openings. Wall Signs shall not cover windows or other building openings.
- (2) Architectural Features. Wall Signs shall not cover architectural building features.
- (3) Murals. Murals, a type of Wall Sign painted onto the building face displaying the business name or activity, are prohibited on front facades.

3. Computation.

The area of a Wall Sign is calculated using the following information.

- (1) Wall Signs. Area is calculated by drawing the smallest possible square or rectangle around the largest letters and/or elements, as is illustrated in Figure 9.3 (2).
 - (a) Area Credit. All areas that utilize individual alphanumeric characters or logos (including only those using wood, wood substitute, metal, or masonry) may use a total area of 90% of the calculation as outlined above.
- (2) Mural Sign. Area is calculated by measuring the area of the smallest square or rectangle that can be drawn around all of the sign elements, including any painted background.

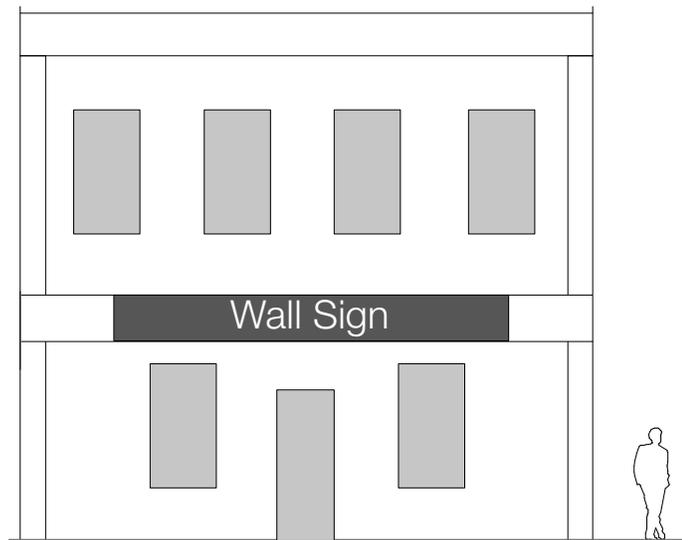


Figure 9.3 (1). Wall Sign.

Wall Sign Requirements

Permitted Subdistricts	All Subdistricts
Sign Area	No maximum area for sign type; Refer to Table 9.2 (1) for maximum per lot
Height	2' maximum letter or element height
Location on the Building or Site	Permitted on all facades
Placement on the Building or Site	1' maximum projection from building face
Quantity	1 per tenant per public ROW frontage; 1 per tenant per side or rear facade on a parking lot
Internal Illumination	Permitted for individual letters and logos
Materials	Solid wood, metal, masonry & neon glass; Plastic & synthetics permitted only as separate alphanumeric characters or logos

Table 9.3 (1). Wall Sign Requirements.



Figure 9.3 (2). Measuring Wall Signs.

9.4 Projecting Sign.

1. Description.

A Projecting Sign is attached to and projects from a building face or hangs from a support structure attached to the building face. Sign faces are typically perpendicular to the building face, but may be at an angle greater than 45 degrees from the facade. The sign may be vertically or horizontally oriented. Refer to Figure 9.4 (1).

2. General Requirements.

Projecting Signs shall be developed according to the standards in Table 9.4 (1).

3. Computation.

The area of a Projecting Sign is equal to the area of one of the sign's faces.

Projecting Sign Requirements

Permitted Subdistricts	All non-residential Subdistricts
Sign Area	No maximum area for sign type; Refer to Table 9.2 (1) for maximum per lot
Height	8' maximum sign length, 8' minimum clearance to walk required
Location on the Building or Site	Permitted on all facades; Sign and structural supports shall not extend above the eave or parapet
Placement on the Building or Site	Shall not project closer than 3' from back of curb
Quantity	1 per tenant per public ROW frontage; 1 per tenant per side or rear facade on a parking lot
Internal Illumination	Permitted for individual letters and logos
Materials	Solid wood, metal, masonry & neon glass; Plastic & synthetics permitted only as separate alphanumeric characters or logos

Table 9.4 (1). Projecting Sign Requirements.

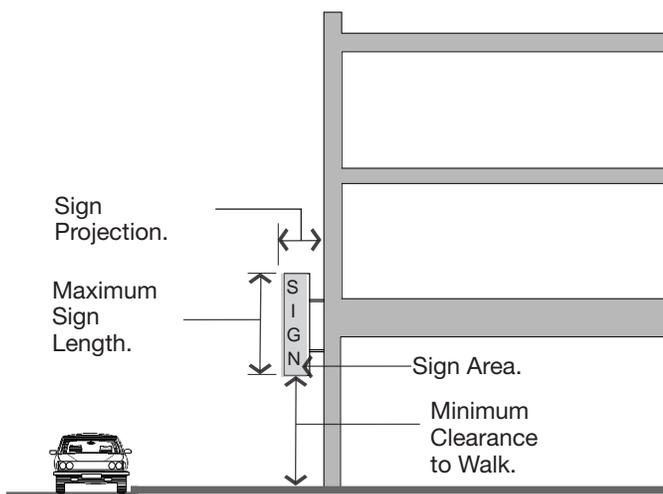


Figure 9.4 (1). Projecting Sign.

9.0 Sign Types

9.5 Projecting Marquee Sign.

1. Description.

A Projecting Marquee Sign is a projecting sign designed to have manually changeable copy and two to three sign faces. Refer to Figure 9.5 (1).

2. General Requirements.

Projecting Marquee Signs shall be developed according to the standards in this section and Table 9.5 (1).

- (1) Manually Changeable Copy Boards. Manually Changeable Copy Boards are permitted on Projecting Marquee Signs in the Core Subdistricts by right, provided the following conditions are met:
 - (a) The area of the boards cannot equal greater than 30% of the area of the sign face on which it is located or 32 square feet, whichever is less.
 - (b) One sign of any type containing a Manually Changeable Copy Board is permitted per lot.

3. Computation.

The sign area is calculated by combining the area of all exposed sign faces and the cabinet or structure surrounding them.

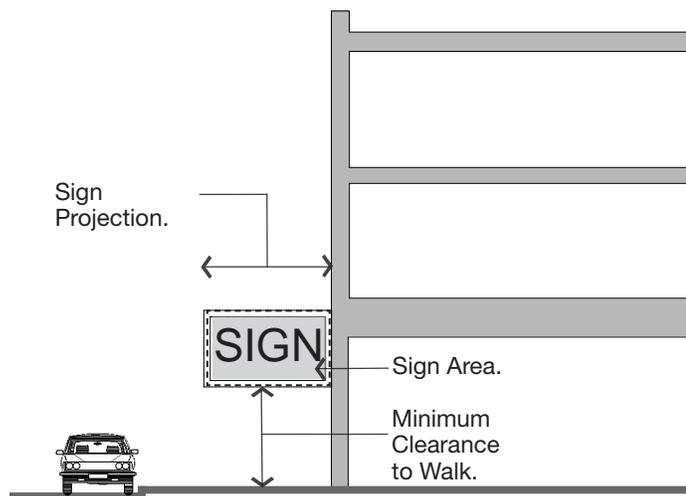


Figure 9.5 (1). Projecting Marquee Sign.

Projecting Marquee Sign Requirements	
Permitted Subdistricts	All "Core" and "General" Subdistricts, limited to Assembly Uses or Theater Uses per 4.0 Uses.
Sign Area	No maximum area for sign type; minimum two faces per sign. Refer to Table 9.2 (1) for maximum per lot
Height	10' minimum clearance to walk required
Location on the Building or Site	Front & corner side facades only
Placement on the Building or Site	Maximum projection from building is 6'; Shall not project closer than 1' from back of curb
Quantity	1 per lot
Internal Illumination	Permitted for individual letters and logos
Materials	Solid wood, metal, masonry & neon glass; Plastic & synthetics permitted only on Sign face; [Electronic Message and] Manually Changeable Copy Boards permitted with conditions ¹

Table 9.5 (1). Projecting Marquee Sign Requirements.

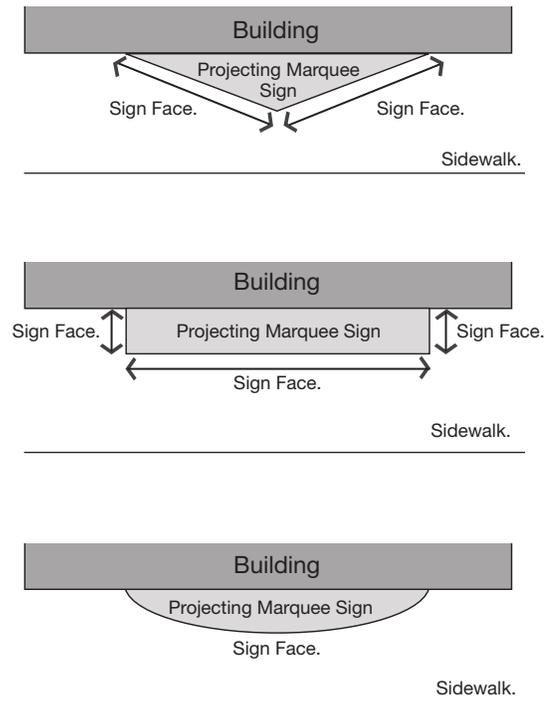


Figure 9.5 (2). Projecting Marquee Sign Plan.

9.6 Awning Sign.

1. Description.

A sign that is mounted, painted, or otherwise applied on or attached to an awning or canopy. Refer to Figures 9.6 (1) and 9.6 (2).

2. General Requirements.

Awning Signs shall be developed according to the standards in Table 9.6 (1).

3. Computation.

The area of an Awning Sign is calculated by drawing the smallest possible square or rectangle around the largest letters and/or elements of the sign portion of the awning, as is illustrated in Figure 9.6 (2).

Awning Sign Requirements

Permitted Subdistricts	All Subdistricts
Sign Area	Up to 50% of the awning may be used for Signage; Refer to Table 9.2 (1) for maximum per lot
Height	8' minimum clearance to walk required
Location on the Building or Site	Permitted on all facades
Placement on the Building or Site	Maximum projection from building is 6'; Shall not project closer than 2' from back of curb; Shall not block any window, door, or the building roof.
Quantity	1 per tenant per street frontage; 1 per tenant per side or rear facade on a parking lot
Internal Illumination	Not permitted
Materials	Cloth, canvas, metal, or wood; All supports shall be made of metal or wood

Table 9.6 (1). Awning Sign Requirements.

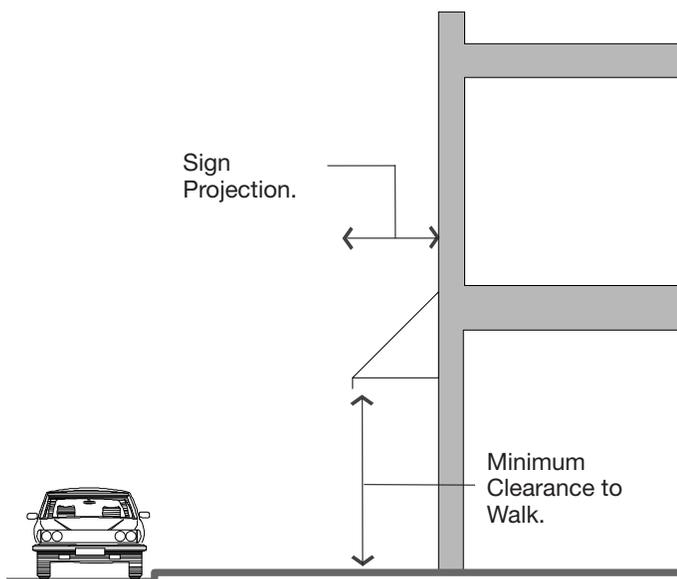


Figure 9.6 (1). Awning Sign.

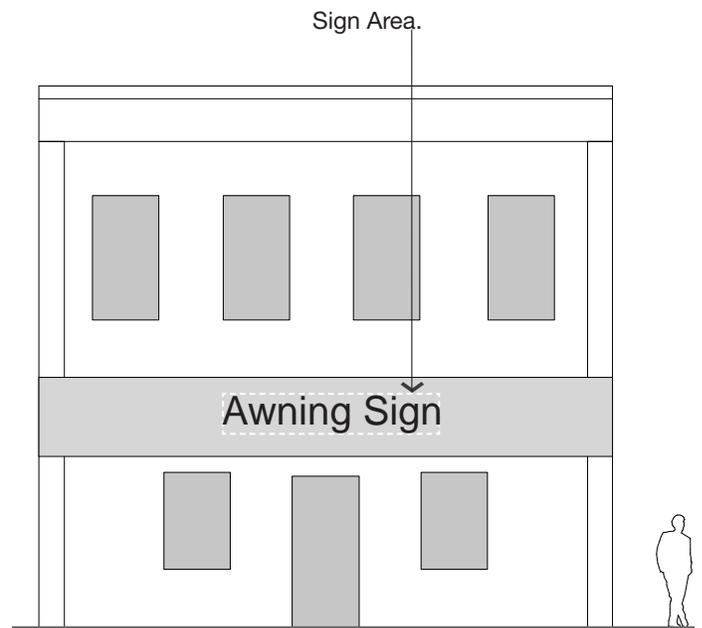


Figure 9.6 (2). Measuring Awning Signs.

9.0 Sign Types

9.7 Canopy-Mounted Sign.

1. Description.

A sign with individual alphanumeric characters and/or logos that is mounted on top of a permanent canopy. Refer to Figures 9.7 (1) and 9.7 (2).

2. General Requirements.

Canopy-Mounted Signs shall be developed according to the standards in Table 9.7 (1).

3. Computation.

The area of a Canopy-Mounted Sign is calculated by drawing the smallest possible square or rectangle around the largest letters and/or elements of the sign portion of the Canopy-Mounted Roof Sign, as is illustrated in Figure 9.7 (2).

Canopy-Mounted Sign Requirements

Permitted Subdistricts	All Subdistricts
Sign Area	No maximum area for sign type; Refer to Table 9.2 (1) for maximum per lot
Height	2' maximum letter or element height; Cannot project more than 2' above roof line of canopy
Location on the Building or Site	Permitted on all facades; not intended for the principal roof of the building
Placement on the Building or Site	Shall not project beyond the front edge of the canopy; Shall not block any window, door, or the building roof.
Quantity	1 per tenant per public ROW frontage; 1 per tenant per side or rear facade on a parking lot
Internal Illumination	Permitted for individual letters and logos
Materials	Solid wood, metal, & neon glass; Plastic & synthetics permitted only as separate alphanumeric characters or logos

Table 9.7 (1). Canopy-Mounted Sign Requirements.

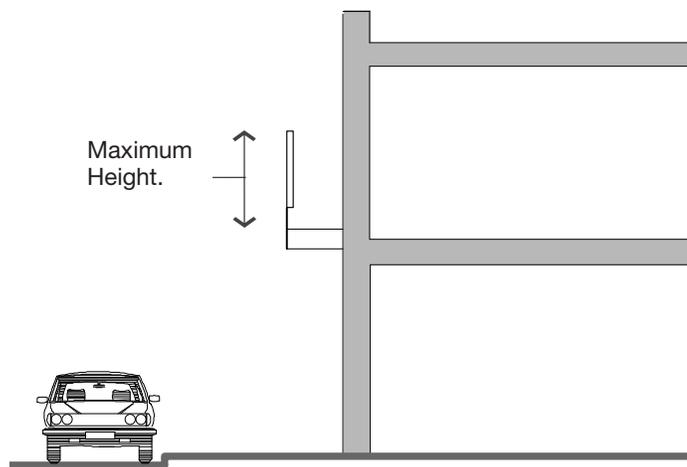


Figure 9.7 (1). Canopy-Mounted Sign.

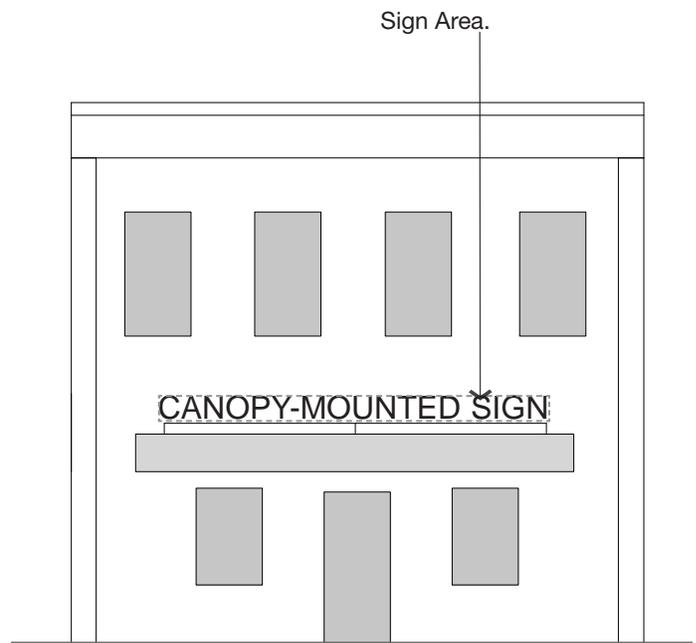


Figure 9.7 (2). Measuring Canopy-Mounted Signs.

9.9 Window Sign.

1. Description

A Window Sign is posted, painted, placed, or affixed in or on a window exposed for public view or is a sign hung inside the building facing the window for public view. Refer to Figure 9.9 (1).

2. General Requirements.

Window Signs shall be developed according to the standards in Table 9.9 (1).

3. Computation.

A series of windows that are separated by frames or supporting material of less than six inches in width shall be considered a single window for the purposes of computation.

- (1) Measurement. To measure sign area percentage, divide the total sign area by the total window area, as illustrated in Figure 9.9 (1).
- (2) Maximum Allowance. Window Signs are not counted toward a site's maximum signage allowance.
- (3) Exempt Signs. Address and hours of operation are considered exempt Signs and are not counted in the Window Sign area calculation. Refer to 9.2.1 (2) Exempt Signs.
- (4) Temporary Window Signs. Temporary Window Signs must be included in the total percentage of signage per window calculation. Refer to 9.2.1 (2) Temporary Signs.
- (5) Window Signs may not be internally illuminated except for neon or similar illuminated window signs.

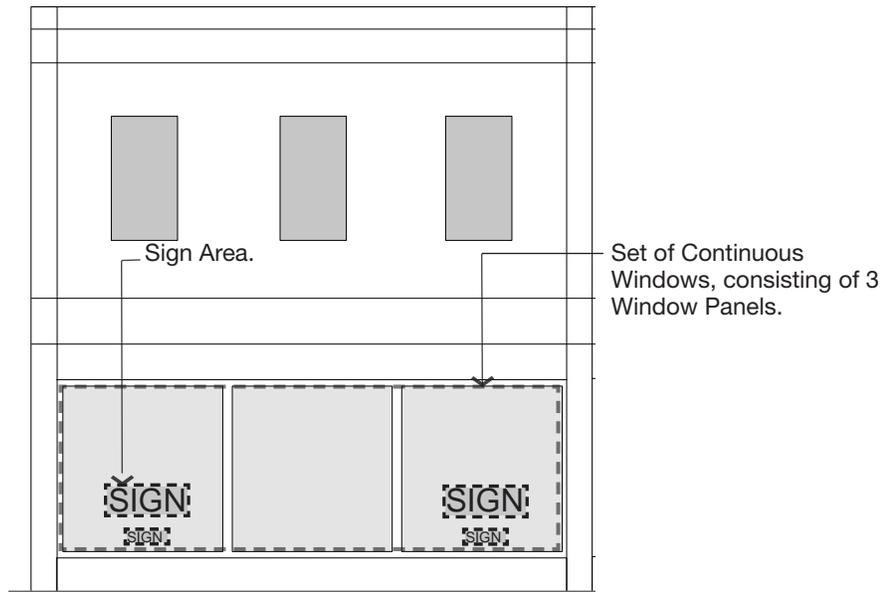


Figure 9.9 (1). Measuring Window Signs.

Window Sign Requirements

Permitted Subdistricts	"Core" & "General" Subdistricts
Sign Area	Up to 30% of a set of continuous windows may be covered with signage; No more than 50% of any one window panel may be covered with signage
Height	No maximum
Location on the Building or Site	Permitted on all facades
Placement on the Building or Site	Ground or upper story windows; May be affixed to window or hung/mounted behind glass
Quantity	No maximum quantity, based on window Sign area for ground story; 1 per tenant per floor for upper stories
Internal Illumination	Not permitted, except on neon or similarly illuminated window signs
Materials	Drawn, painted, or affixed on the glass; Wood, metal, neon glass, plastic, or other similar materials also permitted

Table 9.9 (1). Window Sign Requirements.

9.0 Sign Types

9.10 Monument Sign.

1. Description.

A Monument Sign is freestanding; it is located in a front or side yard of a lot. Refer to Figures 9.10 (1) and 9.10 (2).

2. General Requirements.

Monument Signs shall be developed according to the standards in Table 9.10 (1).

- (1) Multiple Tenants. Multiple tenant buildings on a lot with a width of greater than 300 feet, measured across the front property line, may have signage with the following parameters:
 - (a) Up to two Monument Signs on one frontage.
 - (b) Signs shall be at least 150 feet apart.
- (2) Pole-Mounted Signs. Monument Signs may not be pole-mounted.
- (3) Manually Changeable Copy. The area of any Manually Changeable Copy cannot equal greater than 50% of the area of the sign face on which it is located or 20 square feet, whichever is less.

3. Computation.

The area of a two-sided Monument Sign is equal to the area of one Sign face. The area of a three- or four-sided Monument Sign is equal to the total area of each sign face. This measurement includes the sign, any cabinet in which it is enclosed and the electronic message center, but excludes the base of the sign.

- (1) Measuring Height. Height shall include the sign face, base, cabinet, and ornamental cap.

Monument Sign Requirements	
Permitted Subdistricts	“Core” & “General” Subdistricts
Sign Area	Maximum 70 sq ft per Sign face
Height	Maximum height 6’
Location on the Building or Site	Front or Corner Yards
Placement on the Building or Site	10’ Setback from driveways & side property line; 3’ Setback ¹ from front & corner property lines
Quantity	1 per public ROW frontage
Internal Illumination	Permitted for individual letters and logos
Materials	Solid wood, metal & masonry; Plastic & synthetics permitted on Sign face; Electronic Message Board permitted in certain subdistricts.

¹ If placed closer than five feet from the front and corner side property lines, sign must not be located in a sight triangle extending 10 feet from either side of an intersection of a driveway and a vehicular right-of-way or two vehicular rights-of-way.

Table 9.10 (1). Monument Sign Requirements.

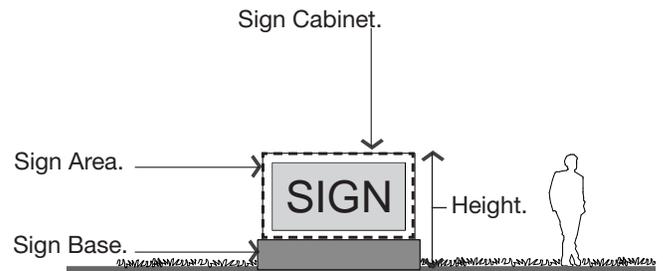


Figure 9.10 (1). Monument Sign.

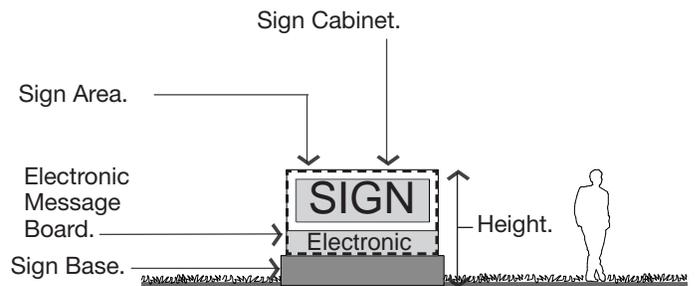


Figure 9.10 (2). Monument Sign with EMB.

9.11 Ped-Scale Pole-Mounted Sign.

1. Description.

A Ped-Scale Pole-Mounted Sign is freestanding and may be mounted on one or two poles. Three configurations are permitted. Refer to Figure 9.11 (1).

- (1) A sign mounted onto a double set of poles.
- (2) A sign mounted on a single pole.
- (3) A sign hanging from a single pole.

2. General Requirements.

Ped-Scale Pole-Mounted Signs shall be developed according to the standards in Table 9.11 (1).

3. Computation.

The area of a Pole-Mounted Sign is equal to the area of one sign face, including the Electronic Message Board.

Ped-Scale Pole-Mounted Sign Requirements

Permitted Subdistricts	"Core" & "General" Subdistricts
Sign Area	8 sq ft maximum area per sign face
Height	8' maximum height for sign mounted or hanging on a single pole; 5' for sign mounted on double set of poles; Each pole shall have a maximum size of 3.5" by 3.5"
Location on the Building or Site	Front or Corner Yards
Placement on the Building or Site	2' setback from front & corner property lines; Cannot overhang property lines
Quantity	1 per lot
Internal Illumination	Permitted for individual letters and logos
Materials	Solid wood, metal & masonry; Plastic & synthetics permitted on Sign face

Table 9.11 (1). Ped-Scale Pole-Mounted Sign Requirements.

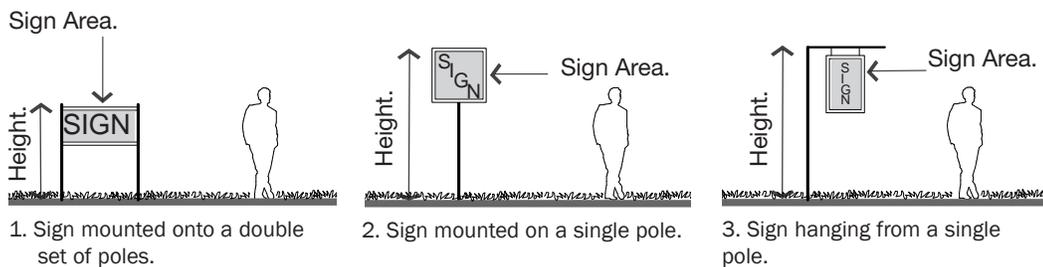


Figure 9.11 (1). Three Types of Ped-Scale Pole-Mounted Signs.

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10.0 Administration

10.1 General Provisions.

1. Purpose.

It is the intent of this code to promote public health, safety, and general welfare of the community, reflecting the goals established within the South Ogden City General Plan. It includes but is not limited to the specific purposes below.

- (1) To achieve mixed use development that is appropriate in scale and intensity for the neighborhoods and sites proximate to transit stops and stations.
- (2) To establish a relationship between buildings, streets, and open spaces that is pedestrian, bicycle, and transit-oriented.
- (3) To preserve and enhance the City's natural resources, energy, water, and open spaces and to promote innovative development that sustainably manages these issues, including stormwater runoff and mitigation the urban heat island effect.
- (4) To ensure that a variety of housing types and sizes can be developed to meet the needs of the entire community.
- (5) To promote a variety of transportation options for residents and visitors.

2. Scope of Regulations.

- (1) **New Development.** All development, construction, and establishment of uses within the limits of this code occurring after the effective date of this code shall be subject to all applicable regulations of this code.
- (2) **Renovated Structures.** All building renovations affecting greater than 25% gross square footage of a structure within the limits of this code shall be subject to all applicable regulations of this code.
- (3) **In-Process Development.** Where a building permit for a development has been applied for in accordance with the prior law in advance of this code's effective date, said development may comply with the plans from which the permit was approved and, upon completion, receive a certificate of occupancy or zoning certificate (provided all conditions are met) provided the following.
 - (a) Work or construction is begun within one year of the effective date of this code.
 - (b) Work or construction continues diligently toward completion.
- (4) **Nonconformance.** After the effective date of this code, existing buildings and uses that do not comply with the regulations of this code shall be considered nonconforming and are subject to the standards of 10.4 Nonconformances.
- (5) All roads, alleys, parking lots, service areas and similar facilities proposed for development and not specifically designated as public shall be assumed to be privately owned. South Ogden City will not be responsible for constructing, managing, operating or maintaining any private roads, alleys, parking lots, service areas, utilities or infrastructure propose for inclusion in the districts controlled by this code.

3. Administration & Enforcement.

The provisions of this code shall be administered and enforced by the City manager or designee, unless otherwise specifically stated. For the purposes of this code, the term City Manager shall be inclusive of his or her designees.

Where provisions of this code differ from the City's Code, the requirements of this code shall apply.

4. Development Application.

Applications (form, fees, and plan sets) shall be filed with the City Manager or designee.

- (1) **Application Form.** Application forms are available from the City.
- (2) **Fees.** Fee amounts are available from the City and are due at the time the application is made; the application will be considered incomplete if fees are not paid.
- (3) **Plan Set Requirements.** Number of copies and minimum scale of drawings shall be noted on the application form. All plans shall be submitted in both a paper and an approved digital format using NAD1983 state plane coordinates.
- (4) **Filing Deadline.** Filing deadlines are established by the City and available at City location.
- (5) **Withdrawal of Application.** Applicant may withdraw application whole or in part at any point in the process prior to being acted or ruled upon; new application form, fees, and plan sets are required for reapplication.
- (6) **Records on File.** Applications and the resulting recommendations and rulings shall be kept on file by the City Manager or Designee and shall be considered public record.
- (7) **Notice requirements for each process are detailed in the City code.**

5. Zoning Map

The areas and boundaries of the subdistricts listed in 3.0 are hereby established to scale as shown on the map entitled Zoning Map of the city and referred to herein as "Zoning Map".

6. Process

Any development within a subdistrict shall be administered in accordance with the procedures defined in 10.2. and Title 10 of the City Code.

- (1) The application shall include the following processes
 - (a) **Pre-Application Meeting.** Refer to 10.2.2.
 - (b) **Site Plan Approval,** including building, site, and streetscape. Refer to 10.2.5.

7. Staff Review Committee

The City Manager or Designee shall serve approve, deny, or approve with conditions all submittals for Regulating Plans and Site Plans within the Subdistricts upon review by a Staff Review Committee.

- (1) The Staff Review Committee shall include members of each regulatory agency, a representative of each affected City Department [i.e. Planning, Zoning, Public Works, Transportation, Utilities].
- (2) The Staff Review Committee shall meet regularly to process applications within the time lines established by 10.2.1 through 10.2.5.
- (3) The decision regarding approval or denial of a Regulating Plan or Site Plan shall state in writing the reasons for approval or denial.
- (4) If a Regulating Plan or Site Plan is denied by the City Manager or Designee, the applicant may appeal the decision to the Planning Commission.

10.2 Development Review Procedures.

1. General Requirements.

The processes included in this section, 10.2, are required for approval of new development in the South Ogden City Center & 40th Street Corridor

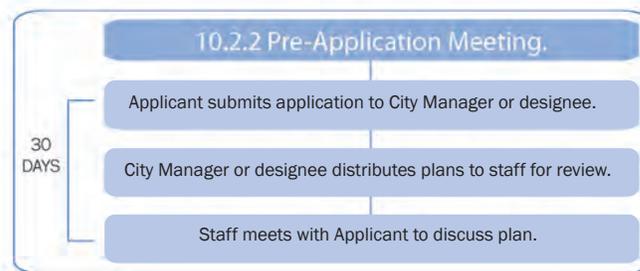
- (1) Appeal. If any application is disapproved, applicant may appeal the decision through the appeals process (refer to existing city code title 10-4-3).
- (2) Expiration of Approval. Approval of any application shall expire 12 months from the date of approval, if permits for development have not been submitted for review or construction has not begun.
 - a. Applicant can request an extension if done so in writing to the City Manager or Designee at least 30 days prior to the end of the 12 month period.
 - b. Failure to act within the 12 month period shall require a new application, including all forms, fees, and plan sets.
- (3) Review Criteria. All Regulating Plan, Site Plan, and Exception applications shall be reviewed using the following criteria.
 - (a) Plan complies with the standards within the intents of the General Plan.
 - (b) Plan's design is consistent with the intent, character, and planning criteria of any plan in place.
 - (c) Plan's design meets all of the requirements of this code.
 - (d) Proposed development is sufficiently served by or provides essential public facilities, such as access and open space, and services, such as utilities and emergency services.
 - (e) Plan is designed with regard to preserving the lot's natural features and topography.

2. Pre-Application Meeting.

- (1) Intent. To afford the applicant an opportunity to receive the advice and assistance of the professional staff before preparing formal plans and making an official application.
- (2) Eligible Applicant. Applicant must apply for a pre-Application meeting prior to submitting an application for Rezoning, Preliminary Plat Approval, Exception, or Variance. The pre-Application meeting is encouraged for Site Plan Approval

processes.

- (3) Application. Applicant shall submit the following.
 - (a) Application, Form, and Applicable Fees.
 - (b) Sketch Plan. A sketch plan or plans shall detail the proposal, including the following.
 - (i) General rough layout of block, and lots, with types of streets and Open Space Type noted.
 - (ii) Existing conditions such as topography, water bodies, aerial photograph, and flood plane.
 - (iii) Approximate distribution of Subdistricts, Building Types, and Uses.
 - (iv) Anticipated method of achieving parking requirements.
 - (v) Site survey if available.
 - (c) Exceptions or Variances. A description of any desired Exception or Variance (per 10.3).
- (4) Pre-Application Meeting. Staff shall meet with the Applicant to discuss the proposed plan within 30 days of receipt of the complete application.



3. Rezoning Process.

Refer to the City Code for information on the rezoning process.

4. Subdivision Plat Approvals.

Refer to Title 11 in the City Code for information on the subdivision plat approvals processes.

5. Site Plan Approval.

- (1) Intent. To establish a process that allows the City to administratively review development and redevelopment of sites and Building Types, uses, and other site requirements within all subdistricts to ensure that the full standards and intents of this code are met.
- (2) Eligible Applicant. Applicant shall apply for Site Plan Approval for all projects within all subdistricts listed in section 3.0.
- (3) Application. The following information shall constitute a complete application. Application shall be submitted in a form as determined by the City Manager or Designee.
 - (a) Complete Application, Form, and Applicable Fees.
 - (b) Applicant shall submit the following in compliance with

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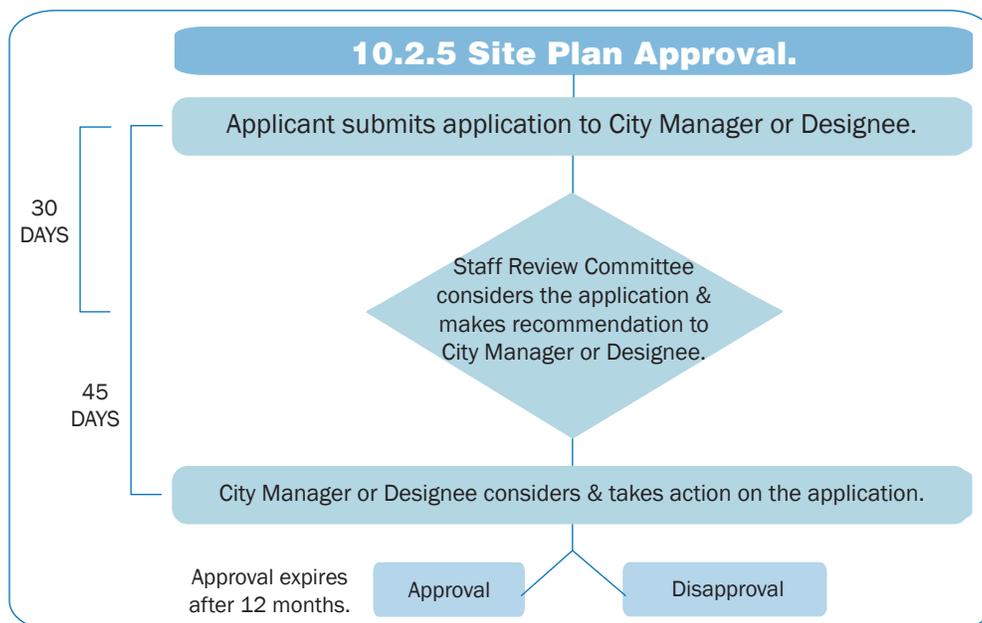
(xiv) Traffic Study, for projects larger than .5 acres, to verify impacts to surrounding roadways.

the requirements of 3.0 Subdistricts, 4.0 Uses, 5.0 Building Types, 6.0 Open Space Types (when submitting an application for development of a Open Space Type), 7.0 Landscape, 8.0 Parking, and 9.0 Sign Types. All maps and plans shall include date of preparation, north arrow, and scale.

- (i) Site Location Map, Legal Description/Limits of Plan.
- (ii) Survey Plat. Dimensions of property lines, easements, rights-of-way.
- (iii) Development Boundaries and Proposed Phasing, if applicable.
- (iv) Existing Conditions Plan. Existing on-site and adjacent off-site structures, streets, utilities, easements, pavement noted either on an aerial photograph or site survey.
- (v) Existing Natural Conditions Plan. Existing topography, vegetation, drainageways, floodplain/way, or other unique features either on an aerial photograph or site survey.
- (vi) Site Plan. A Site Plan delineating all proposed structures and surfaces, including parking, pavement, decks, patios, landscape, and retaining walls.
- (vii) Building Plan(s). Floor plans for all buildings illustrating compliance with the requirements of 5.0 Building Types.
- (viii) Table of Uses. A table of uses is required on the Building Plan delineating locations and gross square footages of categories of uses, and illustrating compliance with 4.0 Uses.
- (ix) Building Elevations. Building elevations of all facades, rendered to illustrate compliance with the requirements of 5.0 Building Types.
- (x) Landscape Plan. Landscape Plan illustrating compliance

with the requirements of 7.0 Landscape. All ground plane vegetation shall be illustrated. For sites with less than ten percent landscape area, the Landscape Plan may be combined with the Site Plan.

- (xi) Parking Plan. Parking layout plan with table of spaces keyed to plan, illustrating compliance with 8.0 Parking. Driveways, shared parking arrangements, cooperative parking, and any other parking reductions shall be included and noted for compliance with 8.0 Parking.
 - (xii) Signage Plan, if Signage is included. Signage Plan illustrating compliance with the requirements of 9.0 Sign Types.
 - (xiii) Open Space Plan, if Open Space is included. Open Space Plan shall define all paving, structures, site furnishings, and landscape areas.
- (4) Application Process Timeline. Upon submittal of a complete application, the application will be reviewed using the following process and timeline.
- (a) Staff Review Committee. The Staff Review Committee shall review and make recommendations on the application within 30 days of the submission of the complete application.
 - (b) The City Manager or Designee shall render a decision to approve or disapprove the application within 45 days of the submission of the complete application.
 - (i) 45 days may be extended with the applicant's written consent.
 - (ii) The City Manager or Designee may approve, approve with conditions, or disapprove the application, providing the reasons for disapproval or any conditions for approval in writing.
 - (c) If a Site Plan Approval is being sought for the same property,



the Conditional Use Permit shall be submitted concurrently and the timelines shall match.

- (5) Procedure for Site Plan Adjustments. The City Manager or Designee may permit Minor Adjustments to an approved site plan, if the revisions are within the scope and intent of the original approval.
- (a) Process. The process to review plan adjustments is as follows.
- (i) Applicant shall submit a revised plan and letter of explanation detailing the change to the City Manager or Designee.
 - (ii) The City Manager or Designee shall review the request and notify the applicant of the decision.
 - (iii) If the City Manager or Designee deems the change to be a Major Adjustment to the plan, applicant must resubmit for Site Plan Review for approval of the new plan, including a new application (forms, fees, and plan sets).
 - (iv) If the City Manager or Designee deems the changes to be Minor Adjustments and approves them as within the scope and intent of the original approval, the Applicant shall revise the plan providing copies to the City Manager or Designee for filing prior to applying for building or construction permits.
- (b) Minor Adjustments are limited to the following, while still meeting the requirements of this code. All other adjustments are considered Major.
- (i) Changes in dimensions or quantities less than ten percent of previous amounts.

6. Conditional Use Permit.

- (1) Intent. To establish a process to review requests for the following.
- (a) Development of Uses permitted within a Zoning Subdistrict, but that may not be appropriate for development on every lot within that Subdistrict because of potential negative impacts associated with the Use.
- (2) Eligible Applicant. Applicant shall apply for a Conditional Use Permit prior to the development, installation, or opening of a use in a Core, General, or Edge Subdistrict, designated as a Conditional Use in 4.0.
- (3) Application. The following information shall constitute a complete application. Application shall be submitted in a form as determined by the City Manager or Designee.
- (a) Complete Application, Form, and Applicable Fees.
- (b) Applicant shall submit the following in compliance with the requirements of 4.0 Uses.
- (i) Site Location Map , Legal Description/Limits of Plan.
 - (ii) Survey Plat. Dimensions of property lines, easements, rights-of-way.
 - (iii) Development Boundaries and Proposed Phasing, if applicable.
 - (iv) Map of existing category of uses and use descriptions

on parcel and all adjacent parcels within 600 feet, utilizing nomenclature found in 4.0.

- (v) Map of proposed category of uses and use descriptions,utilizing nomenclature found in 4.0.
 - (vi) Statement of Intent. Statement describing existing and proposed Use and zoning classification.
- (4) Application Process Timeline. Upon submittal of a complete application, the application will be reviewed using the following process and timeline.
- (a) Staff Review Committee. The Staff Review Committee shall review and make recommendations on the application within 30 days of the submission of the complete application.
- (b) The City Manager or Designee shall render a decision to approve or disapprove the application within 45 days of the submission of the complete application.
- (i) 45 days may be extended with the applicant's written consent.
 - (ii) The City Manager or Designee may approve, approve with conditions, or disapprove the application, providing the reasons for disapproval or any conditions for approval in writing.
- (c) If a Site Plan Approval is being sought for the same property, the Conditional Use Permit shall be submitted concurrently and the timelines shall match.

10.3 Exceptions and Variances.

1. Exceptions.

- (1) Intent. To establish relief and flexibility in standards that may be administratively reviewed and approved, if certain criteria are met.
- (2) Eligible Applicant. Applicant is eligible to apply for an Exception to the code upon submittal of an application for Site Plan Approval, in cases that involve such standards as the following:
- (a) Regulating Plan Requirements
- (i) Distribution of permitted Subdistricts within 100' of required amount. (Substitution of subdistricts is not permitted.)
 - (ii) Block Size within 100' of required dimensions and with the provision of a Mid-Block Pedestrianway (refer to 1.0)
 - (iii) Street Type Requirements within one foot of required dimensions. (refer to 2.0)
 - (iv) Open Space Requirement within 100' of required distance for no more than ten units and with the availability of two Open Spaces within that dimension (refer to 1.0 and 6.0)
 - (v) Building Type Requirements within one foot of required dimensions. (refer to 5.0)
- (b) Site Plan Requirements
- (i) Landscape Requirements within one foot of required dimensions. (refer to 7.0)
 - (ii) Parking and Loading Facilities within one foot of required dimensions. (refer to 8.0)
 - (iii) Sign Type Requirements within one foot of required

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- dimensions. (refer to 9.0)
- (iv) Building Type Requirements within one foot of required dimensions. (refer to 5.0)
- (v) Additional exceptions may be granted based on a formal request in writing by the applicant, stating specific reasons why the request does not impact the overall intent of this section, and is essential for success of the development.

- (4) Application Process Time Line. An Application for Exception shall be submitted concurrently with the process seeking exception from, either Regulating Plan Approval or Site Plan Approval.
- (a) Staff Review Committee. The Staff Review Committee shall review and make recommendations on the application within the same time line as the applicable process, Regulating Plan or Site Plan approval.
 - (b) The City Manager or Designee shall render a decision to approve or disapprove the application within the same time line as the applicable process, Regulating Plan or Site Plan approval.

2. Variances

Refer to Title 10-4-6 (C) of the City Code for information on the variance process.

10.4. Nonconformances.

1. General Requirements.

- (1) Intent. To provide a set of regulations for legal nonconforming buildings and uses and to specify those circumstances and conditions under which those nonconformances shall be gradually eliminated.
- (2) Applicability. The standards in this section apply as follows.
 - (a) The provisions detailed in this section apply to all structures, uses, or site characteristics that lawfully existed prior to the adoption of or Amendment to this code, but that may not occur under the current provisions of this code Title 10-16.
 - (b) Structures, uses, and site characteristics that did not lawfully exist prior to the effective date or amendment to this code shall not be considered legal nonconformances and therefore are not protected under the provisions of this section.
- (3) Continuation. All nonconformances are permitted to continue subject to the restrictions outlined in this section.
- (4) Maintenance. All nonconformances shall be maintained as required by law to protect public health safety, and welfare, provided said maintenance does not result in the expansion of the nonconformity.

2. Nonconforming Structures.

- (1) Intent. To provide regulations for the continuation of a structure

that was legally constructed prior to the adoption or amendment to this code, but that could not occur under the current provisions of this code.

- (2) Restrictions on Continuation. A nonconforming structure may continue based upon the following conditions.
 - (a) Alterations. The standards of this code shall apply to alterations under the following circumstances.
 - (i) Where the renovation includes an addition of more than 25 percent in gross building square footage, the building shall be brought into conformance.
 - (ii) When a renovation of the front facade occurs with no added building square footage, the street facade Requirements and Entrance Type Requirements (refer to 5.9) shall be met when the existing building front or corner facade is located within the build to zone and the renovation includes any one of the following:
 - i. Installation of additional doors or a change in location of a door.
 - ii. Expansion or change in location of 30% of windows on any street façade.
 - iii. Replacement of 30% or more of facade materials on any street facing facade with a different facade material.
 - (iii) When a renovation of the shape or style of the roof occurs with no added building square footage, the Roof Type Requirements (refer to 5.10) shall be met when the existing building front or corner facade is located within the build-to zone.
 - (b) Ordinary Repairs. Ordinary repairs required for safety and continued use of the structure, such as replacement of window or door glass; and interior alterations that do not affect the exterior of the building do not trigger conformance to this code.
 - (c) Impact on Nonconformity. No alteration or repair shall expand the existing or create a new nonconformity unless otherwise permitted by this section, 10.4.2 Nonconforming Structures.
 - (d) Damage or Destruction. A nonconforming structure may be repaired and its use continued if damaged by any means not within the control of the owner per the Utah Code.
 - (e) Abandonment. The right to utilize a nonconforming structure shall be terminated if the structure is not utilized or is abandoned for a period of 12 consecutive months.
 - (i) If the owner is actively seeking another tenant for the use or structure, the 12 month period may be extended up to an additional 12 months with permission of the City Council.
 - (ii) To obtain this extension, the owner must provide evidence of this activity, including solicitation, showing the site to potential tenants, and maintenance of utilities and other site facilities for reuse; simply listing the site as available real estate is not sufficient.

3. Nonconforming Uses.

Refer to Title 10-16 in the City Code for information on the nonconforming uses.

4. Nonconforming Site Characteristics.

- (1) **Intent.** To establish regulations for the continuation of site characteristics, such as curb cut quantity, signage, parking, landscaping, or other non-structural, physical characteristics of a site, that was legally constructed or installed prior to the approval or amendment of this code, but that cannot be created under the provisions of this code.
- (2) **Restrictions to Continuation.** A nonconforming site characteristic may continue based upon the following conditions.
 - (a) **10% Percent Exception.** A site characteristic is not considered nonconforming if the size of the nonconformance is 10% or less of this code's requirement.
 - (b) **Change in Associated Use.** The right to continue shall be terminated if the associated use changes or changes in intensity through such additions as an increase in the dwelling units, gross floor area, or capacity by 15% or more.
 - (i) Single or individual business signs within a multiple business center are exempt from this standard. A new tenant is permitted to install an individual business sign even if the signage on the lot as a whole is nonconforming, provided that the new sign does not increase the lot's nonconformance.
 - (c) **Change in Associated Structure.** The right to continue shall be terminated if the associated structure is altered to increase its gross floor area by 15% or more.
 - (d) **Abandonment.** The right to continue shall be terminated if the associated Use or structure, conforming or not, is abandoned for a period of 12 consecutive months.

10.5 Definitions.

1. Graphics.

The graphics, tables, and text utilized throughout this code are regulatory. In case of a conflict, text shall control over tables and graphics and tables shall control graphics.

2. Defined Terms.

For the purposes of this code, the following terms shall have the following meanings.

- (1) **Animal.** All non-human members of the animal kingdom, including domestic and livestock species.
- (2) **Applicant.** The owner of a subject property or the authorized representative of the owner on which a land development application is being made.
- (3) **Block.** The aggregate of lots, passages, lanes, and alleys bounded on all sides by streets.

- (4) **Block Depth.** A block measurement that is the horizontal distance between the front property line on a block face and the front property line of the parallel or approximately parallel block face.
- (5) **Block Ends.** The lots located on the end of a block; these lots are often larger than the lots in the interior of the block or those at the opposite end of the block and can be located on a more intense street type. They are typically more suitable for more intensive development, such as multiple family or mixed use development.
- (6) **Block Face.** The aggregate of all the building facades on one side of a block.
- (7) **Block Length.** A block measurement that is the horizontal distance along the front property lines of the lots comprising the block.
- (8) **Build-to-Zone.** An area in which the front or corner side facade of a building shall be placed; it may or may not be located directly adjacent to a property line. The zone dictates the minimum and maximum distance a structure may be placed from a property line. Refer to Figure 10.5 (2) Build-to Zone vs. Setback Line.
- (9) **Building Type.** A structure defined by the combination of configuration, form, and function. Refer to 5.0 Building Types for more information and the list of permitted Building Types.
- (10) **City Manager or Designee.** The South Ogden City Manager, or a person that is designated to make decisions by the City Manager.
- (11) **Courtyard.** An outdoor area enclosed by a building on at least two sides and is open to the sky.
- (12) **Coverage, Building.** The percentage of a lot developed with a principal or accessory structure.
- (13) **Critical Root Zone.** Also referred to as drip line. The area of soil and roots within the radius beneath the tree's canopy, within the dripline, or within a circular area of soil and roots with a radius out from the trunk a distance of 1.5 feet for every inch of the tree's width (measured at 4.5 feet above the mean grade of the tree's trunk, noted as diameter breast height or DBH throughout this code).
- (14) **Dedication.** The intentional appropriation of land by the owner to the City for public use and/or ownership.
- (15) **Density.** The number of dwelling units located in an area of land, usually denoted as units per acre.
- (16) **Dwelling Unit.** A room or group of rooms connected together that include facilities for living, sleeping, cooking, and eating that are arranged, designed, or intended to be used as living quarters for one family, whether owner occupied, rented, or leased.
- (17) **Easement.** A legal interest in land, granted by the owner to another person or entity, which allows for the use of all or a portion of the owner's land for such purposes as access or placement of utilities.
- (18) **Eave.** The edge of a pitched roof; it typically overhangs beyond the side of a building.

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- (19) **Entrance Type.** The permitted treatment types of the ground floor Facade of a Building Type. Refer to 5.9 for more information and a list of permitted Entrance Types.
- (20) **Expression Line.** An architectural feature. A decorative, three dimensional, linear element, horizontal or vertical, protruding or indented at least two inches from the exterior facade or a building typically utilized to delineate floors or stories of a building.
- (21) **Facade.** The exterior face of a building, including but not limited to the wall, windows, windowsills, doorways, and design elements such as expression lines. The front facade is any building face adjacent to the front property line.
- (22) **Family.** Family is defined as one of the following.
- (a) Two or more persons, each related to the other by blood, marriage, or adoption together with usual domestic servants and not more than one bona fide guest, all living together as a common household unit.
 - (b) Up to three persons all of whom are not necessarily related to each other by blood, marriage, or adoption, and their children living together as a common household unit.
 - (c) For the purposes of this code, an unrelated family shall not include persons living together in a residential care home or transitional treatment facility in accordance with the requirements of this code.
- (23) **Grade.** The average level of the finished surface of the ground story adjacent to the exterior walls of a building.
- (24) **Gross Floor Area.** The sum of all areas of a building, including accessory storage areas or closets within sales spaces, working spaces, or living spaces and any basement floor area used for retailing activities, the production or processing of goods, or business offices. It shall not include attic space having headroom of seven feet or less and areas devoted primarily to storage, balconies, off-street parking and loading areas, enclosed porches, roof decks, roof gardens, or basement floor area other than specified above.
- (25) **Impervious Surface.** Also referred to as impervious material. Any hard surface, man-made area that does not absorb water, including building roofs, sidewalks, parking, driveways, and other paved surfaces.
- (26) **Landscape Area.** Area on a lot not dedicated to a structure, parking or loading facility, frontage buffer, side and rear buffer, or interior parking lot landscaping.
- (27) **Lot.** Also referred to as parcel. A plot of land intended to be separately owned, developed, or otherwise used as a unit. Refer to Figure 10.5 (1) Lots.
- (28) **Lot, Corner.** A parcel of land abutting at least two vehicular rights-of-way, excluding an alley, at their intersection. Refer to Figure 10.5 (1) Lots.
- (29) **Lot, Flag.** A parcel of land having its only access to the adjacent vehicular right-of-way, excluding an alley, through a narrow strip of land. Refer to Figure 10.5 (1) Lots.
- (30) **Lot, Interior.** A parcel of land abutting a vehicular Right-of-Way, excluding an Alley, along one (1) Property Line; surrounded by Lots along the remaining Property Lines.
- (31) **Lot, Through.** Also referred to as a double frontage lot. An interior lot having frontage on two approximately parallel vehicular rights-of-way, excluding an alley. Refer to Figure 10.5 (1) Lots.
- (32) **Lot Area.** The computed area contained within the property lines; it is typically denoted in square feet or acres.
- (33) **Lot Depth.** The smallest horizontal distance between the Front and Rear Property Lines measured approximately parallel to the Corner and/or Side Property Line. Refer to Figure 10.5 (1) Lots.
- (34) **Lot Frontage.** The horizontal distance between the Side Property Lines, measured at the Front Property Lines. Refer to Figure 10.5 (1) Lots.
- (35) **Nonconformance.** A structure, use, lot, or site characteristic that was legally constructed or operated prior to the effective date of or Amendment to this code, but that cannot be constructed, platted, or operated after the effective date of or Amendment to this code.
- (36) **Occupied Space.** Interior building space regularly occupied by the building users. It does not include storage areas, utility space, or parking.
- (37) **Open Space Type.** The permitted and regulated types of open spaces in this code. Refer to 6.0 Open Space Types for more information and a list of the permitted types.
- (38) **Open Water.** A pond, lake, reservoir, or other water feature with the water surface fully exposed.
- (39) **Owner.** The legal or beneficial title-holder of land or holder of a written option or contract to purchase the land.
- (40) **Pedestrianway.** A pathway designed for use by pedestrians; it can be located mid-block allowing pedestrian movement from one street to another without traveling along the block's perimeter.
- (41) **Pervious Surface.** Also referred to as pervious material. A material or surface that allows for the absorption of water into the ground or plant material, such as permeable pavers or a vegetated roof.
- (42) **Plat.** A map or chart of a division and/or combination of lots.
- (43) **Primary Façade.** The façade facing the street from which the building derives its street address.
- (44) **Primary Street.** A major corridor that receives priority over other streets in terms of setting front property lines and locating building entrances.
- (45) **Property Line.** Also referred to as lot line. A boundary line of a parcel of land or lot. Refer to Figure 10.5 (1) Lots.
- (46) **Property Line, Corner.** A boundary of a lot that is approximately perpendicular to the front property line and is directly adjacent to a public Right-of-Way, other than an alley or railroad. Refer to Figure 10.5 (1) Lots.
- (47) **Property Line, Front.** The boundary abutting a right-of-way, other

- than an Alley, from which the required setback or build-to zone is measured, with the following exceptions.
- (a) Corner and Through Lots that abut a Primary Street shall have the front property line on that Primary Street.
 - (b) Corner and Through Lots that abut two Primary Streets or do not abut a Primary Street shall utilize the orientation of the two directly adjacent lots, or shall have the front property line determined by the City Manager or Designee.
- (48) **Property Line, Rear.** The boundary of a lot that is approximately parallel to the front property line; this line separates lots from one another or separates a lot from an alley. Refer to Figure 10.5 (1) Lots.
 - (49) **Property Line, Side.** The boundary of a lot that is approximately perpendicular to the front and rear property lines; it is not adjacent to the public right-of-way. Refer to Figure 10.5 (1) Lots.
 - (50) **Right-of-Way.** Land dedicated or utilized for a Street Type, trail, pedestrianway, utility, railroad, or other similar purpose.
 - (51) **Roof Type.** The detail at the top of a building that finishes a Facade, including a pitch roof with various permitted slopes and a parapet. Refer to 5.10 for more information and a list of the permitted Roof Types.
 - (52) **Scale.** The relative size of a building, street, sign, or other element of the built environment.
 - (53) **Semi-Pervious Surface.** Also referred to as semi-pervious material. A material that allows for at least 40% absorption of water into the ground or plant material, such as pervious pavers, permeable asphalt and concrete, or gravel.
 - (54) **Setback.** The horizontal distance from a property line inward, beyond which a structure may be placed. Structures or other impervious surfaces are not permitted within a setback, unless specifically permitted in this code. Refer to Figure 10.5 (2) Build-to Zone vs. Setback Line.
 - (55) **Sign.** An object, device, or structure used to advertise, identify, display, direct, or attract attention to an object, person, institution, organization, business, product, service, event, or location by such means as words, letters, figures, images, designs, symbols, or colors. Flags or emblems of any nation, state, city, or organization; works of art which in no way identify a product; and athletic field score boards are not considered signs.
 - (56) **Solar Reflectance Index (SRI).** A measure of a constructed surface's ability to reflect solar heat, as shown by a small temperature rise. The measure utilizes a scale from 0 to 100 and is defined so that a standard black surface is 0 and a standard white surface is 100. To calculate for a given material, obtain the reflectance value and emittance value for the material; calculate the SRI according to ASTM E 1980-01 or the latest version.
 - (57) **Story.** A habitable level within a building measured from finished floor to finished floor.
 - (58) **Story, Ground.** Also referred to as ground floor. The first floor of a building that is level to or elevated above the finished grade on the front and corner facades, excluding basements or cellars.
 - (59) **Story, Half.** A story either in the base of the building, partially below grade and partially above grade, or a story fully within the roof structure with transparency facing the street.
 - (60) **Story, Upper.** Also referred to as upper floor. The floors located above the ground story of a building.
 - (61) **Street Face.** The facade of a building that faces a public right-of-way.
 - (62) **Street Frontage.** Also refer to lot frontage. The portion of a building or lot directly adjacent to a vehicular right-of-way.
 - (63) **Street Type.** The permitted and regulated types of streets in this code. Refer to 2.0 Street Types for more information and a list of the permitted Street Types.
 - (64) **Streetwall.** The vertical plane created by building facades along a street. A continuous streetwall occurs when buildings are located in a row next to the sidewalk without vacant lots or significant setbacks.
 - (65) **Structure, Accessory.** The general term for a subordinate structure detached from, but located on the same Lot as the Principal Structure; it may or may not be inhabitable.
 - (66) **Structure, Principal.** Also referred to as the principal building. A building that contains the dominant Use of the Lot. It is typically located toward the front of the Lot in the front Build-to Zone or behind the Front Yard Setback.
 - (67) **Swale.** A low lying, naturally planted area with gradual slopes that facilitate the transport, absorption, and/or filtration of stormwater.
 - (68) **Tree Canopy.** The uppermost area of spreading branches and leaves of a tree.
 - (69) **Tree Canopy Coverage.** The area of ground covered or shaded by a tree's canopy, measured in square feet.
 - (70) **Use.** Also referred to as land use. A purpose or activity that may occur within a building or a lot.
 - (71) **Use, Accessory.** A use customarily, incidental, and subordinate to the principal use or structure and located on the same lot with such principal use or structure.
 - (72) **Use, Principal.** The specific, primary purpose for which a lot or building is utilized.
 - (73) **Use, Special.** A use that may not be appropriate in certain locations based on the potential negative impacts associated with the use and requires approval of a Special Use Permit.
 - (74) **Visible Basement.** A half story partially below grade and partially exposed above with required transparency on the street facade.
 - (75) **Water Body.** A body of water, such as a river, pond, or lake that may be man-made or naturally occurring.
 - (76) **Yard.** The space on a lot which is unoccupied and unobstructed from the ground to the sky by the principal structure. Lots without a structure do not have yard designations. Refer to Figure 10.5 (3) Yards.

10.0 Administration

- (77) **Yard, Corner Side.** A yard extending from the corner side building facade along a corner side property line between the front yard and rear property line.
- (78) **Yard, Front.** A yard extending from the front facade of the principal structure along the full length of the front property line, between the side property lines or side and corner side property lines. Figure 10.5 (3) Yards.
- (79) **Yard, Rear.** A yard extending from the rear building facade along the rear property line between the side yards or, on a corner lot, the corner side and side yards. Figure 10.5 (3) Yards.
- (80) **Yard, Side.** A yard extending from the side building facade along a side property line between the front yard and rear property line. Figure 10.5 (3) Yards.
- (81) **Zoning Subdistrict.** A designation given to each lot within the city that dictates the standards for development on that Lot. Refer to 3.0 Zoning Subdistricts for more information and a list of permitted Zoning Subdistricts



Figure 10.5 (1). Lots.

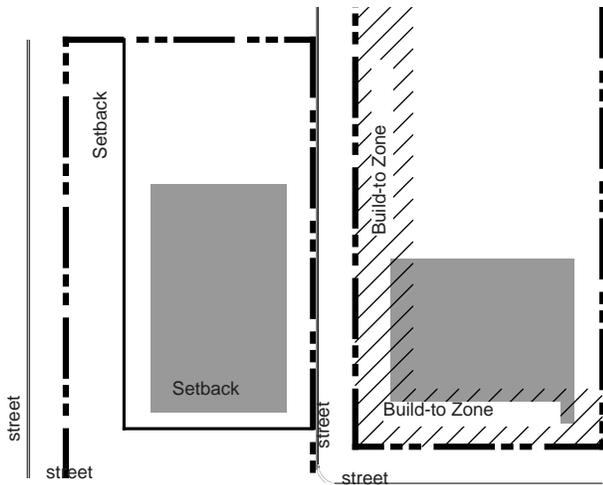


Figure 10.5 (2). Setback Line vs. Build-to Zone.

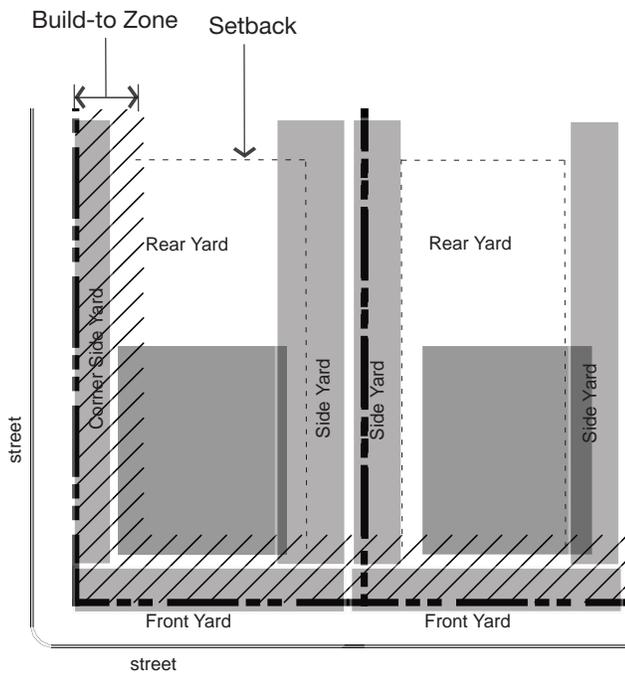


Figure 10.5 (3). Yards.

Appendix A Subdistrict Overview

Appendix A - Subdistrict Overview

A-1 City Center “Core” Subdistrict

The City Center “Core” constitutes the center of the community and heart of the new city center, and includes the majority of the shops and workplaces within the City Center. The storefront building type that comprises this subdistrict defines a street wall along the primary streets of the area with storefront glass windows. Upper stories of the storefront building may be utilized for living and working. Building heights range from 2 - 5 stories.

Allowed Building Types



Storefront



Civic



Appendix A - Subdistrict Overview

A-2 City Center “General” Subdistrict

The City Center “General” Subdistrict serves as the interstitial fabric of the city, separate from the defined center or core and the edges. This area is primarily comprised by both the storefront building, and the more generic stoop building which have lower minimum transparency levels, and is mainly occupied by office, retail and residential uses at a variety of scales. Building heights range from 1 - 5 stories.

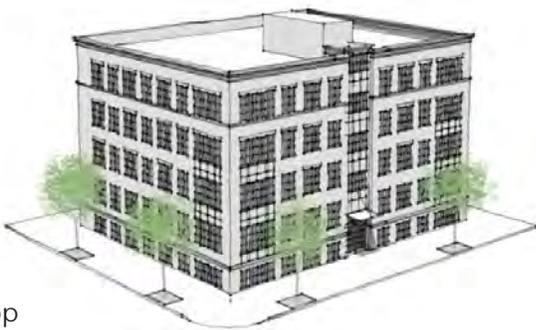
Allowed Building Types



Storefront



Row Building



Stoop



Civic



Appendix A - Subdistrict Overview

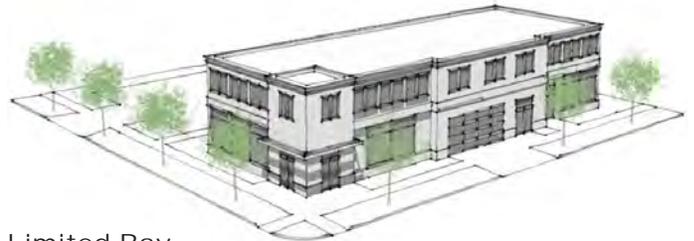
A-3 Riverdale Road "General" Subdistrict

The Riverdale Road "General" Subdistrict serves as the interstitial fabric of the city, separate from the defined center or core and the edges. This area is primarily comprised by both the storefront building, and the more generic stoop building which have lower minimum transparency levels, and is mainly occupied by office, retail and residential uses at a variety of scales. This Subdistrict also permits drive-through structures and the limited bay building type to allow more flexibility for auto-oriented uses. Building heights range from 1 - 4 stories.

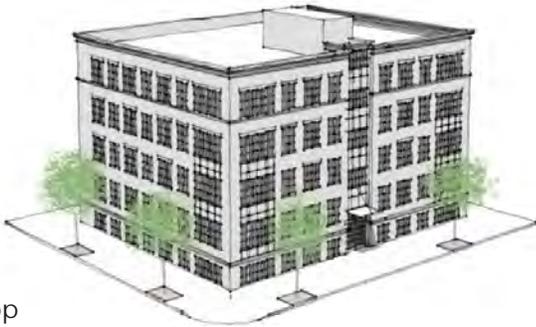
Allowed Building Types



Storefront



Limited Bay



Stoop



Row Building



Civic



Yard Building



Appendix A - Subdistrict Overview

A-4 40th Street “General” Subdistrict

The 40th Street “General” Subdistrict combines the storefront building and stoop building to create a corridor that supports a future transit line along 40th Street. Development along this corridor will be at a smaller scale and finer grain, in relation to the city center. Building heights range from 1 - 4 stories.

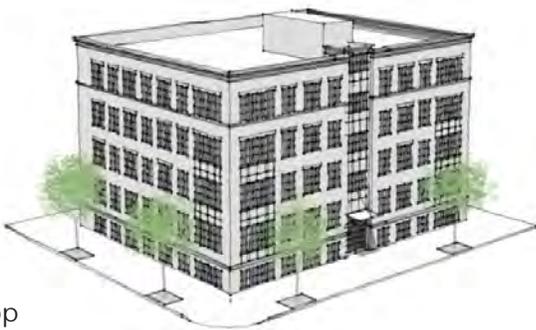
Allowed Building Types



Storefront



Row Building



Stoop



Civic



Appendix A - Subdistrict Overview

A-5 Edge Subdistrict

The Edge Subdistricts are made up of smaller scale residential buildings, which provide a buffer between existing single family residential neighborhoods and the “Core” and “General” Subdistricts. Building heights range from 1 - 3.5 stories.

Allowed Building Types



Row Building



Yard Building



Civic



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

**February 11, 2016
Council Chambers, City Hall
5:30 P.M.**

PLANNING COMMISSION MEMBERS PRESENT

Chair Todd Heslop, Commissioners Mike Layton, Steve Pruess, Raymond Rounds, Susan Stewart, and John Bradley

STAFF PRESENT

City Planner Mark Vlastic and City Recorder Leesa Kapetanov

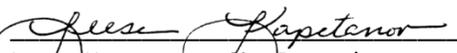
The briefing meeting began at 5:34 pm. Chair Todd Heslop reviewed the agenda. He also informed those present that Commissioner Hansen had sent a letter of resignation effective immediately. Mr. Heslop then turned the time to City Planner Mark Vlastic.

Mr. Vlastic began by discussing his staff report for the Form Based Code. He said he had reviewed the minutes from the last meeting and tried to answer the key questions put forth by the public. He went through the report with the planning commissioners, explaining in more detail his answers. He said his recommendation was that the general commercial uses be eliminated from the 40th Street General Zone. City Recorder Leesa Kapetanov pointed out that as per Mr. Vlastic's recommendation, liquor stores would be removed as a use in the 40th Street General Zone, however beer sales would be still be allowed in small retail stores.

City Planner Vlastic then reviewed the changes staff was proposing for the General Plan. They mostly consisted of combining the three existing maps into one map for the sake of ease of use for staff and the public. Some of the language also needed to updated to clarify and eliminate confusion. He said the whole plan should probably be updated as it had been so long since the last update, however it was very expensive. Combining the maps and adding some clarifying language would be a good stop gap measure until the City could update the whole General Plan.

There was no more discussion. The briefing meeting was 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, February 11, 2016.


Leesa Kapetanov, City Recorder

Date Approved by the Planning Commission

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**MINUTES OF THE
SOUTH OGDEN CITY PLANNING COMMISSION MEETING
Council Chambers, City Hall
Thursday, February 11, 2016 – 6:15 p.m.**

PLANNING COMMISSION MEMBERS PRESENT

Chair Todd Heslop, Commissioners Mike Layton, Steve Pruess, Raymond Rounds, Susan Stewart and John Bradley

STAFF PRESENT

City Manager Matt Dixon, City Planner Mark Vlasic and City Recorder Leesa Kapetanov

OTHERS PRESENT

Ramona Kiernan, Dori Clark, Arthur D. Richards, Earl Clark, Paul D. Nelson, Amber Fisher, Reginald Fisher, Jeff Morrell, Mark Taylor, Genevieve Romero, Wesley Stewart, Sharol Dolan, Sandra Ropelato, Shanna Brown, Kyler Weston, Carter Shupe, Porter Mitchell, Jay Sjoberg, Todd Weston, Steve Johnson, Joe Chadburn, Gabe Dwaileebe, Brigham Gold, Michael Bart Brown, Robert Wukenski, Debbie Walker, Angie Davis, Robert Hoggan, Barry Bigler, Charles C. Maxfield, Jerry Cottrell, Walt Bausman, Jennifer Wilson, Kirt Freeland, Nick Branz, Gailen Lundell, Susan Lundell, Amy Halverson, Peggy Muro, Amy Stegen, Kenny Buckway, Jeri Whitehead, Josh Payne, Ben Fuentes, Robert Higgs, Ilona Adams, Aaron Roane, Elida Henriquez, Jaime Henriquez

I. CALL TO ORDER AND OVERVIEW OF MEETING PROCEDURES

Chair Todd Heslop began the meeting at 6:16 pm and welcomed those present. He reviewed the agenda, asking that due to the large number of people present, everyone keep their comments to three minutes during the public hearing. Mr. Heslop then entertained a motion to open the meeting.

Commissioner Bradley moved to convene as the South Ogden City Planning Commission, followed by a second from Commissioner Rounds. Commissioners Layton, Bradley, Stewart, Rounds and Pruess all voted aye.

Chair Heslop then called for a motion to close the public meeting and open a public hearing.

Commissioner Rounds moved to enter into a public hearing regarding the Form Based Code. Commissioner Pruess seconded the motion. The voice vote was unanimous to open the public hearing.

II. PUBLIC HEARING

To Receive and Consider Comments on the following items:

A. Adopting the Form Based Code and Amending the Zoning Map

The Chair turned the time to Planner Vlasic for a presentation on the Form Based Code (see Attachment A). Mr. Vlasic went through the presentation, explaining what the Form Based Code was and reasons the City was proposing adopting it.

51 Planner Vlasic then read through his staff report (see Attachment B), addressing the
52 most frequently asked questions from the previous meeting.
53 The Chair then invited those who wished to speak to the Form Based Code to come
54 forward, stating their name and address for the record.
55

56 **Ilona Adams, 3751 Ogden Ave.** – Ms. Adams said she would like a pet chicken and asked
57 if it had something to do with zoning. Commissioner Pruess said it did have to do with
58 zoning, but today’s focus was on the Form Based Code.

59 Ms. Adams then said she and her neighbors were hoping that more townhomes would
60 be built in their area and wondered if the Form Based Code would encourage it.
61 Planner Vlasic said townhomes would be allowed, but it would be up to a developer to
62 decide what types of permitted uses he wanted to do. There might be a chance that a
63 developer would want to buy large areas of land to develop, and may approach
64 individual home owners in the area to sell. It would be up to each individual to decide
65 if they wanted to stay where they were or sell.
66

67 City Manager Dixon asked Chair Heslop if he wanted staff to respond to each question
68 as it was asked, or if they should wait until the public was through commenting and then
69 address the questions at the end. Mr. Heslop said he felt it would be better to record
70 the questions and respond later in the meeting.
71

72 **Jeri Whitehead, 330 39th** – Ms. Whitehead said she was concerned with the timeline.
73 Would they have to move?
74

75 **Amy Stegen, 815 40th** – asked what a rezoning typically did to property values.
76

77 **Robert Higgs, owner of Burch Creek Mercantile, 3920 Washington Blvd. and resident**
78 **of 3881 Ogden Ave.** – was concerned that a developer would not offer enough money
79 for the properties he had invested a lot of money in.
80

81 **Jimmy Luiz, friend of resident living at 36 Sylvia** – asked if the City knew of a big project
82 coming and was rezoning the area in response. Would they also look at making 39th
83 and 40th a two-way street?
84

85 **Sandra Ropelato, 535 40th** – Ms. Ropelato pointed out the area between Adams and
86 Porter was already commercial. The new zoning seemed more restrictive and she
87 wondered what the benefit would be. She also asked if there was an alley between
88 Adams and Porter.
89

90 **Aaron Roane, Chimes View Drive** – also wondered what the zoning would do to his
91 property value. He also asked when the new zoning would take effect and would it
92 allow his home to become a duplex or four-plex.
93

94 **Genevieve Romero, 302 Chimes View, owner of a child care business** – wanted to know
95 how the rezoning would affect her business. Would she be required to add more
96 parking?
97

98 **Mark Taylor, owner of business at 422 39th** – said it would seem more appropriate to
99 split the project into the 40th Street project and the Washington Boulevard project in
100 order to give people more time to address the issues. He also asked if they chose not
101 to sell their businesses if eminent domain would take effect.
102

103 **Josh Payne, 3796 Porter** – felt that the requirement of a quarter acre park for a 5 acre
104 development didn't seem large enough to be called a park. He also felt that even
105 though his home was not in the area being proposed for a rezone, it would still affect his
106 family; mixing commercial and residential would cause traffic to increase no matter
107 what. He also asked why this area was designated as the City Center, since it was not
108 in the center of the city but far north. He agreed the area needed to be improved, but
109 he did not want to see his neighborhood ruined.

110
111 **Paul Nelson, 3829 Adams** – said he bought his house in South Ogden because he liked
112 the neighborhood. He did not like the type of housing the City was proposing. He
113 wanted a family based community and wondered what would stop the City from
114 expanding the commercial areas further in the future.

115
116 **Cindy Taylor, wife of owner of the Service Bureau** – asked if the City developed the
117 area if owners would be given the opportunity to bring their buildings into compliance
118 with the zoning ordinance and who would pay for it? She also wanted to know if
119 someone purchased their property and developed it, if they would have the opportunity
120 to have a space in the new development.

121
122 **Michael Bart Brown, 3732 Ogden** – asked what the likelihood was and timeline for
123 someone wanting to purchase his home.

124
125 **Ramona Kiernan, 3985 Raymond** – wanted to know if the current homeowners would
126 be expected to change their homes or would they be able to stay the same?

127
128 Note: See all written comments submitted for the public hearing under Attachment C.

129
130 There were no more comments from the public concerning the Form Based Code.
131 Chair Todd Heslop called for a motion to close the public hearing.

132
133 **Commissioner Rounds moved to close the public hearing and return to the Planning
134 Commission Meeting, followed by a second from Commissioner Pruess. The voice
135 vote was unanimous in favor of the motion.**
136

137 III. **ZONING ACTIONS** – Legislative

138 A. **Discussion and Recommendation on Adoption of the Form Based Code**

139 The chair indicated it was time to answer questions posed by the public. Commissioner
140 Bradley said he would address some of the questions. He began by saying there was no
141 timeline; the City was just trying to adopt a Form Based Code. There were no developers
142 who had approached the City with a proposal, however the Form Based Code would put a
143 standard in place so when a developer did come to the City, the City could say what the
144 development should look like and make sure it fit within the uses defined. Development
145 would happen over a long period of time and according to developer interest.
146 Commissioner Bradley also pointed out that existing homes and businesses would not be
147 required to adjust their homes or improve their businesses to make it fit within the new
148 zoning ordinance. However, if they made extensive changes (more than 25%), they
149 would have then have to conform to the Form Based Code.
150 Mr. Bradley then addressed what the benefit of a Form Based Code was. He said the
151 new code was meant to facilitate development, but would also clarify what uses were
152 allowed. There were some drawbacks to the code and the proposed rezoning, and the
153 Commission recognized that. He also pointed out that, like it or not, the population
154 along the Wasatch Front would double by 2040; that meant developers would come,

155 whether the City was ready or not. The Form Based Code would allow development to
156 happen the way the City wanted it to.

157 Commissioner Bradley next answered why the city center was at the north end of the city.
158 He said the city center had been in the General Plan since at least 1997 for the reason that
159 this is where the center of the City started, where City Hall had always been and
160 everything in South Ogden developed from here out. Mr. Bradley concluded his
161 comments by saying the city council had also given direction that they wanted the area to
162 be a walkable, usable, neighborhood friendly place and wanted to keep it vibrant and
163 alive.

164 Commissioner Heslop then answered the question concerning if a developer had
165 approached the City and if that is why they were proposing the zoning changes. He said
166 no one had approached the City but that the planning commission had been discussing
167 the Form Based Code for over a year.

168 Commissioner Bradley commented that there had been many questions concerning
169 eminent domain. He said theoretically it was a possibility the City could use eminent
170 domain, but the law was very restrictive as to when a city could use it; taking a property to
171 allow another business use was probably not within the allowed parameters.

172 Commissioner Rounds added that the Form Based Code was developed to deal with
173 developers who come to the city and want to do something. The City was not in the
174 business of buying property, taking people's property or forcing them out of their houses.
175 A developer would have to approach property owners to ask them to sell. The owners
176 had a choice to sell or not sell.

177 Planner Vlasic agreed with everything that had been said, saying that the Form Based
178 Code was to facilitate better development. He added that the code would also
179 facilitate how development would happen if, for example, if a transit line came up 40th
180 Street. The code would facilitate an orderly transformation that was likely to come
181 whether the City adopted the Form Based Code or not. The City was being pro-active in
182 the matter and had sought and received matching funding to develop the Form Based
183 Code.

184 Mr. Vlasic next addressed the question of property values. He said in general the Form
185 Based Code allowed more latitude on the types of uses allowed, however values would
186 not change overnight. He thought the change would come as development started to
187 take place, which in turn would spark interest for more development.

188 He then answered the question concerning if someone could turn his home into a duplex
189 or four-plex; the answer was yes, as long as the owner could meet the requirements set
190 out in the Code. As to the observation that a quarter acre park was very small for a 5
191 acre development, he agreed it was. However, the hope would be that a developer would
192 want to add value to his development by exceeding what the minimum requirement was.

193 City Manager Dixon commented that the Form Based Code would put the City "in the
194 driver's seat" when it came to development. He pointed out how different Washington
195 Boulevard would have developed had the City had something like the Form Based Code in
196 place 30 or 40 years ago. He emphasized that the Code was a planning document that
197 would be driven by private interest. He also explained that the new Code would require
198 extensive buffering between commercial and residential uses.

199 Mr. Dixon added that if anyone had further questions, staff was always available and
200 would be happy to meet with them.

201 Commissioner Rounds informed the public that it would be the City Council that would
202 make the final decision on the adoption of the Form Based Code, however there were
203 some things the Planning Commission should do before they forwarded their
204 recommendation to the Council. First was the removal of some uses along the 40th
205 Street corridor and the possible addition of "family oriented" language to the introduction

206 of the Code if approved by the city attorney. He recommended the Commission table it
207 and get the changes made.
208 Commissioner Stewart asked if they had looked at every chapter in the Code, as she was
209 new to the Commission and hadn't been there through the whole process.
210 Commissioner Rounds said they had been looking at it for a year, and felt that they had
211 addressed the main concerns. City Manager Dixon said that the Planning Commission
212 could take as long as they wanted on the Code, and if they wanted to direct staff to
213 address any other points, staff was happy to do so.
214 Commissioner Rounds suggested they withhold any recommendation to the City Council;
215 it would give the city attorney a chance to vet some of the language and Commissioner
216 Stewart the opportunity to review the Form Based Code more thoroughly.
217 Commissioner Stewart asked if staff could also look at the excluding of the use of check
218 cashing stores from the neighborhood general. Mr. Vlasic said they would do so.
219

220 **Commissioner Rounds moved to table their recommendation until the next month in**
221 **order to make sure they got everything right. The motion was seconded by**
222 **Commissioner Layton. Chair Heslop asked if there were further discussion.** Planner
223 Vlasic asked if one of the changes staff should look at was requiring a traffic study. Mr.
224 Rounds said it was. The chair asked if everything had been covered. City Recorder
225 Leesa Kapetanov remarked that if the Commission found other things that needed to be
226 changed next month, they could vote to table it again to get the new changes made.
227 **The chair then called a voice vote which was unanimous in favor of tabling.**
228

- 229 **B. Proposed Amendment to the Zoning Map as Set Out in the Form Based Code**
230 This item was not discussed seeing as the previous discussion item was tabled.
231

232
233 **IV. SPECIAL ITEMS**

234 **A. Discussion on Amendments To General Plan**

235 City Planner Vlasic said it had been difficult to direct the public to one clear map for the
236 General Plan and to clear definitions. The General Plan had been created in 1997, but
237 several updates had occurred since then; however, the updates had not included an
238 updated land use chapter or land use map. Mr. Vlasic said that when considering any
239 land use issues, he had had to refer to 3 separate maps that sometimes contained
240 conflicts; in such cases he had used what the most recent map specified. He proposed
241 that the Land Use Chapter of the 1997 plan be updated and that all three general plan
242 maps be consolidated into one map. This would make it much easier for the public to
243 refer to and understand. He had actually started on the changes a year ago, but due to
244 other pressing items, it had not gone further.
245 At this point in the meeting, a member of the public came to the podium and said his
246 question as to the timeline of the adoption of the Form Based Code had not been
247 answered. Staff said it could be anywhere between 3 to 6 months.
248 Mr. Vlasic then reviewed the 4 different maps that had been included in the packet,
249 noting the differences and what he proposed doing with them. The Commission
250 directed Mr. Vlasic to move forward with the changes to the General Plan.
251

252
253 **V. OTHER BUSINESS**

254 **A. Discussion on Whether to Change Date of March Meeting**

255 The need to change the meeting date no longer existed, so this item was not discussed.
256

- 257 VI. **APPROVAL OF MINUTES OF PREVIOUS MEETINGS**
258 A. **Approval of January 14, 2016 Briefing Meeting Minutes**
259 Chair Heslop called for a motion concerning the minutes.
260
261 Commissioner Rounds moved to approve the January 14, 2016 briefing meeting
262 minutes. Commissioner Layton seconded the motion. All present voted aye.
263
264 B. **Approval of January 14, 2016 Meeting Minutes**
265 Commissioner Rounds moved to approve the January 14, 2016 meeting minutes,
266 followed by a second from Commissioner Bradley. The vote was unanimous to
267 approve the minutes.
268
- 269 VII. **PUBLIC COMMENTS**
270 The Chair invited those who wanted to come forward and speak to items other than what had
271 been covered by the public hearing to do so.
272
273 **Wes Stewart, 3625 Jefferson** – said he had missed the public hearing that evening but wanted
274 to submit some written notes. He also submitted a letter from another resident.
275
276 **Ramona Kiernan, 3985 Raymond** – asked what the 40th Street project was going to look like.
277 City Manager Dixon reported the engineer was in the process of designing the street, including
278 the upgrading of underground utilities. The plan was to update all the utilities during the
279 upcoming construction season, and look at acquiring the necessary properties and rights-of-way
280 needed to widen the street during the upcoming summer and fall. They wanted to be ready to
281 begin construction in the spring of 2017. He also noted that the process had been delayed a
282 year because of talks with UTA concerning transit options; they did not want to have to come
283 back and widen the street again because of added transit corridors. After all the studies had
284 been looked at, the Council had determined that the width of the right-of-way for 40th Street
285 should be 84 feet.
286
287 **Wes Stewart, 3625 Jefferson** – was concerned with the General Plan. He asked if the General
288 Plan could be changed. He lived in an area that was listed as a future re-development area,
289 which had been designated as such because of the poor property values. He had done some
290 recent research and had determined that the R-2 homes had increased the most in value in
291 recent years. He did not think it was fair that the residents in his area were “getting the boot”
292 because some people did not like their houses and neighborhoods.
293 He then commented the Affordable Housing Report on the website was out of date, but
294 affordable housing was very important.
295
296 Commissioner Layton commented that members of the Planning Commission were residents of
297 the City and impacted by what happened as well. They also felt it was important to adhere to
298 state and local statutes. They did not want to be perceived as uncaring, but it was important
299 that discussion items for a public hearing only be discussed during the public hearing.
300
- 301VIII. **ADJOURN**
302 Chair Heslop called for a motion to adjourn.
303
304 Commissioner Rounds moved to adjourn, followed by a second from Commissioner Pruess.
305 All present voted aye.
306
307 The meeting ended at 8:22 pm.

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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 11, 2016.



Leesa Kapetanov, City Recorder

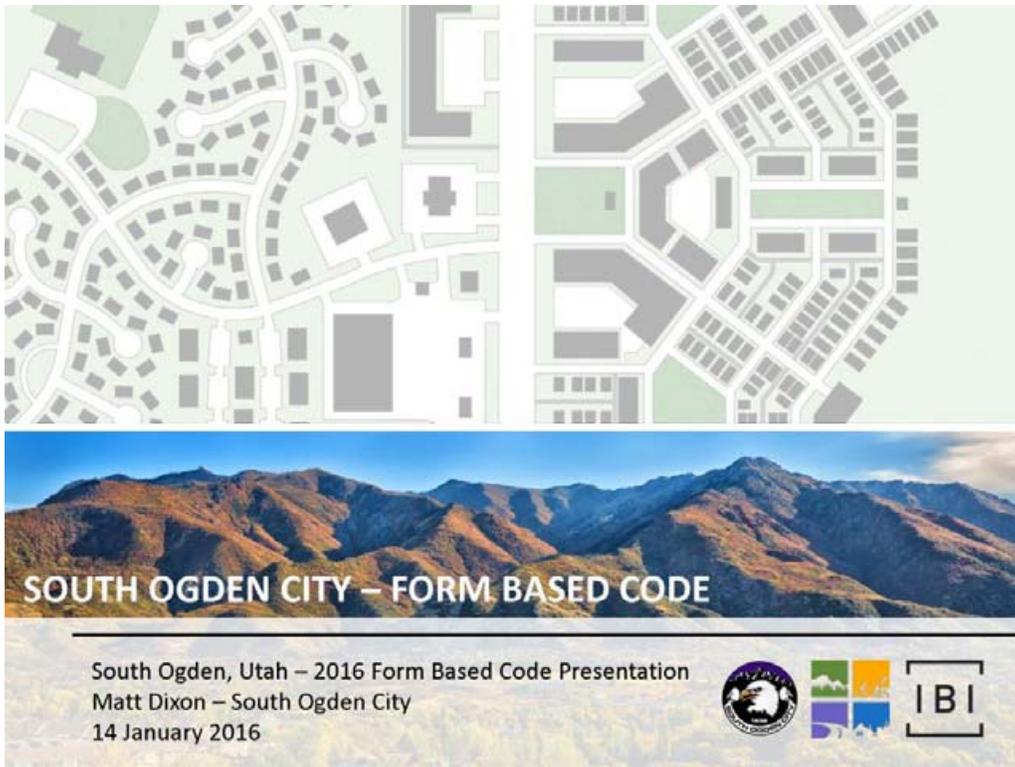
Date Approved by the Planning Commission

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Attachment A

Form Based Code Presentation

Not Approved



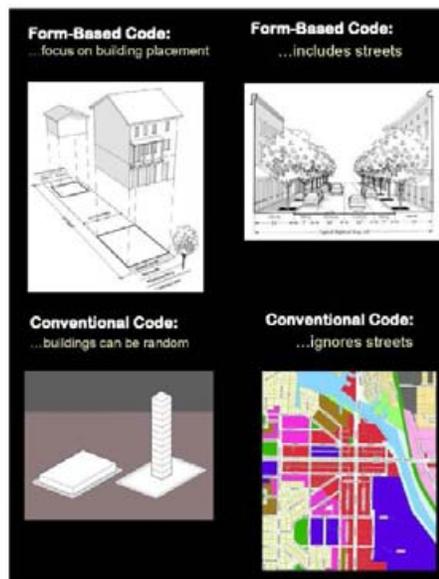
FORM BASED CODES – *IT'S A MATTER OF PRIORITIES*

FORM BASED CODES

1. Form
2. Use
3. Management

EUCLIDEAN ORDINANCE

1. Use
2. Management
3. Form



FORM BASED CODES – *ULTIMATE GOAL*

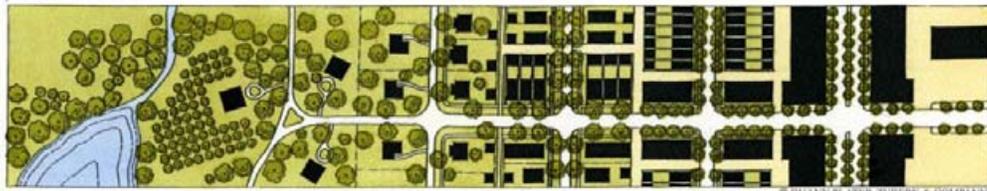
THIS

RATHER THAN

THIS



URBAN/RURAL TRANSECT

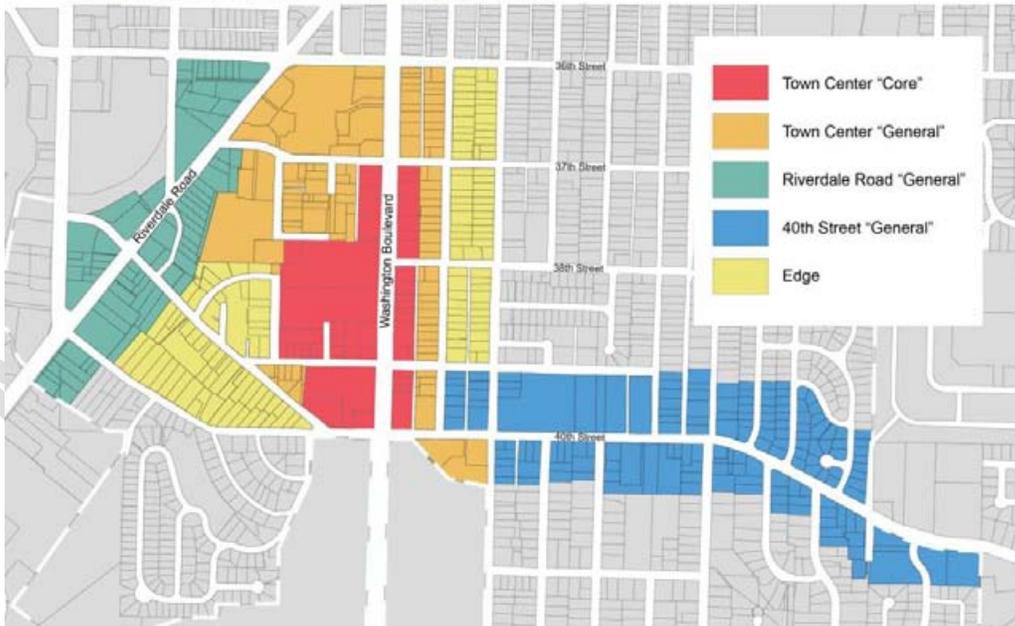


NATURAL | RURAL | LOW-DENSITY | NEIGHBORHOOD | MAIN STREET | DOWNTOWN

TWO DISTRICTS WITH DIFFERENT CHARACTER



SOUTH OGDEN SUBDISTRICTS



Town Center "Core"

Building Types Allowed in Subdistrict



Storefront



5 Story Maximum – 2 Story Minimum

The Town Center "Core" constitutes the center of the community and heart of the new town center, and includes the majority of the shops and workplaces within the neighborhood. The storefront building type that comprises this district defines a street wall along the primary streets of the area with storefront glass windows. Upper stories of the storefront building may be utilized for living and working.

-  Town Center "Core"
-  Town Center "General"
-  Riverdale Road "General"
-  40th Street "General"
-  Edge



Town Center "General"

Building Types Allowed in Subdistrict



Storefront



General Stoop



Row Building



Civic Building

5 Story Maximum – 1 Story Minimum

The Town Center "General" District serves as the interstitial fabric of the city, separate from the defined center or core and the edges. This area is primarily comprised by both the storefront building, and the more generic stoop building which have lower minimum transparency levels dominates, mainly occupied by office and residential uses at a variety of scales.



- Town Center "Core"
- Town Center "General"
- Riverdale Road "General"
- 40th Street "General"
- Edge



Riverdale Road "General"

Building Types Allowed in Subdistrict



Storefront



General Stoop



Row Building



Limited Bay



- Town Center "Core"
- Town Center "General"
- Riverdale Road "General"
- 40th Street "General"
- Edge

5 Story Maximum

The Riverdale Road "General" Subdistrict serves as the interstitial fabric of the city, separate from the defined center or core and the edges. This area is primarily comprised by both the storefront building, and the more generic stoop building which have lower minimum transparency levels dominates, mainly occupied by office and residential uses at a variety of scales. This Subdistrict also allows the limited bay building type to allow more flexibility for auto-oriented uses.



40th Street "General"

Building Types Allowed in Subdistrict



Storefront



General Stoop



Row Building



Civic Building



- Town Center "Core"
- Town Center "General"
- Riverdale Road "General"
- 40th Street "General"
- Edge

3.5 Story Maximum

The 40th Street "General" Subdistrict combines the storefront building and stoop building to create a corridor that supports a future transit line along 40th Street. Development along this corridor will be at a smaller scale and finer grain, in relation to the town center.



Edge

Building Types Allowed in Subdistrict



Yard Building



Civic Building



Row Building

3.5 Story Maximum

The Edge Subdistricts are made up of smaller scale residential buildings, which provide a buffer between single family neighborhoods and the Core and General Subdistricts.



-  Town Center "Core"
-  Town Center "General"
-  Riverdale Road "General"
-  40th Street "General"
-  Edge



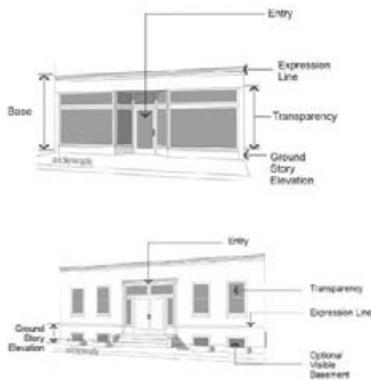
USES PER SUBDISTRICT

Uses	Subdistrict				
	Neon Center "Core"	Neon Center "General"	Riverdale Road "General"	42nd Street "General"	Edge
Residential & Lodging					
Residential	•	•	•	•	•
Hotel & Inn	•	•	•	•	•
Residential Care	•	•	•	•	•
Civic					
Assembly	•	•	•	•	•
Transit Station	•	•	•	•	•
Hospital & Clinic	•	•	•	•	•
Library/Museum/Post Office (no distribution)	•	•	•	•	•
Police & Fire	•	•	•	•	•
School	•	•	•	•	•
Retail					
Neighborhood Retail	•	•	•	•	•
General Retail	•	•	•	•	•
Outdoor Sales Lot	•	•	•	•	•
Service					
Neighborhood Service	•	•	•	•	•
General Service	•	•	•	•	•
Vehicle Service	•	•	•	•	•
Office & Industrial					
Office	•	•	•	•	•
Craftman Industrial	•	•	•	•	•
Infrastructure					
Parking Lot	•	•	•	•	•
Parking Structure	•	•	•	•	•
Utility & Infrastructure	•	•	•	•	•
Open Space	•	•	•	•	•
Accessory Uses					
Home Occupation	•	•	•	•	•
Outdoor Storage of Goods	•	•	•	•	•
Parking Lot	•	•	•	•	•
Parking Structure	•	•	•	•	•

- KEY**
- Permitted
 - Permitted in Upper Stories Only
 - Permitted with Development Standards
 - Requires a Conditional Use Permit

BUILDING DESIGN GUIDELINES

Entrance Types



Materials

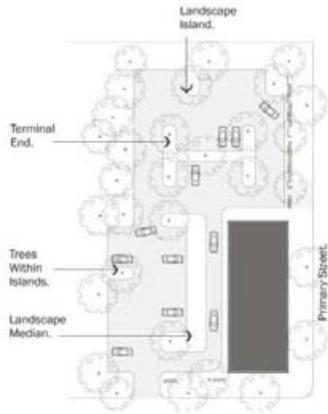


Balconies

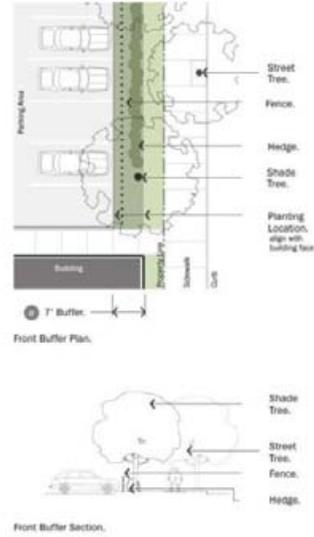


LANDSCAPE REQUIREMENTS

Interior Parking Lot Landscape



Frontage Buffer Landscape



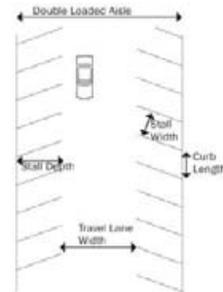
PARKING REQUIREMENTS

Required Off-Street Vehicular Parking

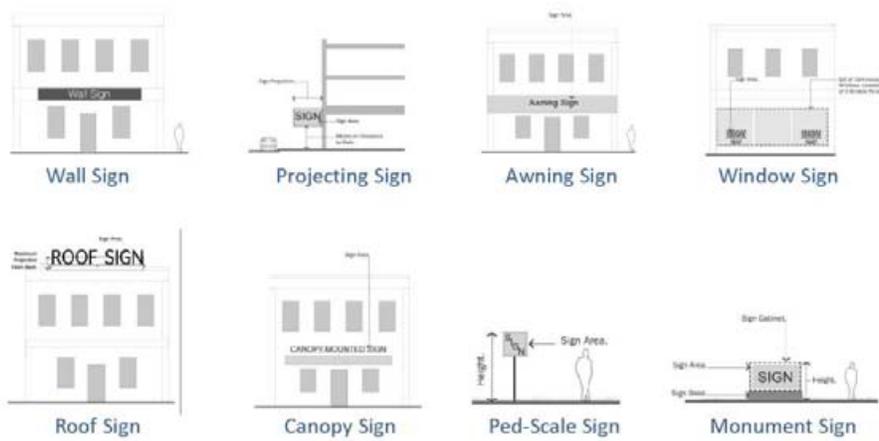
Use	Required Vehicle Space
Residential	
Single Family, all sizes, or Multifamily, 1 Bedroom	1.5 / Dwelling Unit
Multifamily, 2 Bedrooms	2 / Dwelling Unit
Multifamily, 3 or 3+ Bedrooms	2 / Dwelling Unit
Hotel & Inn	1 / Room & 1 / 200 sq. ft. Office and Dining Room
Residential Care	23 / Unit & 66 / Employee
 Civic / Institutional	
Assembly	1 / 10 Seats
Transit Station	Per Zoning Administrator
Hospital	20 / Bed & 20 / Employee
Library / Museum / Post Office (no distribution)	1 / 800 sq. ft.
Police & Fire	Per Zoning Administrator
Post Office (distribution)	1 / 400 sq. ft.
School - Pre-K to Jr. High	1 / Classroom & 1 / 200 sq. ft. Office
School - High School, Higher Education	1 / Classroom, 1 / 200 sq. ft. Office, & 1 / 100 Student
Retail	
Neighborhood Retail	1 / 200 sq. ft.
General Retail	1 / 200 sq. ft.
Outdoor Sales Lot	1 / 200 sq. ft. of Sales Area, with 1 / 10 Vehicle Display
Services	
Neighborhood Service	1 / 250 sq. ft.
General Service	1 / 250 sq. ft.
Eating & Drinking Establishments	1.5 / 10 seats & 10 number of employees
Vehicle Services	2 / Service Bay & 1 / 200 sq. ft. of area
Office & Industrial	
Neighborhood, General Office	1 / 200 sq. ft.
Craftsman Industrial	1 / 1,000 sq. ft. of Production Space & 1 / 200 sq. ft. of Retail Space
Open Space & Recreation	
Open Space & Recreation	Per Zoning Administrator

Use	Vehicle Spaces
Multifamily	Minimum 2 spaces or 25 sq. ft. per bedroom, whichever is greater
Civic/Institutional	Minimum 2 spaces, 1 / additional 10,000 sq. ft.
Retail	Minimum 2 spaces, 1 / additional 5,000 sq. ft.
Services	Minimum 2 spaces, 1 / additional 5,000 sq. ft.
Office	Minimum 2 spaces, 1 / additional 10,000 sq. ft.
Open Space	Per Zoning Administrator

Parking Lot Layout

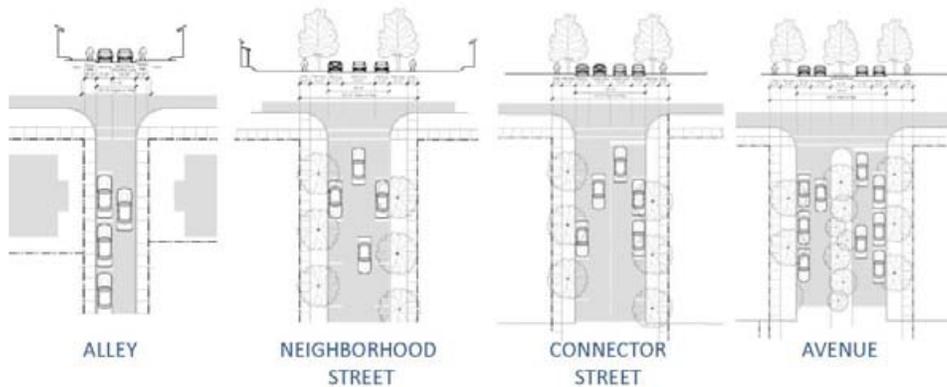


SIGN REQUIREMENTS



STREET TYPES PER SUBDISTRICT

- All street types are allowed in all subdistricts as applicable



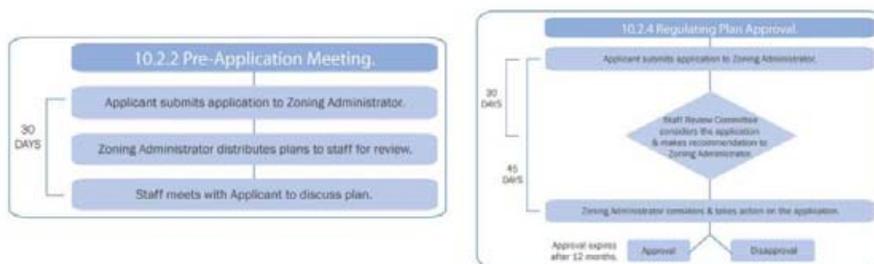
OPEN SPACE TYPES PER SUBDISTRICT

- Open Space types allowed in FBC, but vary by subdistricts as applicable



ADMINISTRATION

- An Administration Section will also be added.
- We will be working with staff to calibrate the Form Based Code Administration Section to current South Ogden administration procedures.



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Attachment B

Planner Staff Report

Not Approved

Planning Commission Report



Subject: Adopting the Form-Based Code and Amending the Zoning Map (Continuation of Public Hearing held January 14, 2016)

Author: Mark Vlasic

Department: Planning & Zoning

Date: February 11, 2015

Background

A form-based code has been under development for the City Center/40th Street area for more than a year now. The new code was prepared by IBI Group, a Salt Lake City multi-disciplinary planning and architecture firm, and funded through a matching grant from the Wasatch Front Regional Council. The new code was developed with the participation of city staff and input and review by the planning commission and city council during two joint public meetings and through informal briefings. It is supported by the 2008 Update of the General Plan, which calls for the area to redevelop into a mixed-use City Center.

The proposed form-based code was presented to the Planning Commission during a Public hearing on January 14, 2016. The staff report prepared by the City Planner recommended that the Planning Commission forward the code to the City Council for adoption, with minor modifications to three chapters dealing with Street Types, Landscape and Sign Types.

During the Public Comment portion of the public hearing, several members of the public expressed concern with the proposed code. As a result, the Planning Commission voted to extend the public hearing for a month, during which time neighbors would be formally notified and additional public input could be provided at tonight's meeting and through the submission of written comments. The city planner has since spoken to three residents and received one written comment, which has been added to the record.

The Planning Commission directed staff to review the uses permitted in the 40th Street Subdistrict, which is the basis for this report. However, since several other questions and concerns were raised during the previous planning commission meeting, staff has decided to provide a more comprehensive response, identifying the key questions and concerns raised and addressing them below.

Discussion, Response and Recommendations

1. If the development along 40th Street does not happen on its own, will the city take properties through eminent domain?

Staff cannot answer that question, as only the city council can make such decisions. However, it should be clear that this is a proposal for a new zoning ordinance, not a development proposal. That said, the use of eminent domain would not be supported by staff to achieve redevelopment goals anywhere in the city, since it is a highly unpopular, divisive and litigious tool.

2. Will redevelopment grants be available for those wanting to redevelop their properties?

This is a proposal for a new zoning ordinance and not a development proposal. No grants or similar development incentives are proposed at present to assist with development in the area.

3. What will prevent commercial areas from creeping into the residential areas?

The proposed form-based code allows new residential and commercial development in existing residential areas located along 40th Street, Chimes View Drive and Adams Street. If approved, no expansions beyond the mapped areas are envisioned or supported.

4. The permitted building heights in the 40th Street and Edge sub-districts are up to four stories; this seems to be too high.

The maximum heights are difficult to achieve without including structured parking, which is highly unlikely due to the expense of constructing such facilities. Nevertheless, staff recommends no changes.

5. The code indicates that any modification of existing buildings in excess of 25% would need to be brought into conformance with the new code. This seems to be an excessive limitation.

The 25% modification standard is consistent with existing requirements contained in the City Code, and has worked well to date. Staff believes that modifications exceeding the limit would not be affected through this re-zone, as nearly all existing uses are permitted in the new zones. Staff sees no reason to change this requirement at present.

6. How will the city deal with the increased traffic caused by this change?

Increased traffic may or may not occur in the area, depending on how the area changes. Staff recommends that a traffic impact study requirement for projects greater than 1/2 acres in extent be added to the code (NB: Chapter 10-2 Administration/Development Review Procedures is probably the best location for such language).

7. The following uses seem out of character in the 40th Street Subdistrict:

- Alcohol and liquor sales
- Wine and liquor shop
- Pawn shop

- Smoke shop
- Microbrewery
- Tattoo/piercing parlor

It should be noted that most of these uses are already permitted in the existing commercially-zoned areas of the proposed sub district.

The intent of the 40th Street Sub-district is to support a future transit line along 40th Street, which will be a significant change. New development should therefore encourage a mix of smaller scale and finer grained residential and commercial uses when compared to the City Center, which will help create a good transition with adjacent and nearby residential uses.

Nevertheless, staff agrees that such uses may not be in keeping with the establishment of a unique mixed use corridor, and therefore recommends that the following changes be made to help ensure the zone fits with the surrounding neighborhood:

- Removal of wine and liquor shop, pawn shop, smoke shop and tattoo/piercing parlor from the Neighborhood Retail and Neighborhood Service uses;
- Addition wine and liquor shop, pawn shop, smoke shop and tattoo/piercing parlor to the General Retail List (microbreweries are already contained in this list);
- Removal of General Retail from the matrix of permitted uses in the 40th Street Subdistrict.

8. Why is City Park included in the 40th Street Subdistrict?

ANSWER: Parks are a permitted use in all of the subdistricts. There is no conflict including it in the proposed zone.

9. The Street Types illustrated in the Form-based Code deviate from existing city standards, and appear to be too small.

ANSWER: The Street Types have been reviewed by the South Ogden Engineer, who recommends that a distinction be made between Private and Public Streets. The role of the Public Streets is to provide access to other parts of the city as well as to new internal streets which may be developed. Key Public Streets include Washington Boulevard, Riverdale Road, 36th, 40th, Wall and Chimes View; all of which should continue to utilize established city standards and be maintained by the City or UDOT.

The City Engineer noted that he does not object to the street sections contained in the Form-based Code, as long as they are limited to privately-owned and operated internal roadways. The responsibility for developing and maintaining new internal streets will be the private developer and owner, not the city.

10. The depth of the zone in the 40th Street Subdistrict appears to be excessively deep, impacting several residential properties. How was the depth determined, and should these changes be focused on the existing commercial corners instead?

ANSWER: The depth was established to provide sufficient space to support and encourage redevelopment along the corridor (see map below). Limiting the new zone to the Madison Avenue corner site does not adequately address the fact that the roadway will be widened and access will be difficult for small, narrow lots. Staff has carefully reviewed the proposed subdistrict to determine whether a smaller area could be considered. Staff does not recommend any changes or modifications at this time.

11. A written comment has been received that recommends language be added to clarify the family-friendly intent of the City Center and 40th Street Corridor, similar to the following:

"The City Center and 40th Street Corridor are envisioned to be a family-friendly environment where residences and compatible businesses can co-exist. As such, businesses that normally or legally cannot have minor customers should not be permitted".

ANSWER: Similar language describing the intent of the zone is contained in Chapter 1.1 - Introduction. However, the existing language does not specify that the area should be family-friendly or discuss specific use limitations.

Staff does not object to the inclusion of the suggested language. However, staff is somewhat concerned by the second sentence, and whether such a limitation is consistent with the City Code. It is therefore recommended that the city review the proposed language, and if the response is positive, staff recommends that it be incorporated into the new ordinance. Staff further recommends that the *2008 Update of the South Ogden City General Plan* be modified to include the same language, since that document is the basis for the language contained in Chapter 1.1.

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Attachment C

Written Comments Submitted for Public Hearing

Not Approved

Please accept this document as a part of public comments concerning form based code in South Ogden.

My recommendation is that the City consider creating a unique zone for mixed use in the 36th to 40th Street redevelopment area:

Have a vision! I have said this multiple times. My neighbors and I have been uncomfortable at times with what the City was doing because they seem to operate in a "just trust us" mode. But it is incumbent upon leaders to inform those being led as to where they are going... and to receive public input as to where they should be going!

The City envisions this and can't understand why anyone would object:



It is possible that the City would get a neighborhood like the above. But a cursory glance at the list of conditionally permitted uses the City is entertaining gives me a vision of this... which happens to be Bourbon Street in New Orleans:



Note the "mixed use" of ground-level shops and businesses with residences on the upper floors... exactly what the City is advocating. But I believe the residents are telling you they don't want to see their neighborhood transformed into Bourbon Street. I don't want to see that happen either. I encourage the City to provide visionary guidelines somewhat like, "We envision this zone to be a family-friendly environment where residences and compatible businesses can co-exist."

What would an incompatible businesses be? If you will recall, residents expressed concerns about bars, tattoo parlors, smoke shops, etc. Clearly, in their opinion (and mine) these are incompatible with a family-friendly environment; and it occurred to me that the City could allay the fears and concerns of residents by simply stating that businesses that legally cannot or normally would not have minors as customers would not be welcome in this zone. That would take care of bars, tattoo parlors, smoke shops, adult bookstores, strip parlors, payday loan offices, etc.

Members of the Planning Commission have an opportunity to show the public that they can be guardians of the quality of life in South Ogden. I hope you will each rise to the occasion with common-sense restrictions on redevelopment.

Respectfully submitted,

Jerry Cottrell
5765 S 1075 E
Ogden, UT 84405

To: Mayor James F. Minster, Councilwoman Sallee Orr, Councilman Bryan Benard, Councilman Russell Porter, Councilman Brent Strate, Councilman Adam Hensley, the Planning and Zoning Commissioners, and all who need this written notice in the South Ogden City Leadership.

RECEIVED

Regarding : Form Based Code and proposed zoning changes
Feb. 9, 2016

By 

Our family moved into the home located at 3880 Ogden Avenue in 1951. This included my grandparents, Wilford and Elda Hurd, my mother, Doreen Hurd Lowham a grand uncle and me, Sharyll Ann Lowham Richards. I went to South Junior High school and graduated from Weber High School. Since that time there has been six generations that have lived in, or are part of the history of this home. My husband and I returned here in 1982, when he retired from the military. At that time he added an addition to our home. We now are great grandparents.

Because our home is a part our family's history and heritage, we are concerned about the rezoning that south Ogden is presently considering.

We are aware that there are several areas that could fit into the future plans for our city. One suggestion would be the large area where Big Lots and a few other businesses are located. We have always cared for our property and tried to make it a pleasant experience for those who pass by.

We are aware that there are homes in our area, usually rentals, where the yards are an eye sore. The City's Code for maintaining yards and vehicles that are illegally parked, has not been enforced. If it was enforced, it might make a difference in the neighborhoods.

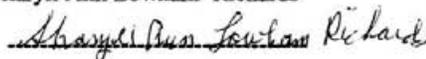
We contacted the City Council concerning the property on the North side of 39th street, currently an empty lot, between Ogden and Adams Ave. We want to add our appreciation to Councilmember Sallee Orr and City Manager, Matt Dixon as well as anyone else that was involved in getting the house and trees on that property torn down. It had been vacant and without care for many years.

Our home is mortgage free and our plan was to live here and pass the home to our children when we die. **For this and many other reasons we feel we have to object to the new zoning plan that is before you.** We don't want to have the back of business areas across the street from us. That could bring in more traffic to Ogden Ave. and would add a garbage area. Look at the alley on the business areas along the west side of Ogden Avenue between 39th and 40th. Would you honestly want that view in front of your home? We chose what was, once a lovely area, but now has become an eye soar in many places. Thank goodness for neighbors who take care of their home, and want to be a part of South Ogden.

Arthur David Richards



Sharyll Ann Lowham Richards



435

436

RECEIVED

By 

February 9, 2016

To: Mayor James F. Minster, Councilwoman Sallee Orr, Councilman Bryan Benard, Councilman Russell Porter, Councilman Brent Strate, Councilman Adam Hensley, the Planning and Zoning Commissioners, and any and all who need this written notice in the South Ogden City Leadership.

From: Earl R. Clark

I am writing to state that I am against the adoption of the proposed zoning map amendment in conjunction with, and the proposed adoption of the Form Based Code. My in laws received in the mail, on Wednesday, February 3, 2016, notice that their property located at 3880 Ogden Ave. was targeted for change in the above mentioned zoning and definition of what that zone is proposed to be. I currently live with them, taking care of them, as they are ailing in health.

This is the only notification that has been given in regards to the proposed and nearly adopted changes to their personal property zoning! Only one week and a day prior to the scheduled Planning Commission Meeting for Thursday, February 11, 2016. I realize that is most likely done by design, so as to not allow any real efforts to organize the obvious numerous objections that will come as a result of this proposed change in the Form Based Code and Zoning of the properties.

How long has this been in the works, without notification to the property owners? And how long has **their personal property** had a TARGET on it? How is it possible to suggest and implement such a drastic change to South Ogden City Residents' lives and personal investments without any of them knowing until only one week before the proposed adoption of such a plan? Was there any thought to what this would do to those residents?

I have been a citizen of South Ogden City for nearly 30 years. I have rented and owned property in the city as well. The particular property at 3880 Ogden Ave. has been the home for my wife's family members for over 60 years! I love South Ogden City and the safe, quiet community that I have lived in. I see this change as a real threat to my home and that safe, quiet community!

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I urgently request that you give strong consideration to all of the effects that the proposed changes will make to your faithful, longstanding residents of South Ogden, as well as to the future of the city as a whole. Please leave our neighborhoods alone! The property at which I live would be in the proposed rezoning area of the Edge Subdistrict, the "buffer" between busy business chaos and the peaceful, quiet neighborhood behind me that I thought my wife and I would be living in until we died. **I do not want city business literally on my doorstep and next door! I strongly oppose this change and request that you reconsider the city's options.** Take care of what you have already, fill it up, beautify it and please do not take away personal property and quality of life from the citizens who will be affected by this proposed change.

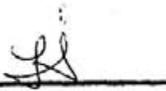
Sincerely, from a long time citizen,



Earl R. Clark

RECEIVED

By



February 9, 2016

To: Mayor James F. Minster, Councilwoman Sallee Orr, Councilman Bryan Benard, Councilman Russell Porter, Councilman Brent Strate, Councilman Adam Hensley, the Planning and Zoning Commissioners, and any and all who need this written notice in the South Ogden City Leadership.

From: Florence D. Clark, a 30+ year citizen of this great city; better known as Dori by some of you.

I am writing to state that I am against the adoption of the proposed zoning map amendment in conjunction with, and the proposed adoption of the Form Based Code. My parents received in the mail, on Wednesday, February 3, 2016, notice that their property located at 3880 Ogden Ave. was targeted for change in the above mentioned zoning and definition of what that zone is proposed to be. I currently live with them, taking care of them, as they are ailing in health.

This is the only notification that has been given in regards to the proposed and nearly adopted changes to their personal property zoning! Only one week and a day prior to the scheduled Planning Commission Meeting for Thursday, February 11, 2016. I realize that is most likely done by design, so as to not allow any real efforts to organize the obvious numerous objections that will come as a result of this proposed change in the Form Based Code and Zoning of the properties.

Truly, how long has this been in the works, without notification to the property owners? And how long has **their personal property** had a TARGET on it? How is it possible to suggest and implement such a drastic change to South Ogden City Residents' lives and personal investments without any of them knowing until only one week before the proposed adoption of such a plan? Was there any thought to what this would do to those residents?

I have been a citizen of South Ogden City for more than 32 years. I have rented and owned property in the city as well. The particular property at 3880 Ogden Ave. has been the home for my family members for over 60 years! I love South Ogden City and the safe, quiet community that I have lived in. I see this change as a real threat to that safe, quiet community! **I do not want city business literally on my doorstep and next door!** When this notification came it got me thinking about all of the changes I have seen in the city over the last 30 + years. Most of it has been good but other

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changes have been at the expense of good, longtime residents like me and my family. I think of the residents and the loss of their property down in the area where Macey's, Chuck O' Rama and the other business strip mall area is now. I have fear that this is a *preemptive plan* to have the same thing happen in my residential community now.

I understand the need for growth, beautification and development in our city. As a citizen I value that too! However, I ask you, why do you need to establish a *larger zone* for the City center core and city center general, when the *existing "city center"* has not been fully developed and what exists there now is NOT fully occupied? Many of our current locations in our city area stand empty and underdeveloped and have done so for many years! A lot of our city is not kept up to "standard" or current code either. Why take on more when you cannot fill up and take care of what you have?

I urgently request that you give strong consideration to all of the effects that the proposed changes will make to your faithful, longstanding residents of South Ogden, as well as to the future of the city as a whole. I realize that some of you sincerely believe that this is the best change for the city. I know that commercial real estate and business licenses bring a tax based revenue that is valuable. However, tax paying citizens who are happy also have immeasurable value and have built and will continue to build the character of our great city! Please consider developing what you already have established in our fine city! I see great potential in that! Please leave our neighborhoods alone! The property at which I live would be in the proposed rezoning area of the Edge Subdistrict, the "buffer" between busy business chaos and the peaceful, quiet neighborhood behind me that I thought I would be living in until I died. **I do not want city business literally on my doorstep and next door! I strongly oppose this change and request that you reconsider the city's options.** Take care of what you have already, fill it up, beautify it and please do not take away personal property and quality of life from the citizens who will be affected by this proposed change.

Make my vote for you count, consider my request.

Sincerely,

A handwritten signature in cursive script that reads "Florence D. Clark (Dori)" followed by a small smiley face.

Florence (Dori) D. Clark

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South Ogden City
3950 Adams Ave
South Ogden, Utah 84403

February 5, 2016

Ref: To whom it may concern, letter not dated (Feb 2016)

I agree with most of the proposals of the Form Base Code and see a possibility of increasing the additional income for the city. However:

It seems excessive to block off such a large amount of areas on the 40th Street Corridor (general) when a smaller section on the North and South side would establish the feasibility of the Form Base Code. To me this would minimize the effect to home owners in these areas. If in the future the Corridor proves to meet the cities expectation the corridor can be expanded to its current size.

I am concerned that the recession will not generate the expected Tax basis revue for the 40th street corridor for several years making this code change an exercise in futility.

The old service station on Madison Ave& 40th street has been vacant for over 10 years. There is property above Gramercy Ave that has been available for all most the same period of time. No one has built in these areas. What makes the 40th Street corridor more appealing than these areas? I wish the odds were better than a roll of the dice to see what comes up. If you get snake eyes or seven or eleven you lose.

In whole the Form Base Code is ambiguous. And a dream, what looks pretty and appealing is not always what is good. You can put any kind of façade to cover the unpleasant atmosphere behind the façade. I am concerned our foresight is being seen through rose colored lenses.

George E Froerer
3950 Evelyn Road
South Ogden, Utah

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Leesa Kapetanov

From: Wes Stewart <wesleyj3625@gmail.com>
Sent: Wednesday, February 10, 2016 6:03 PM
To: Leesa Kapetanov
Cc: Matt Dixon; Mark Vlasic
Subject: Re: Form Based Code - Comments

I understand, that the primary discussion you would like is to focus on the form based code, but in regards to the new zoning connected to the form based code (proposed zoning areas), there is an area in the new form based code called, "40th street general" (see page 18 of the Draft January 2016 FBC. Is this no longer a part of the form based code or will the 136 homes not be a part of the new form based code area? My concern related to form based code along 40th street is where will the cars park street side or behind the stores and what can be done to ensure elementary kids who may be crossing this road are kept safe (safer for kids if no businesses at all are allowed along 40th street)? More businesses allowed in the name of "form based code" along 40th street makes it more unsafe for the school children due to increased traffic and different uses being used together. Also I'm confused as to what the street sections would be for Ogden Avenue and Adams Avenue as well. Would it be one of the street sections shown in the form based code? Who will maintain the street since it will start out primarily residential and may end up being half commercial and half residential down the road? Is there the infrastructure to support what ever number of possible future residents that may come online along Ogden Avenue with the potential for a five story building height being proposed? Also city center and town center are not used consistently (there is switching between the terms). Also can our fire department support rescuing someone from a five story building? Will there be a public hearing to gather residents input later in regards to FBC and 40th street widening? If not, why not? Please forward my questions on to planning commission. Thanks.

On Wed, Feb 10, 2016 at 2:02 PM, Leesa Kapetanov <lkapetanov@southogdencity.com> wrote:

Wes,

There will be nothing there concerning the widening of 40th Street, including its street section. Not only has the street section not been determined for 40th Street, but this public hearing is not about the widening of 40th Street, and we do not want to confuse the issue.

The notices sent to affected property owners instructed them where they could view a copy of the Form Based Code online; it also informed them that they could come to City Hall anytime to view it here. They were also given the numbers of Mark Vlasic and myself if they wanted to call; staff has fielded many calls and answered the questions of those who have asked. We are here anytime if anyone, including yourself, has questions.



Leesa Kapetanov,CMC

Of the 6,747 dwelling unit stock in South Ogden City, 3,505 - 2,481 owner occupied and 1,024 rental - were built between 1940 and 1980. Very few of these units have been demolished or converted to other uses. They make up the majority of the affordable housing.

2. Because a high percentage of housing (45.7%), - 3,088 of the 6,747 units - are valued at less than \$138,600, South Ogden City needs only to preserve the existing stock.

It has been and remains the City practice to provide for a diversified housing stock. Of the remaining population projected to the City build-out, it is expected that a fair percentage of moderately priced dwellings will be constructed.

3. The City zoning is diversified and allows good flexibility of housing types within the residential zones. The zoning ordinance contains provisions for cluster housing and planned unit developments in every zone. Of the 2,208 acres in the City, 2,030 are zoned for residential use. There are 1,380 acres, or 68%, single-family zones in densities of 4.35, 5.44 and 7.26 units per acre. Two-family dwellings are allowed in 400 acres, or 20%, of the City in densities of 10.25 units per acre. Generally, these zones have been developed primarily as single dwellings on separate lots and densities are less than allowed by 25% to 40%. This is typical of the development pattern in most cities built in the post World War 2 era. However, because of the flexibility allowed in the zoning ordinance, cluster and planned unit development projects have been scattered throughout the area, reflecting demand and supply of the times.

Multiple family zones ranging in densities between 12 and 20 units per acre are designated for 250 acres, or 12%, of the 2,030 acres of residential zones. Some vacant lots and parcels that have been passed over for various reasons during development of the City will be in-filled. Because of the price, demand and location, these lots and parcels will be developed near to or at maximum density.

4. Zoning densities don't necessarily reflect the price of housing. The most important factor is the cost of land per unit. Nevertheless, as densities increase, the amount of public infrastructure needed to serve each unit decreases, which contributes to lower housing costs. Because of the flexibility of housing types and densities in South Ogden City regulations, there is opportunity for a variety of moderate-income housing.
5. South Ogden City has provided for a diversity of housing types. The mix of housing types and range of prices are very good in the City. Protection of existing housing stock is important to provide the diversity of price yet protect the quality of life. Curb, gutter, and sidewalks are being placed or replaced to stabilize the value of existing residential neighborhoods.

Annual budgets and community development block grant funds have been the primary sources of revenue. In addition to infrastructure maintenance, the City may need to evaluate the condition of existing housing and, if necessary, participate in housing rehabilitation programs.

METHODOLOGY

Selected data is referenced from the 2010 census. Housing values are from the Weber County Assessor's office. South Ogden City has a population of 16,532. In this report building permit records of South Ogden City and projections of the General Plan are used. The Weber County Assessor provided market values of housing for each dwelling in 2000, 2005, and 2010. These sources provide data that explains and illustrates existing housing. The analysis of the data tells whether the housing is affordable now and whether it is reasonable to expect housing to be affordable to moderate-income households in the future.

Household income levels considered in this report are 80% of the area's median income. Median income is \$53,650 and 80% is \$42,920. Thirty percent used for housing is \$1,073 per month. In 1990 that was \$832 and \$936 in 2000. Housing costs considered affordable for owner and rental housing is included. The housing inventory and market prices are categorized in \$25,000 increments. Rental housing prices were collected from management companies and owners. The breakout of rental unit sizes - studio, one-bedroom, two-bedroom, etc. was not done. The cost of two-bedroom units is used as this is the most common configuration. The cost of utilities varies widely. No attempt was made to apply these costs to the buying capacity of households. Because all debt is considered by lending institutions to qualify a buyer, using debt in this study would be too complicated and beyond the general purpose. Twenty five percent of income is used for the cost of housing. Five percent of income is used to pay taxes, insurance, and utilities for a total of 30% of income for housing. Current loan practices generally require some down payment and a minimum of \$5,000 is applied to the loan value of 2010.

Where statistics differ between the 2010 census and those kept by South Ogden City, City statistics are used. For example, rental units were counted and verified in a 1993 housing study. Rental units built since then have been added to the total. In the 2010 census, rental units included houses and condominiums that are not included in the South Ogden City rental count. Houses and condominiums are taken on and off of the market for various reasons unlike dwellings that are built for rental use. These are not perfect counts but leaving the single-family houses and condominiums out of the rental count is more accurate for the purpose of this study than leaving them in.

The number of households in South Ogden City is 6,747 in 2010. These figures were determined by adding the 5,201 owner-occupied dwelling units as recorded and 1,546 multi-family rental units counted by South Ogden City records. (There is a difference of 118 dwellings units between the 2010 census information and City counts or 1.7%.)

A local management company with units in the area said the average rent for a 2-bedroom unit was \$375 in 1990. Rent for the same unit in 2000 was \$460. Other property owners that were contacted said a 2-bedroom unit in the area rented for \$500 to \$525 in 2000. For 2011 the range in rent is reported to be between \$480 and \$790 a month.

A 2-bedroom unit is the most common configuration and for general purposes the only configuration used in the study.

UPDATE OF HOUSING UNITS BUILT IN SOUTH OGDEN CITY SINCE 2008.

Since November 15, 2007 and November 16, 2011, there have been 35 dwelling units built in the City and no multi-family units. The housing values data is from the latest county assessors evaluation completed for the City in October 2011.

AFFORDABLE HOUSING PLAN FOR 2010 AND BEYOND

The City is comfortable with the housing mix and range of value. The plan to maintain the City housing stock is to continue to improve the infrastructure by investing approximately \$100,000 per year in new, or replacement, curb, gutter, sidewalk, water, and sewer. The City will also establish a low-interest revolving fund to update and remodel existing affordable housing. The funds will come from the CDBG funds applied for by the City and from redevelopment revenue in keeping with the commitment to maintain the existing housing stock. The amount will be determined yearly by the South Ogden City Redevelopment Board.



WASATCH FRONT REGIONAL COUNCIL

South Ogden -- Commercial Form-Based Code



The form based code being advocated from the Wasatch Regional Council comes from

I realize our city had been given a \$15,000 grant/award from the Wasatch Regional Council. How much of that amount has been spent by our city to date?

The original FBC plan involved Washington Blvd (downtown area). Why did it grow to include residential areas along Adams, Ogden, 37th, 38th, 39th Street portions and Evelyn and 40th Street residents?

Farr Associates
53 West Jackson Boulevard, Suite 650 Chicago, Illinois (312) 408-1661
www.farrside.com
Leslie Oberholzer, Project Director

An Oakland California firm "Reconnecting America" was also involved in the writing of our template - no snow there.

<http://www.envisionutah.org/images/wc2040/fbc/FormBasedCodeIntro.pdf>

How many hours have been spent by South Ogden City Staff rewriting our zoning code to conform to Form Based Code?

How many hours have been spent on Form Based Code?

How many hours have been spent on other citizen requested items?

Why are citizens being ignored or put off by our city staff? (Has Form Based Code been given a priority even though many residents don't approve of it, who understand it. (Many don't even know this exists.)

Has the city researched how much it would cost existing businesses if they were to bring their existing buildings and parking lots to the new required standards of Form Based Code?

How much more can consumers expect to pay for goods and services from buildings who are required to conform to new Form Based Code?

Will new businesses be able to compete seeing as how their initial investment for their building and parking lot will cost more than their existing competitors?

If not, than how will this create more commercial stores as the city's master plan is desiring in the current R-2 residential zone (which is zoned for residential use and not commercial use)?

For residents who purchased their home in a residential neighborhood, will the South Ogden City be purchasing homes at fair market value for those who do not wish to live in a commercial neighborhood with increased traffic and asphalt in the neighborhood?

If not, why not seeing as how South Ogden City is proposing the zoning change which residents have not been asked for whether they approve or disapprove of the proposed changes?

From the South Ogden City Recorder's minutes on November 25, 2014

<http://www.utah.gov/pmn/files/134825.pdf>

"Discussion Facilitated by Ray Whitchurch, IBI Group With the Intent of Receiving Direction from 53 the Council and Planning Commission on Commercial Form Based Zoning for South Ogden City

54 Mr. Dixon introduced Julia Collins and Vedad Lelo from Wasatch Front Regional Council. Ms. 55 Collins gave a short presentation (See Attachment A) on Wasatch Choice for 2040, stating it was a

56 vision for how the region should grow, pointing out the Wasatch Front was the fastest growing

57 region in the country. The Wasatch Front Regional Council had been given a grant in 2011 to 58 develop tools and resources for communities to meet the vision. The grant given to South Ogden

59 City was part of the resources provided to cities to help them grow. Ms. Collins then introduced

60 Ray Whitchurch from IBI, who had been selected to help the city develop its form based code.

A minimum possible typical fire truck access is 26 feet. Will city staff please verify that this public safety standard is maintained? (Especially in regards to our snowy climate where extra width is required where snow is pushed in the gutters).

61 Mr. Whitchurch gave a presentation (see Attachment B) on what form based zoning was and how it

62 worked. Form based zoning placed an emphasis on form rather than land use and more and more

63 cities were utilizing this type of zoning. *Which nearby cities?* Mr. Whitchurch introduced the idea of transects.

64 Transects were represented by the terms T1, T2, etc. He said the goal that evening was to 65 determine what type of city South Ogden wanted to become in terms of transects (T1-T6).

City

66 Manager Dixon reminded everyone present that the form based code was only applicable to the

67 commercial zones, not the residential zones."

When did this direction change to include our current R-2 zones? Would City Council or planning commissioners bought into this plan upfront, knowing that residential homes might be affected?

"Council Member Porter remarked that Washington Boulevard and 40th 83

84 Street should be more pedestrian friendly; Riverdale Road, however, was different. He also

85 thought two to three story mixed use structures would work well. Others present remarked they

86 thought T3 or T4 was appropriate for the city center."

Why is the current proposed zoning allowing buildings on Ogden Avenue (that is currently and primarily a residential zoned R-2 district) as commercial use up to 5 stories (possibly 70 feet tall in height) when council member Porter suggest two to three stories? If the goal is to run residents out of their homes, this may do just that. And many other good long standing residents of South Ogden City.

"Mr. Whitchurch pointed out that the city was building for the millennial generation.

112 They did not think the same or want the same things as the baby boomer generation wanted.

113 They preferred urban environments where they could live, work and play."

A recent standard examiner article stated that urban millennials want to have additional healthy choices such as allowing hens which is done in many other cities. How will the new

form based code accommodate such urban millennials so their desires can be accommodated?

See <http://www.standard.net/Environment/2015/06/01/Millennials>

In a recent planning commission meeting, after planning commissioners approved allowing a few liens if residents desired, the city manager asked, "How will this be enforced?" Not perhaps realizing that many urban cities allow liens even with Form Based Code restrictions. If he cared about millennials he probably would not have made this statement. Most other cities simply allow residents to do activities that are within the basic laws of the land, such as the noise ordinance. Other cities don't fine and enforce, like our city does to fund its budget.

If Form Based Code is so good, why did Vance Tyrrell, from IBI Group use deceptive photos in many of his presentation in Appendix B from the From the South Ogden City Recorder's minutes on November 25, 2014 to compare traditional zoning to form based code? See p. 13, 15, & 21 for <http://www.utah.gov/pmn/files/134825.pdf>

Will residents along Ogden Avenue have to give up their driveway access as shown in the presentation on Form Based Code, or will they keep them as they currently have?

Doesn't form based code in a residential neighborhood make more sense for a city that is just getting developed (instead of a city like ours that is 95% built out and primarily zoned for residential zoning)?

We currently already have the Mixed Use Neighborhood with the corner gas station store along Adams Ave. Has city Staff asked the next door residential neighbors to these stores how they enjoy their commercial neighbors? And for Ogden Avenue are we seriously jumping from primarily R-2 to T-5 Mixed Use (up to 70-feet in height)? I sure wouldn't want a 70' tall building overshadowing my lot and home. Would any of you like this situation?



Form Based Zoning

Reasons for FBC's

- Prescriptive instead of proscriptive (what you want instead of what you don't want)
- Creates a more predictable design
- Fosters Public Participation
- Regulate development at specific scales
- Facilitates more complete communities
- Produces greater land-use diversity
- Enhances market flexibility
- Promotes land-use efficiency
- Streamlines the approval process

FBC Challenges

- Resistance to changing the current pattern of development
- Non-traditional approach to current zoning
- New definitions to learn and understand
- Requires basic understanding of urban design
- More complicated to regulate

How will South Ogden City regulate when we as a city (according to City Manager Matt Dixon) are already short on staff and enforcement? Will this be regulated solely by the City Manager and planning commissioners?

One of the reasons stated above for "Form Based Code" is that it supposedly "Fosters Public Participation." To date, though, South Ogden City has not solicited input from its residents as to how residents would like the form of the code to take. Why have residents not been asked, whether they want "Form Based Code" and if they want it, what kind of participation they can have in where it is located or the forms allowed or the uses? It seems to have only been asked to a selected few elected officials and not to the residents where the Form Based Code is to be implemented? Why???

What are other reasons residents or commercial businesses may be opposed to "Form Based Code"?

What is South Ogden City out other than a year's worth of planning if, at this time, it decides to not implement "Form Based Code"?

What are the potential cost savings to businesses and start-up businesses that may not otherwise be able to afford the "Form Based Code" building requirements?

Do we have a potential for more smaller "start-up" businesses or larger millionaire "start-up" businesses from the residents who live in our South Ogden City community?

Who is thinking that Ogden Avenue has a commercial potential and why? Has there been any supporting research to base this decision upon? How have stores one block east of Washington in Ogden Area done historically? Are they economically viable or failing businesses or primarily residential units?

How does Ogden Compare with commercial stores available for purchase or lease compared to South Ogden City? How does this compare population wise? (Do we have more available commercial properties or about the same as the much larger neighbor of ours - Ogden)?

Form Based Zoning

Advantages

- Better at Illustrating Community Plans and Vision
- Building and Street Design are Coordinated
- Urban Form is more Predictable
- A more Gradual Transition between Adjacent Areas with Different Development Intensities is Easier to Achieve
- Can Specify the Tapering of Height, Bulk, Massing and Lot Coverage of Building Toward Residential and/or Natural Edges
- High Density Design is more Carefully Designed, Attractive and Compatible

vs

Pitfalls

- Cities must Consider what Approving Bodies will Administer the Code and Whether Current Review Processes and Review Bodies will be Adequate; Rarely is a Form-Based Code able to be Administered Without some Modification
- Some Cities have Legal Restrictions Against Using Illustrations to set Development Standards; in these Cases the Illustrations are used to Augment Text and Numerical Standards but are not Legally Binding
- Trained Staff
- Flexibility = Ambiguity = Challenge

How will our city train staff if "Form Based Code" is to become the new commercial code, or mixed residential and commercial? What about areas to the south like Harrison and south along Washington Blvd? Why should they be held to a different standard than the "downtown" area of South Ogden City? To be fair, planning for future growth in these areas is just as important as in northern South Ogden city.

What approving bodies will administer the form based code for South Ogden City? Will the current review process and reviewing bodies be adequate? Will the proposed reviewing bodies be adequate (or should city council members still be a part of the review process while the new form based code gets off the ground (or crashes in the dust)?

Does our city have legal restrictions against using illustrations to set development standards? I found the illustrations helpful in the new form based code, but if text is more legally binding, than maybe more text needs to be added to adequately describe what the intent of the illustrations are showing.

From appendix C from IBI presentation,

WHAT IS A FORM-BASED CODE?

Unlike traditional zoning codes, Form-Based Codes focus on the **form and design** of a place rather than the necessary **use** of a place. This in turn creates vibrant community spaces, commercial centers and pedestrian friendly streets that include sidewalks, bike lanes, street trees, facades and other street ornaments that make places more walkable and visually appealing. In traditional zoning, the focus is mainly on the land uses of the building and the uses are typically separated into residential, commercial or industrial places. With Form-Based Codes, it is the form and appearance of buildings that are the priorities which are taken into consideration first. This allows for a greater mix of uses, and greater flexibility in development and land use types.

"Based on the last sentence, why not allow this form based code all over our city? Let us cryplace where there are existing residential homes next to businesses be considered "the edge" zone, and require all businesses to be in compliance with the form based code? Then every 10 to 20 years, re-evaluate whether additional expansion of edge zones and "town center general" areas should be expanded based on supply and demand of commercial sites. This would be fair for all of South Ogden City residents and not just make the residents in the R-2 zone feel like this new form based code is just being imposed upon them (which it currently is as currently being proposed). It should be the whole city if this really is a very good thing (or not at all - if it has the potential to be a "not so good" thing for our community). - My vote is not at all. I think City Council should be just to all residents living in South Ogden City (not just vote for something where the people who designed the code don't live in our city and the people voting for the new zoning (City Council) don't live as residents in the affected residential zones). If you allow this all over our city, then developers will pick their preferred locations where they feel they can achieve the maximum profits for their businesses endeavors. If they are successful, than South Ogden City gets a cut in tax revenue, so it can be a win-win (except for the residents who may not want commercial development nearer to their primary residential dwellings--their home).

How are the existing residential homes being considered in form based code? Do residents desire the proposed uses and forms which form based code may bring right into the middle of their street (and not just on a corner)? Has South Ogden City asked the local community what they would like to be built (if anything) along Ogden Avenue and Adams Avenue, Evelyn, 37th, 38th, and 39th Streets? Do residents want an expanded city center here in the north part of town?

The primary locations where businesses along Harrison and Washington Blvd have occurred have been along the primary travel routes. Many of the stores along Washington are not much older than the residents' homes living to the east in the R-2 zone. As homes develop in the South, commercial development should also occur in the South part of our city. What does South Ogden City value more--happy, friendly residents or possible tax revenue from commercial properties (assuming more commercial businesses want to expand here to South Ogden City)? See success rate of the Civic along 40th Street PRUD for prime example--2 of 10 units have sold.

Are there businesses knocking on the Mayor's door asking him to make more business areas available for development (since the corner locations at busy intersections such as 40th and Washington are not prominent main traffic locations)? Bank of Utah came and went after a few years in business, plus a few of their neighbors to the north. Also Jiffy Lube has recently changed ownership as well, after many years in business at 40th and Washington location. A precursor to the current "form based code" is the South Ogden City General Plan from 2008.

"Public Involvement

Public involvement was extensively used to identify issues regarding Land Use, Transportation and Market/Economic Conditions. This public input was gathered through meetings with a Citizens Advisory Committee, public open house meetings, and through responses from a community-wide survey."

When were public open house meetings held to involve the public in the general plan and what means were used to let the residents know of these public open house meetings? How many residents attended the open house meetings? It is my understanding 50 residents attended. (How many were from "Old Town" South Ogden? How were these residents informed of the meeting? Was it the same as Form Based Code is being informed to residents? Did South Ogden City feel like the number of persons at the meeting was sufficient to get the general opinions of what all South Ogden City residents wanted most? Please explain further as needed. Can we have a citizens' advisory committee and public open house (informal meeting) to freely talk and discuss back and forth?

"Public Open Houses

In addition to guidance received through the Citizens Advisory Committee, a Public Open House meeting was held in early August. Approximately 50 citizens attended, providing a range of input and helping to refine the preferred plan direction. A public open house will also be held to review the draft final."

Did you take inventory of where the citizens were located who attended the public open house? Is this information publically available? How many residents north of 40th street were a part of the open house? When was the public open house held to review the draft final as stated above? (I don't see record of that occurring in the 2008 General Plan).

"Household Size

As illustrated in Table 1-4, South Ogden households have an average size of 2.73 persons, below Weber County's average size of 2.95 and the Utah's average of 3.13 persons." In regards to the proposed locations of rezoning and Form Based Code, has South Ogden City considered that many of the homes they have identified as desiring to encourage redevelopment have been previously owned by the parents of the "baby boom" generation. They and some of the baby boomers which also own a large percentage of the homes over the last 20-30 years are able to do less home and yard maintenance on their properties as they age. With an average household size of less than 3 persons, there is essentially no growth expected. The existing properties should be enough for the current population as long as homes are not destroyed by commercial development. Agree?

"* **"Low but tight" character.** Buildings should be "low," generally not exceeding two to three stories in height, in order to maintain a pedestrian-friendly scale and to fit in with the existing context. Density can instead be increased by placing buildings close together in "tight" formations. Pedestrian alleyways can be located between buildings to maintain access to other buildings and parking in the rear, further maximizing the limited space

available."

The new form based code has drifted away from this along residential lots which are along Ogden Ave. Five stories is much taller than most store heights currently along Washington Blvd and currently proposed along the west side of Ogden Ave.

"* Functional, yet architecturally interesting store fronts. Primary entries to buildings should be located along the main, pedestrian-oriented routes. Facades along such routes should be varied and interesting in order to provide a visually interesting pedestrian experience."

Does the form based code still achieve this as well as previous more varied zoning may allow?"

"Design Considerations: 40th Street

40th Street is an important east/west corridor through South Ogden that connects Harrison and Washington Boulevards, and ultimately, the popular commercial corridor of Riverdale Road to South Ogden City General Plan Update Land Use & Neighborhood Design 2-43 the west and Weber State University to the east. Existing and future traffic volumes are shown in the table below.

Table 2-4

Existing and Future Traffic Volumes for 40th Street

Traffic Volume

2007 Average Daily Traffic 19,700

2030 Projected Average Daily Traffic 19,600

Traffic volumes are from the Wasatch Front Regional Council's travel demand model."

"Since no growth is projected for the next 15 years along 40th street, any alternatives by considered to alleviate the peak congestion periods as opposed to widening the street out? The least intrusive solution and most environmentally friendly with the best cost savings to our city should be considered first.

-Comment received at the first public open house indicated that there was a problem on 40th Street, primarily at the point where the four lanes dropped to two lanes. However, city staff is concerned that widening the road will divide the city with a physical barrier that is difficult to cross either on foot or in a vehicle.

Recommended Direction/Action

*** Alleviate "bottleneck" locations while avoiding widening the road.** Given that traffic volumes on the road are not expected to increase in the next couple of decades and that the city has legitimate concerns regarding the character of a widened road, South Ogden City should explore alternative ways to accommodate existing and future traffic and/or alleviate "bottleneck" locations. This might include providing turn lanes at key intersections or providing two lanes of traffic in each direction within the current pavement width." I agree with the city and staff's original statements here. What was the motivation to change this plan? Was it available funding from other sources? What will the current proposed updates to 40th street cost taxpayers? Where can the public find online the latest proposed 40th street updates so they can know what is being planned for our city?

"Not surprisingly, commercial development is clustered around the points of highest traffic counts at both the north and south ends of the City, and along Washington Blvd. ..."
What are traffic counts along Ogden Avenue? Does it make sound business sense to allow commercial expansion along Ogden Avenue when there is no traffic here (except local

residents)? Can't someone who wants to put in a commercial business currently do so under our current zoning rules?

Has South Ogden City considered charging "fair market value taxes" for the type of businesses that sit vacant for year after year? Giving commercial property owners a very low tax rate does not motivate them to sell or develop their land into a beneficial commercial use.

Will residents along Ogden or Adams Avenue be able to keep their R-2 zoning status on their homes (until they or their family decide to sell as commercial use – if they think they can sell for more than as a residential lot)? How will the tax rates be kept fair for residents who choose to stay in their homes in the Form Based Code zoning?

"Retail Locations. There are two main commercial locations in South Ogden City – one located at the north end of the City, and the other at the south end. Analysis of these two locations, Figure 3-11 and Tables 3-9 and 3-10, shows considerably more population, and therefore more buying power, associated with the northern location. The northern location is surrounded by higher density, more urban-type development, while the southern location is more suburban in nature. Commercial development in the northern portion of the City is old, with much of it in need of redevelopment. Therefore, a location in the northern part of the City could be an ideal site for pedestrian-oriented, walkable commercial development that can become a community center and for lifestyle-center type development." I don't agree with the above as being sound logic. More population = more buying power? I thought higher incomes = more buying power. The area to the north has been stated as being where moderate to low income families live. How do existing, long-standing businesses along 40th and Washington Blvd. respond to Form Based Code? Existing businesses have remained as they have been, more or less, for the last decades of years in business. Shouldn't business competition eliminate old stores if they can be more competitive by having a certain form that say having government dictate how businesses should look in order to put out a sign that says "open for business"?

In the event that form based code is adopted by our city? Can it be fairly implemented everywhere within our city? Can it be monitored in any way to evaluate its effectiveness in creating new businesses? What can be considered to eliminate it and put code back the way it was prior – if this new "form based code" is not embraced by business owners? Can there be a sunset date put upon it, say in year 2025, to evaluate and consider the impacts to residents and businesses and to our South Ogden City tax revenue and weigh all factors against one another to see if there have been any winners with the new code?

Also, how will new sidewalks and existing streets be constructed in regards to the new Form Based Code areas? Will this essentially only apply to the designated areas and remaining residential areas will be same code as what they currently have? Will the city continue to do road maintenance for the residents?

Follow up to the above. Will the city be having two zoning codes? What additional safeguards can be provided to residents who get stuck in the middle so that their basic rights are protected and so that they don't have to spend exorbitant amounts of their time in protecting their basic rights to live in a quiet, safe, residential neighborhood?

How will other existing ordinances such as the noise ordinance affect residents and businesses sharing the same lot lines? Residents will be affected.

In the event of an apparent conflict, what assurances do residents have that their basic rights to live in a quiet neighborhood are not dissolved by commercial development in their neighborhoods?

There are expectations that an average residential lot will actually be worth more as nearby commercial lots develop and some residents will no longer be able to afford to pay taxes. How will this be addressed for the elderly and disabled?

As opposed to more commercial development, can all residents just pay their share of more taxes? Over the last 7 years the taxes and fees we pay have gone up substantially while residents in the south have paid less as their property values have decreased. Or ask South Ogden City to spend less of our paid taxes (use our taxes more frugally) so maybe more city employees do multiple jobs that are needing to be done in our city. It seems the northern part of South Ogden City is once again absorbing all the redevelopment city officials seem to think is needed for our city. (Previously, in 2003, residents in the north had a nice city park to enjoy – it is currently about half of the size it was back in 2003). Can't other areas also be selected for better locations of businesses that businesses would actually consider as choice locations to open up their doors for business?

"Appendix A: South Ogden Community Survey Summary

(from 2008 General Plan)

Demographics and Concerns

o 73 percent of all respondents are 45 years of age and older; 12 percent are 35-44 years, 13 percent are 25-34 years and only 2 percent fall between 18-24 years of age. Clearly, the survey is heavily skewed to older individuals. Only 36 percent of the population is 45 years or older." So what age group will be forced by the proposed new zoning (Form Based Code) out of their homes along Ogden Avenue and Adams Avenue? It appears to me to be more elderly individuals. These people have been long-time South Ogden residents. This is not what they desire to happen in their residential neighborhoods in their senior years.

o 99 percent of respondents own a home with only one percent reporting they rent. However, according to the 2000 Census, 77 percent of the population owned their home with the remaining 23 percent of the population renting. It is apparent that the majority of renters who received this survey, did not return it. This suggests that those who rent in South Ogden may lack a sense of investment in the City." Who will primarily be residents of our city in mixed use buildings? I would expect renters who "lack a sense of investment in the city." How will this help our area? It will not.

"Neighborhood Analysis

o Generally speaking, residents in the southeast portion of the City wish there were more shopping opportunities in their neighborhood. However, residents in the central and northern parts of the City (mean score of 2.8 and 3.1 respectively on a scale of 1 to 5, with 1 meaning *strongly disagree* and 5 meaning *strongly agree*) do not feel as strongly

about the need for more shopping opportunities.” Pretty much a neutral answer expressed by all (averaging 3), with residents in the South wanting more shopping opportunities slightly. So why not have Form Based Code and have a new development area designated for such in the south part of our city? Do an experiment to see if new/old or old into new works better for the proposed new “form based code”? People living in the South part of our city don’t like the way the north part of our city looks, but people in the north part of our city are more content with how our part of the city looks. Why are others trying to change others to match what they want? Can’t we all just be tolerant?

o When asked if there is enough availability of affordable housing in their neighborhood, respondents in the north end of the City are the most likely to feel there is enough affordable housing (mean score of 3.6). Conversely, residents in the southeast portion of the City are the least likely to think there is enough affordable housing in their neighborhoods (mean score of 3.1).²⁴ Residents in the north did not say, “Tear down our existing affordable neighborhoods.” How is this going to help residents in the south have more affordable housing near them? Why not require Form Based Code everywhere in our small city to plan for future population, if that is the goal?

o Residents in the northeast part of South Ogden have the least sense of community (mean score of 3.1) and those with the most sense of community reside in the central part of the city (mean score of 3.8).²⁵ May be due to the fact that there are more rentals where residents move in and move out within a couple of months or years. We also have less sidewalks and more elderly people who can’t get out as easily. As younger families move into older homes, the older homes should get upgraded over time as the younger families may be able to afford. Has the city tried to track the efforts in the R-2 zones and when most homes are rented, as younger families move into the homes of the former elderly residents? What could be accomplished in R-2 neighborhoods by simply adding sidewalks? Can residents get a schedule of when their streets might get sidewalk upgrades within the next 10 years? If we can’t even afford to put in basic sidewalks for residents who have none, remind me again why we are putting in dog parks, recreation facility and football restrooms for residents who could afford to pay for these improvements by donations from within their community? Residents in the south can have all the publicly funded RAMP park improvements, just let us residents in the north keep our homes located in the R-2 zone (without commercial development) and the half of 40th street park that we have left near our neighborhood. Is that too much to ask?

Residents living in their residential zone should have the majority of the say as to whether a commercial business is allowed to move into their residential neighborhood. Their homes are the single biggest investment they have made. Should that business use for whatever reason change over the years or desire usage, residents should once again be notified to give their approval or disapproval of the change in business use in their community. Use matters more than form when it comes down to what is allowed in your neighborhood, if a person cares about their spouse, children, and neighbors (or grandparents, as the case may be, for many). I have no idea how hard it is to run a city on a limited budget, but maybe less is more, if funds are limited. I believe residents in general prefer less government rather than more outside the basic services of police, fire, and roadway maintenance. Secondary items should not take priority over the

basic necessities. Form Based Code is definitely a secondary item. I would rather see city funds go into putting in a few more blocks of sidewalk somewhere than in paying someone to research something that citizens and businesses may not be able to afford where they are being proposed to be mandated as the new code, and residents don’t want.

What about existing business owners? After explaining to them what they can no longer do under current zoning, and what they must do with new Form Based Code zoning, what percentage of existing businesses want this?

Does the proposed commercial fill-in for the middle of existing residential homes fit in where one could have a five-story, brand-new building constructed next to homes that were constructed between World War I and World War II?

How is this “senseless” as 2008 General Plan discussed?

What if existing older homes are damaged due to the contractors’ construction operations (or other construction efforts)? How will residents be protected from these unforeseen incidents that may be difficult to prove who caused after the fact? Will resident have to video document the condition of their homes – not knowing where a crack or other failure may occur during reconstruction of a neighboring property?

There are multiple various ways to alleviate congestion on 40th street that could be considered to extend the current usable life of the pavement. At some point in the not too distant future, 40th street will need to be expanded. The majority of the traffic going along 40th street is primarily commuter traffic in the form of students from the nearby cities commuting along 40th street to Weber State University. There is a similar traffic amount going along 36th street, which has no turn median. I have timed how long it takes me to make a left onto 36th street compared to 40th street and it takes about 2 minutes to turn onto 40th street compared to five minutes for a left onto 36th street. What no-cost solutions to public infrastructure have first been explored (seeing as how the pavement along 40th street still has some years of life available). Have signal timing light solutions been evaluated and adjusted so that there is more green time or less green time to delay students from leaving all at the same time (UDOT uses a similar green light on ramp – traffic flow congestion prevention method – as one is trying to get onto I-15 during busy peak travel times). Another solution which would take some class rescheduling from the university, but could be accomplished would be to have classes get out at different times (so that students are not all rushing out from the University at the same time). Simply having classes start and end at various 15 minute hour durations would have the potential of reducing the Weber State University peak traffic flow by 75% less at any given hour. It is kind of like when we have the Lindquist sponsored fireworks or a sporting event at the university. Having a controlled flow of traffic (in these large events by police officers) helps move the traffic faster. Traffic light timing can also help alleviate congestion along 40th street and keep it where it was designed to be along Harrison Blvd (three lanes for travel along this street). Have all of these options been explored prior to redoing 40th street? When is the open public hearing for 40th street planned improvements to take place and what is our city doing to let residents know so they can give any input for the planned street improvements in their community? Is there a preliminary plan for the proposed improvements, which houses will be affected etc. that residents can review?

I think we need to do an assessment of where we are currently with meeting the desires of the citizens in South Ogden City. Have affected residents been informed (by their city) of what

changes are being proposed upon their homes and neighborhoods which will directly affect them? If this is such a good thing for all residents in our city, why is only the bare minimum allowed by law being implemented to inform residents regarding this "Great new change" about to affect them in the not too distant future?
If the citizens and residents of our community don't really want this change in our community (which to my knowledge South Ogden City Staff has not directly asked residents living here), then why is the city tax payer dollars being used on proposed zoning changes that current residents and most current businesses do not desire at large or can afford?

Under the agenda from Jan. 14, background, 2015 Chapter 2 -- Street Types, the second bullet point states,
"It was also felt that the ordinance should note which streets are public. In the areas where the FBC applies, these include Washington Boulevard, Riverdale Road, 36th, 40th, Wall and Chimes View. The role of these public roads is to provide public access to the internal streets, which are private. The City Engineer noted that he does not have problems with the street sections indicated in the FBC, as long as they are private."
To my knowledge, we still don't have a city engineer who supports the proposed street sections that are to be public (which I believe the majority of the streets will remain or should remain public such as 40th Street, Ogden Ave., and Adams Ave.). The city engineer has said as long as the street sections indicated in the FBC are private than he approves because the city is no longer responsible for maintenance or for any liability in the form of accidents that may occur with the more narrow designs being proposed. How does this affect Ogden Avenue (directly above Washington Avenue)? Will their street be considered private, when for so many years residents have lived here and paid their taxes? At what point does the street get re-done as commercial entities desire to move into residential neighborhoods (assuming that developers see an "opportunity" to do so). Is there a transition point?
Is this our city's new long-term roadway maintenance plan for the north--to do nothing and simply change all our streets to FBC starting with Ogden Avenue and then expand to the east? I would like to know when residents' streets will be repaired. This is the reason we allow government to take care of jobs we can't do for ourselves. Not to invite contractors into our neighborhoods to re-make everything.

The new "Form Based Code" has attempted to define a transition zone from a residential lot on 40th street to a commercial property "40th Street General" see Figure 5.2 (5). (Figure should have the word "rear" deleted, since you are proposing that both the side and rear setback minimum should be 20'). Is 20' enough? How much would a resident's yard be shaded by an adjacent two story building located 20' from their property line?

Under 5.2.(4)(a) it says, "a) Transitions from ~~should say, from~~ Single Family Homes. A 20-foot setback is required from the property line adjacent to a single family detached home. At 20 feet, 25-foot building height is permitted in between the property line and 30 feet. After 30 feet, every 2 feet in additional horizontal distance from the property line permits 1 foot of additional vertical building height. See figure 5.2 (5).

Section 5.3 has different setback requirements shown for all zones. It does make reference to if a commercial building is to be built next to a residential home. Can it be more clearly stated

that the residential home interest is to be preserved over the commercial developer? I am concerned that a commercial developer may think they can build 0' from a lot line and 5' from a rear yard.

Can city planner provide a worst-case plan view sketch of what a commercial building along Ogden Avenue would look like adjacent to a resident living on the east side of Ogden Avenue and for a neighbor who lived north or south of the new commercial development. How will it work to have a parking lot 7 feet away from a neighboring property owner's back yard? Children do play, like in sand boxes, which may be located near property lines.

Seeing as how many of the homes zoned for commercial development are also located where moderately affordable housing exists, what guarantees will people have that new residential units will be required? Also what guarantees for low-income, affordable housing?

Where will residents go who can no longer afford to live in their homes in a Form Based Code area?

Why are not parks listed as a permitted use under 4.2.2. Residents who live in the north place more of a value on this wide open space than residents perhaps who live in the south that have other open spaces available to them. Is there an economic spending or lack of spending for parks in the north (maybe inadvertently) being implemented on our South Ogden City's fiscal spending for outdoor recreation and parks? I would ask you as city planning commissioners, city council members, and Mayor to reconsider spending dollars to improve our city center in the north (not just city offices where publically elected officials work). We do appreciate the work you do on our behalf that we are not aware of and are extremely grateful for the fire and police that are available within literally a few minutes of our existing homes. South Ogden City police are without question some of the finest around! I just feel a more balance approach is needed for redeveloping our neighborhood and on a smaller scale where it is needed for an economic return to our city.

1. My understanding of the original Form Based Code zoning locations is that it was intended to be implemented in city center areas (not the current residential areas)? My first, initial concern with the proposed Form Based Code was that it was not publicized by South Ogden City to the residents -- other than the bare minimum required by law. Many residents and families currently living in the R-2 zone and will be permanently affected if this code becomes the new zoning code where residents chose to purchase their residential home. What does the city value more, the stability of families (which include the elderly and young children), or the opportunities for commercial development that may bring in additional tax revenue for our city (if, and only if, successful)?
2. Zion's Bank did an economic feasibility review. It should be noted that Zion's Bank is not a "not for profit" business. I have looked into banking with them and choose not to due to their high fees they charge, and I could make more money on savings in other financial institutions. My question is have you sought a second or third opinion? Since this involves residents' properties,

this second and third opinion should be done transparently, in the presence of the residents being affected.

3. Have a handful of financial institutions been asked regarding whether they are willing to invest loans to "Form Based Code" construction? It seems the likelihood of failure is increased for those who invest in this due to the fact it will cost more to start up your business and you will be forced to compete against those who have existing businesses operating under grandfathered store set up. The existing businesses can compete at a lower price than what the new businesses would be able to compete against.
4. Who gets the property in the event that the business venture does go under (say after one to five years)? What is the average life expectancy of existing businesses in South Ogden City? When the business goes under, who typically inherits the property? My understanding is that it would be the lending institution which can turn around and sell or lease the property as it is (and not inherit the cost which the person developing spent trying to set up a business). So if the bank is the one who comes out the winner on the deal, how does this help individual residents or the person wanting to start a business? Who will maintain properties that are snatched up by investors and not maintained by these investors as has recently been done along 40th street near our city offices?
5. Has Zion's Bank been able to review the latest planned Form Based Code isolated locations in the more impoverished neighborhoods and given their approval of the plan and willingness to lend money to developers wanting to redevelop?
6. The 2008 General Plan addressed improving public parks. Why were no improvement listed for the 40th street "City General" described in "Form Based Code"? If this is the "heart" of our city, than why are all the RAMP funds being proposed almost exclusively (especially from a dollar amount standpoint), south of 42nd street? Please provide for residents living in South Ogden City an accounting of what taxpayer RAMP dollars have been both proposed and approved for the city core general area (which includes 40th street park), compared to the remaining South Ogden City Parks. Central Park was put into New York City prior to that area becoming a desirable place to live in New York City. What is our city doing in the north part of our city to create desirable places for residents to live? Please provide evidence that our South Ogden City has been trying other methods of improving land & parks for citizens living nearest to the proposed "Form Based Code" areas. Our local city government spending less in the north makes our area more "blighted" which could be reversed if our government spent as much as they do in other areas of our city.
7. In the 2008 general plan it proposed that there could be established the following on p. 2-21:

"Neighborhood Mini-Parks. Pocket or mini-parks can be introduced into neighborhoods which do not have nearby park facilities. Ideally, such mini-parks would be located on underutilized properties that are visually prominent and centrally located, such as corner lots where streets intersect." Why has the city not purchased available corner lots in the north part of South Ogden City, and made them into local neighborhood parks? It seems like this would fit into the general plan and improve neighborhoods and may be a necessity if the city is seriously considering allowing 5 story (70 foot high buildings along Ogden Avenue). More local parks would help increase property values in the impoverished areas, plus give children who may end up living in a 5 story building, somewhere where they can safely play near their homes. Maybe this could be a precluding requirement to help ensure there is a green and safe area in the "Form

Based Code" street is that there is a property bought up (near the center of the street), that would be available as a "neighborhood mini-park" or the developer would have to purchase a minimum of the same size or park space as the total finish floor area of the proposed building. This may provide an opportunity for city council members to provide/restore park spaces for residents living in the north part of South Ogden City, which were shrunk and never replaced when the city offices were expanded into our city park space and help ensure an ample amount of green and open spaces and not just the potential for a five story high wall to wall commercial unit near one's home.

1. The majority of RAMP funded dollars being proposed are in fact almost exclusively or have been exclusively proposed for areas in the south part of South Ogden City, how is it just that people living in the south part of South Ogden City have 100% of the say as to what is going to happen to residents living in the north who have had little to no RAMP dollars spent on their parks and green spaces (which typically increase property values and make neighborhoods more desirable to live in)? How much more would our property values be increased if more money were spent on beautification for the 40th street park? Please let residents living near the affected areas have say as to what they want most for the area where they live – wouldn't all people desire the same for where they live?
2. Regarding "Form Based Code", explain whether it will be required that all floors above the main floor will have residential housing above them? If the reason for allowing mixed use is to ensure there will be more available housing for the lower income people living within our northern part of South Ogden City, what requirements will be placed on developers to ensure that this actually happens so affordable or new homes are provided? (As a reminder, our city is 95% built out and as I understand, the reason this mixed use is being allowed is to ensure there will be more housing for the projected population growth in 2040 to our city). If our city is going to be fair and just to all in putting out a new "Form Based Code", why not zone areas in the south part of our city as well? This would be just and appropriate for future development growth here as well I would think. Where ever brand new stores are built, they should be held to this same standard so it is fair to all who are trying to compete in business (or better yet don't have at all so business owners can create what they think will be most profitable for their own businesses). We do still live in America right where residents have freedoms and choices they can make? Let's expand freedoms, not curtail them.
3. Will it be such that a private business can come into the middle of an existing residential community and develop their business (of any of the approved uses) and not provide affordable residential housing of at least the rate that was removed?
4. Follow up question, how will it be enforced that they provide affordable housing or any housing at all for that matter it does not say in the code that it is required? If affordable housing is not required, than this doesn't guarantee any more available housing for our "built out" city. I can see that they may provide a home at the top of a five story building and say they met the requirement, and yet the home may never be lived in due to the expensive price.
5. Currently there are abandoned businesses all up and down 40th street. When it snows, no removal of the snow on city sidewalks occur. Who is responsible for these businesses? Since our South Ogden City is spearheading the "Form Based Code", will our city be willing to take responsibility for removing snow from vacant businesses properties and weed maintenance that citizens should not have to report to get things cleaned up? Currently snow is being pushed

onto the residents sidewalks that live along 40th street. Where are they to put the snow so that sidewalks can remain safe and passible? What guarantees do people have that our city will enforce the removal of snow from businesses where FBC is proposed to exist? They don't enforce or remove snow now as required by the current zoning laws. Why will things get any better for snow removal under FBC? Where will the snow be pushed to and by whom – if the businesses and residents don't clear their walks? It only takes one person not removing snow, and there would be an impassible barrier for a person in a wheel chair, forcing them to have to make other arrangement (or use a less safe street route that may be plowed), where the cars travel. I have seen this occurring many times along 40th street. What makes the city think that failed or abandoned businesses snow removal will be any different under the proposed "form based code".

6. Regarding the proposed bike paths along 40th street. It has come to my attention that where Ogden City has bike paths in the down town area west of the temple, that these bike paths are not plowed and maintained in the winter time (at least not given any high priority). As such, they are not accessible to the snow plows because of the safety curbing (which curbing is a good idea for the safety of the bikers). Seeing as how these routes are not currently being utilized by the majority of citizens living in our snowy community, wouldn't it make more sense to have these bike routes be located adjacent to the pedestrian sidewalk areas? I think this that off from main streets is a safer location and more people would prefer to use these routes if it was safer. Also this would be safer for elementary kid students who may end up using these bike paths on their way to school. It would be easier to maintain as well for the city in that they could simply have a four wheeler with a snow blade attached and push the snow into the adjoining park strip (or truck it off as they desired). They can still be striped with paint as a designated bike route. May want to have some biker pedestrian bike stalls out front along the park strips as well.
7. If bike paths are to be left in the road, maybe the WFRC should conduct a study to see what percentage of people who use bikes to commute around town actually use their bikes in the winter months? I would expect more safety and accident issues during slippery, cold wet periods, and that may be the reason (other than it being extremely miserable) to ride a bike out in the cold weather. Maybe cities should have the right to close down bike lanes adjacent to roads when there is a certain amount of un-melted snow/fall accumulation (if the percentage of regular bicycle users actually significantly drops).
8. I like the idea of smaller local roads, public transportation, and bike paths. I have seen first hand how smaller roads and form based code work when I lived over in Germany for two years. Germany has little snow, and a large population base that has access to public transportation and so less than half of the people even have cars. They don't have far to travel generally speaking to get what they need in terms of groceries, etc. The places where these systems seem to work well are based on some basic prevailing social and environmental conditions. No. 1 they live in regions that have a very high population density and little available land (at least 100,000 people living in the city boundaries), and the second key to success is that they don't have an extreme amount of cold weather. They drive small cars because of the extreme cost of gasoline (if they have a car at all) – not large SUVs or larger vehicles which are common in our part of Utah. In the western areas of the U.S. where land has been historically available for development and the winter weather is often cold, the waiting outside and using public

transportation has not taken off like it has in other areas. We also have further distances we need to cover when going from place to place making a car practically a necessity. Why does South Ogden City think that more people want to live in a "form based code" development when current trend South Ogden City trends are not showing that people are wanting to live in such types of developments here in our city? Look at amount of people living in "The Cove on 40th street" as a prime example. The reason for the lack of occupancy is in my opinion primarily due to location or the high price being asked (maybe a combination of the two). It is interesting to note that the 10 available units have an actual occupied occupancy level equal to the maximum allowed under R-2 (two residential units). Does that seem odd or out of place to planning staff or city council? It seems worthy of questioning why is this the case? Are the units that ugly, unfinished or what? Maybe "form based code" will fix this in the future, and then again, maybe it will not. Allowing PRUD's and development in the R-2 zone was governments way of trying to shape up our area in the R-2 zone and meet state law requirements to allow and provide for "affordable housing". Nobody seems to either want them or be able to afford them. They are not the desired "American Dream" of home ownership. I would like to point out that there are many homes which residents have made efforts on keeping up in the R-2 neighborhoods.

I have been concerned about a home located on the southeast corner of Porter Avenue. This home was not in compliant with many laws of our city and the last episode that was extremely disturbing was a gang related shooting into the walls of this home (maybe occurred three to five years ago). A summer or two ago, there was a few Hispanic men there painting and fixing up the home, and I have nothing but good to say about the form. Also there have been many other homes over the recent years that have been fixed up from their prior state. The landlord who owns two properties next to me had new windows and new insulation and siding put on his two homes that he rents out. Visit the Singleton residence and see how immaculately they keep their home (both inside and out), located on Adams Avenue. Also see the home of Robert Higgs (the owner of Burch Creek Mercantile), his home is located in the redevelopment area on Ogden Avenue. Has South Ogden City made any effort to contact these residents to let them know of the proposed "Form Based Code" and how they feel it will improve their homes? I realize that a few of the properties along streets have not been properly maintained, but this can be expected in any residential neighborhood – right? Have all other options on the table been exhausted prior to inviting "Form Based Code" zoning changes into an existing residential neighborhood as a means of getting a part of our town more cleaned up? Has the city kept tabs of properties that citizens have renovated on their own accord? I am concerned with the "want instant results" desires that many people in our current society have. Some changes take simply time. The home across the street from where I live has been in disrepair for many years (primarily due to the lady living there having financial, and maybe emotional needs) She was a single lady who adopted and raised under tough circumstances her only daughter. For the record, I have never cast a stone at here in the form or reporting her (even though my first inclination may have been to do so). Sometimes there are sorrows and pains people are suffering from that are evidenced in how they may not upkeep their property. Has South Ogden City considered hiring a social worker to look into seeing if there may be a need on a deeper level that some assistance may be able to be provided so that the citizen can get their social issues resolved and then fix up

their own residences? It seems like this may be a better wide reaching result that has had a track record of good results.

What track record does "Form Based Code" have in our northern Wasatch front communities? Seeing as how South Ogden City has historically been a city to hold off and wait and see how things work out for other communities, why are we not holding off on implementing this code until most of the bugs get worked out in other communities who choose to adopt FBC. Some of these could be costly mistakes, and I don't know that South Ogden City can afford costly mistakes when our basic roads that we travel on are falling apart. It is my experience that fixing existing roads is costly. Why are we entertaining changing zoning codes that could prove more costly for both the city and residents living directly near the proposed zoning changes (Form Based code in current residential neighborhoods)? Lets see if developers want to develop in other nearby older city neighborhoods and see what the results look like. Are the sensitively put in or do they look out of place with the surrounding community? Are there overall more commercial stores and increased commercial revenue, or more commercial businesses hanging up their signs and going out of business?

9. As a resident living in the R-2 zone, if asked whether I would prefer to live near a busy city or live in a quiet old style residential neighborhood, which I can afford the cost of housing, I would choose the older neighborhood simply from an affordability viewpoint (it helps me to meet my financial goals). Why take away our city's most affordable housing choice away from residents? Our houses have actually increased more in value than most homes on the south part of our city if you compare back over the last 7 years when redevelopment was being proposed for our area. I think any citizen living in any residential development would prefer a house over an apartment or condo, that is why we all live where we do in South Ogden City – right?
10. By building code, elevators for two story buildings will be required by our codes. Elevators will make costs go up not down for residents living in two story or greater buildings.
11. Does anyone truly believe that the proposed "Form Based Code" as it is currently being proposed for only the Northern portion of South Ogden City and affecting many of the current R-2 residents in our neighborhoods meets the pledge that we state at the first of every public meeting in South Ogden City? "I pledge allegiance to the flag of the United States of America . . . one Nation under God indivisible with liberty and justice for all." I find that the way this code is being implemented it is not "justice for all", and actually has the potential to further divide our great South Ogden City (making it not so great if you happen to be a resident living on the north part of our city). Since it has the potential to be so divisive, why is it even being considered?
12. How will young children be protected who live along Ogden and Adams avenue? There are young children who live along these streets and walk to nearby churches in the affected areas. More traffic as a result of commercial development in our residential neighborhoods increases the likelihood of a child being hit and potentially killed by an unaware motorist. The proposed expansion of commercial development (in the name of Form Based Code), should be kept out of areas that are primarily residential areas (just like city council and Mayors neighborhoods who live in the central and southern parts of South Ogden City). Also introducing open beverage businesses will increase the likelihood of any S. Ogden City resident being hit and killed by a drunk driver. This will be an even greater likelihood for the families living near this area.

13. Imagine for a moment that you were a commercial developer looking for a place to build your next profitable development. Where would you choose to put that development if you could choose any S. Ogden City location? Would it be along a main busy street or an off the beaten path street that is in the middle of a residential neighborhood? What about near a well traveled main street by a golf course road along Washington Blvd. or at Friendship park if you wanted to sell hotdogs and hamburgers to sport patrons? These could be untapped revenue generators for our city that wouldn't require the displacement of existing residents (that will occur sooner or later) due to when property values increase and run existing low income residents out of our city.
14. Does the proposed form based code zoning changes affect one race more than another as far as who is currently living in the R-2 affected homes with the proposed zoning modifications? Is this a form of segregation either racially or economically?
15. There is a reason why we have a separation between commercial zoning and residential zoning. What makes city planner or city manager think that any South Ogden City residents want to live closer to commercial zoning?
16. Why is new commercial zoning areas (only in the north part of South Ogden City) being introduced with the initial startup of "Form Based Code"? Is this just and fair?
17. Has the city taken inventory of how many available commercial units are available in South Ogden City and in which areas of the City? If there are many vacancies, why do we need more commercial units that may also quickly become vacant?
18. What has been the historic success rate of businesses who have set up shop north of 40th street? How does that compare if you compare Washington Blvd. businesses versus the other regions along 40th street and Ogden Avenue (where proposed commercial expansion has been proposed)? I have not observed many existing more than one generation.
19. Have residents and businesses been directly asked by City Council, City Planning Commissioners, or city manager or city planner as to whether they approve of the proposed "Form Based Code"? Does the average citizen or current business owner even understand what this is or how it may impact them should their street be chosen as the next street to be redeveloped under this new code? Shouldn't they be told by our city and not have to find out for themselves after this has been passed into law? (I feel strongly they should have opportunity to find out and be heard, not just have things quickly rushed through behind their backs).
20. Where is the nearest location that residents or city council and planning commission members can go to observe the transition of an area to "Form based code" where there would be an older street that contains both older properties and new form based code mixed use buildings and "Edge" properties as is being proposed with the new form based code? I emailed the city manager this question over two weeks ago and have not yet gotten a response regarding. Does this mean they don't yet exist? Are we to be the experimental FBC test area of mixing old residential buildings with new form based code uses? I think there needs to be a sunset date that if this is not catching on by developers after five years, that the area should be reverted back to the R-2 zoning and the idea of expanding further into residential neighborhoods be completely scrapped from our city's general plan. Is this a possibility?
21. Has the city done a cost analysis of how much it would cost a business to rebuild their property to conform to new "Form based code" should they desire to expand or redo more than 25% of their current building? Are there work arounds for businesses so that they can expand 24% over

a four year period and not have to totally tear down their existing businesses (if they so desire)? What are the time limitations for those business owners to make additional renovations should they desire later after they have made the most allowed without having to conform to FBC new building requirements?

22. Do businesses support "Form Based Code"? If they have not been asked this or been informed of the proposed changes that South Ogden City is proposing to adopt – Why haven't they been asked? Have all existing businesses been made aware and residents living within 500' of the proposed new zoning areas? They should be notified as has typically been done in past zoning changes by our city. They should be made aware of potentially new construction and uses and traffic that will affect them directly for the rest of their lives if they choose to remain where they currently live.
23. If businesses have been informed and asked, can you document which ones are on board with the new form based code and its associated rezoning and which ones oppose it due to additional costs which may restrict them from otherwise making improvements to the existing businesses?
24. True or False. If a business wishes to expand their building by more than 25%, than the whole building may have to be moved closer to the street and parking lot redesigned to be in the back of the building according to the proposed "Form Based Code"?
25. True or False. Form based code could be proposed by South Ogden City anywhere within our city? What would determine where FBC and its zoning may end up in the future? Simply city planning commissioners and city council members who vote on it? Why were not other T zoning zones created for residential areas where existing residents currently live? Is that the basic plan to inch this into our city little by little? I have noticed that city manager and city planner has introduced many zoning changes to comply with the desires in this "form based code" and the premise that it will be approved. Why??? What if our residents don't want? Do we have to vote our current elected officials out of office to get this changed? Many of us don't want to, but we also do not want to lose our existing homes.
26. True or False. Form based code is currently being proposed in only the R-2 zones?
27. True or False. The R-2 residential zones are where the historically most affordable homes are located which a person can purchase.
28. True or False? The existing R-2 zoned residential homes have generally gone up in value over the last seven years along with their fees and property taxes. True or False? The larger more expensive homes in our city have dropped in value over the last seven years as have their property taxes.
29. True or False. South Ogden City has an affordable housing plan designed to protect affordable housing for moderate-income families.
30. True or False. House Bill 295 of the 1996 Utah Legislature requires cities and counties to propose a plan for affordable housing as part of the planning process. Affordable housing is defined as housing occupied by households with a gross income equal to or less than 80 percent of the median gross income of the metropolitan statistical area for households of the same size.
31. True or False? The affordable housing plan can be found in an easy to find location on the city's website?

32. True or False? The following is where the most current version of the affordable housing plan is found:
http://www.southogdencity.com/images/uploads/documents/planning/Affordable_Housing_Plan.pdf
33. True or False? South Ogden City has only a draft version of the above mentioned affordable housing plan.
34. True or False? Form based code will most likely afford residents more affordable housing, not less. "look up Wikipedia economically blighted" and see their definition which states otherwise. May have to look at other attached links.
35. Storm water detention is typically on the downhill side of a lot. New form based code says the building front should be near the street. This makes it more difficult and expensive to construct a storm water basin down stream of one's site, or may require a pump to pump that water back up hill to detain. Pumps are expensive and can break and not desired to the extent possible. We have many areas of our city which are on a hill, making this not a preferred solution for flood prevention on detaining storm waters. How will this work for the properties along Washington Blvd.?

- I read on a previous South Ogden City blog website the following:

"Adopted the South Ogden Housing Program

In order to address the need of housing rehabilitation in our city we have set up a housing program. We have the general idea in place, but now we need to fund it. The funding will come from RDA monies on our RDA projects. It will be a couple of years before we have any money, but once we do it will give home owners on a lower income a chance to upgrade their homes." What ever happened to this as an alternative to improving homes on the north part of South Ogden City? I am seeing much in the name of requested funds from RAMP – taxpayer funded dollars for Parks being requested by our City for the Southern Residents. What if any funds for parks has ever been requested from South Ogden City for the 40th Street Park for residents who live in the more impoverished areas of South Ogden City? Has the city made efforts (if so please list) projects and number of residents homes that have been improved as opposed to a complete annihilation of the existing homes which is basically what "Form Based Code" will accomplish.

<http://southogdencityblog.blogspot.com/search?updated-min=2008-01-01T00:00:00-07:00&updated-max=2009-01-01T00:00:00-07:00&max-results=46>

36.

37. In the draft affordable housing plan that is available online, it says, "Since November 15, 2007 and November 16, 2011, there have been 35 dwelling units built in the City and no multi-family units. The housing values data is from the latest county assessors evaluation completed for the City in October 2011." Please provide the selling price of these dwelling units and an update to 2015 (or most recent available data). Out of the units available on the market, how many days have these units been listed on the market for sale? How many of the available dwelling units have sold?

38. Please explain in your opinion why available moderate housing units, such as "The Cove at 40th Street" have not sold (Only 2 of 10 units have sold). Please also state what the asking and selling prices are regarding for "affordable housing". How will FBC help our city to meet this ordinance adopted by our city?

39. What are the average home selling price increases vs. decreases for the R-2 zone in comparison to other S. Ogden City homes located in the central and southern areas of our city?

40. Has the new proposed form based code and proposed zoning changes taken into account the cost of affordable housing increased cost to residents who may currently live in the R-2 zone? If not, why not? When will this analysis take place? The WRC has stated that this would be the case (which is the authority being trusted by city staff to implement "Form Based Code").

41. What economic safeguards will be put in place to ensure that moderate affordable homes to not become wiped out by developers who are seeking to make a profit?

42. Does it make sense for a developer or business entrepreneur to build a new business or housing project in a less desirable financially impoverished neighborhood? Isn't this exactly what South Ogden City is hoping will somehow happen?

43. Who is responsible for the upkeep of South Ogden City's web pages and why hasn't the latest approved affordable housing plan been posted for the link (now that it is four years later)? See latest approved plan in a rather hard to find location. Can it be posted?

44. Why is the meeting minutes from the November 2014 joint planning commission and city council meeting posted under a 2011 dated folder when the meeting was held at the end of 2014? Is our city staff making that many inform the public mistakes or is someone trying to keep information hidden in places where residents will not think to look?
http://www.southogden-city.com/images/uploads/documents/recorder/ordinances/Ordinance_12-01_-_Amend_General_Plan_-_Add_Affordable_Housing_Plan_-_WITH_ATTACH_-_03_Jan_12.pdf

45. Who is the primary supporter of "Form Based Code" plan and why is it being supported as such? Have they asked if the residents of South Ogden want this or are they just assuming that this is what they think residents would want?

46. Why is Ogden Avenue being chosen for new commercial development when the public opinion polls done by South Ogden City have indicated residents living in the south part of the city would like more commercial development and restaurants nearby where they live? (Residents in the northern part of South Ogden City were satisfied with the availability near them).

47. The most recent general plan for South Ogden City can be found by going to the South Ogden City's website, departments, planning and zoning, general and capital facilities plan,
http://www.southogden-city.com/images/uploads/documents/RGeneral_Plan_All.pdf

is this still the plan that South Ogden City sees as viable for keeping moderate affordable housing available to its residents? Or does this plan need to be updated?

48. Please provide proof that private/commercial development in the R-2 zone will provide more affordable housing?

49. How will it be ensured that lots purchased in any area are properly used? I believe I read something in the form based code that said that if the purchase owning the property didn't do anything with it than it had to be sold (or they needed to provide proof that they were actively trying to sell it) on a yearly basis. I like the idea of properties not sitting vacant and unmaintained by those owning it (who may not even be residents in our city - simply venture capitalists). There ought to be something to protect residents who live here from such exploits on our land where investors sit on property waiting for a good time to sell it and do not maintain or use the property, they just want to flip it for a profit.

50. Has a cost analysis been done of simply implementing some of the good ideas from form based code and leaving the current zoning as it currently is?

51. If city feels that it needs an area where high rise apartments are allowed for residential or more commercial development cannot that be accomplished in the downtown district (and not in current residential areas)?

52. How about for areas in the south part of South Ogden, say for young millennials. The public opinion survey said that residents living in the south didn't think there was much available affordable housing in their areas. What provisions is South Ogden City making to provide for moderate income housing to be available for residents who desire to live in the south part of South Ogden City? There are some land parcels still available in these areas. Can land be set aside for a future high rise apartment complex so moderate income folks can live in the south part of our city (should they desire)?

How will it be implemented when one business decides to purchase one lot? Explain how parking will take place in a residential neighborhood? How will noise be controlled? Will parking lots be constructed in neighbors' yards (if so, how will businesses be screened out from residential lots)? Can you provide a sketch of what this would look like in plan view, and a view of how it would look from a neighbor looking across the street with the maximum allowed building heights being proposed for commercial mixed use buildings in the currently zoned R-2 residential zone?

True or False? The city has based a lot of what actions it is currently doing based off of previous public opinion surveys.

True or False? If you ask residents if they are aware that South Ogden City is proposing to adopt a new form based zoning code, they would know what was being asked?

Why hasn't South Ogden City residents being affected been asked more what they think about what is going on prior to proceeding with FBC proposed rezoning in residential neighborhoods? Does South Ogden City manager or our city recorder think that just publishing on a website, and city office buildings and a newspaper that are not that frequently used or read by citizens adequate for informing residents of potential life altering changes that will be occurring in their neighborhoods?

What more can be done (by South Ogden City) than what has been done in the past by our city to get the local residents to come attend a public meeting to inform them regarding planned zoning changes to their communities and neighborhoods?

Put yourself in the residents' shoes who are living on Ogden Street. Would you personally go along with the proposed changes to the zoning and feel like this was "Justice for All" as we state in the pledge of allegiance if any of you happened to have chosen your home along this street? Whose best interests are being protected (residents or commercial developers)? Please Explain. Has the city made a conscious effort to ask residents and businesses what they think of the proposed form based code to find out if it is in line with what they actually want? Which do citizens value more: How a building looks "Form" or What the building is used for "Function" when they are going to spend their money in our local economy? Has the city taken a public opinion survey to see if residents value form or allowed uses most? (I value allowed uses more than form). Why haven't residents been asked (especially those living in the R-2 zone)?

Do the citizens and businesses in South Ogden City know what "Form Based Code" is? Is form based code to affect all areas of South Ogden at some time or is it specifically targeted to be implemented on the R-2 zones?

From what I have seen in earlier published 2008 documents, about 75% of the R-2 Zone fell in the bullseye of redevelopment goals for our city. Have residents living in the R-2 Zone been asked how they felt concerning this plan? Why not? Does our city not care about its older communities who helped found the city we have today? I consider myself pretty well informed and was unaware of redevelopment in my neighborhood even being discussed prior to recently having found out. The new proposed form based code areas have been proposed for 40th street and Ogden Avenue, and some down town areas. How do these areas chosen make more affordable housing based on previous development in our areas?

The current R-2 zone has the highest percentage of Hispanic and many low income families. Is the city concerned about a possible discrimination lawsuit? Or are they just hoping that residents here cannot afford lawyers to defend them and their basic rights?

Explain how Ogden Avenue street section will look (under new "Form Based Code"). How will the new street system be integrated into the existing Ogden Avenue? Will the city pay for the whole street to be brought up to the new code? Will tax payer dollars fund? Will streets be wider or more narrow under "Form Based Code" and who will provide maintenance and upkeep for the streets? Will it simply be prorated in that commercial owners pay their percentage of the frontage they have to the street?

What about those who have driveways (or those who want driveways to park their vehicle in garage facing their street access)? Will current residents get to keep their driveways, but new residents and buildings have to have an access with parking in the back or next to the sides of their homes based on "Form Based Code"? If so, isn't this in reality creating more black asphalt surfaces and not being as environmentally friendly as current residential zoning consisting of putting in landscaping in the back yards? (A traditional residential backyard would have landscaping - not a parking lot).

Many local streets in the R-2 Zone are somewhat super-elevated (sloping from east to west as the terrain drops). As I have looked though the proposed new "Form Based Code" street cross sections, they appear to be more narrow (which works just fine in the east and west coast climates) that receive little amounts of snowfall. But how would this work in our northern Utah

winter climates? Residential streets are typically the last streets to be plowed. In the winter our current streets get icy and cars tend to slide. A little extra room is nice for snow storage and for extra maneuverability when one does not have as much control of one's vehicle due to ice and snow on the roads.

Is city manager or city planner considering one directional streets (or more narrow streets)? Residents, City Planning Commissioners, and City Council should know what is being approved prior to approving something that may or may not work later. If more narrow streets are to be the new code in the FBC part of our town, will parking only be allowed on the uphill side of the streets? If both sides, what about cars parked on the down hill side of the street? During cold icy road conditions, cars parked on streets will have a greater chance of getting hit by a passing vehicle. If we are staying with the same street sections and allowed driveways and garages, remind me again of what the benefit is for residents living in the current R-2 zone to have their dwellings zoned commercial/mixed use? In our It is not clear to me where a "Lane" street will be used and when a "Neighborhood" street section would be used.

Two typical street sections are shown. Which will be chosen for Ogden Avenue? Who chooses which street section (From Form Based Code, Section 2, Figure 2.6 (1) and Figure 2.6 (2) Alternate? Is this based on current right of way widths of 50' or 60'? Is it possible that the public right of way may be adjusted so that residents have less land (or will they keep what is currently in place)?

The street section being shown in Figure 2.6 (1) is not practical for an intersection entrance/exit scenario. More room is needed to safely maneuver and avoid a head on collision with someone turning off of 40th or 36th street and turning onto a local road. Cars coming off of these main streets are traveling at a high speed when turning and will require more stopping sight distance to avoid hitting a car coming out of the local street in the proposed "yield lane".

A connector street is shown for figure 2.7 (1) and alternate is also listed as figure 2.7 (1). What are examples of streets of where these street sections will be implemented? Why not put the bike lane (shown within traffic), and move it adjacent to the sidewalk and extend the park strip where the bike lane width was removed. This would keep the bicycle traffic more safe from vehicles (could also reduce the sidewalk width to 4' (for an effective 9' bike/pedestrian travel width)?

It is the understanding for South Ogden City elected officials that "Form Based Code" is being directed from the Wasatch Regional Council (WRC). Can you confirm that this is where the latest version of the code has come from?

Does anyone who is on the Wasatch Regional Council (WRC) actually live in a "form based code" neighborhood that they are promoting (if so how many and what cities do they live in)? Do they drive their vehicle in the winter time on such a street?

I have heard the people who live in South Jordan City have formed based codes and the residents don't like it saying that there are more traffic accidents. The authors of the WFRC form based code are not from our area (authors of the template used by our city appears to be the WFRC template that was written by two firms - one from Oakland CA, and the other from Chicago IL). Also it should be noted that city planner and city manager who are in charge of this code are not residents of South Ogden City. Why do they have more say than us residents living here?

I can see that more vehicle accidents can occur if the proposed FBC neighborhood street sections (narrow yield lane access intersections) are constructed. Many motorists are not aware of the narrowing of the streets which are typically wider built and they are taken off guard should they enter a FBC street section that is more narrow. Do other cities have modified versions of this document (or is the intent to have it be the same document everywhere along the Wasatch front)?

Does the city manager or city planner desire a "form based code" and are advocating for such in your current neighborhood? If not, why? I can see how city planner who lives in SLC may live in this kind of area, but I doubt that he does.

What about fire hydrant locations and other utilities. Will these all need to be relocated under new FBC street section widths (how is this a cost savings for an existing neighborhood)? I can see maybe for a brand new residential development, but not an older neighborhood. How will this fit in for existing neighborhoods? I can see using this code perhaps for new neighborhoods (with modifications of section widths) for our snowy climate, but not for existing neighborhoods. The IBI presentation which introduced "Form Based Code" to South Ogden City indicated that cars parked along the street was preferred to a bunch of resident driveways along a main street. If there are no longer to be driveways, how will residents access their garages, and remove their vehicles so that the roads can be plowed for safe travel passage for residents? Also consideration needs to be given for save intersection access onto a main roadway (such as 36th street). If it can't be designed safely for all weather conditions, it shouldn't be designed at all.

What guarantees do current R-2 residents have (who will now live in a new building use zone), what guarantees do they have that their taxes won't go up to levels that they can no longer afford if those residents desire to stay where they currently live and not get forced out of their homes by their land value appreciating now that it is zoned for commercial building use?

There are currently streets such as Glassmanway that are way overdesigned for the level of traffic on them. Instead of adopting FBC at this time, can the street widths be reduced along these street (and more property be given to the property owners) along the frontage of these streets? This would provide a larger green belt here more beautiful. There is also a large painted median area that could be considered for a landscape island beautification region (if desired). If a street like Glassmanway was to be redone (so it is more environmentally friendly). Explain what will be better with "Form Based Code" for residential neighborhoods compared to what residents have right now. Who will pay for any and all "Form Based Code" upgrades?

Residents living in the R-2 zone have been paying taxes historically longer than any other residents in South Ogden City. Please provide us with an expected capital improvement program for our streets (whether form based code becomes the law of the land or not). It is nice to talk about ideas to make our city better, but a plan of action that can be followed through on is preferred by us residents living here.

Is there a reason why the public at large is not allowed to vote on whether "Form Based Code" should be the new approved zoning for our city? Can't this be decided by the vote of all the residents living in our city seeing as how R-2 residents will have no say otherwise in something

so fundamental as where they currently live? If city planning commissioners are going to vote down, than the sooner they and city council do this the better for the affected residents in the R-2 zone, so we can get back to our normal lives, if they are not, than I would prefer this becomes an election item on the public ballots this November. I don't think this is just - no one is proposing that other members of our community have commercial development extensively and exclusively in their residential neighborhoods. Is there "Justice for all"? Please show it by getting rid of this from our residential zones ASAP!

Are there ways to pick and choose out elements from the proposed form based code and implement into our current zoning codes and general city plan to beautify all areas of South Ogden without adopting FBC in its entirety?

As a residents who has trusted our city council and planning commissioners to make correct choices for our city (like many of our residents have), I have noticed a disturbing trend of using available tax dollars in areas that already look pretty nice, and areas where improvements are needed are being slated for redevelopment (at private developers expense) with fewer resident supplied tax dollars being spent north of 40th street comparatively. Is this "justice for all"? R-2 residents actually currently as of 2015 contribute as much tax revenue as the other current residential zones. Does this mean we are no longer considered economically blighted? Can we be removed from the destroy residents homes gestapo plan our city has for us R-2 residents? What would the results be if one goes back historically to when our homes were originally built? The residents here have probably contributed more with dollars adjusted according to inflation than many other of the more well to do neighborhoods. I would be more than willing to take any city council member or planning commissioner (or city Staff member) who thinks that R-2 homes are dilapidated to a bunch of homes in the R-2 area that may rival residents' home in any other residential zones, especially for recent increases shown on the Weber County's Recorder Office tax records for our properties.

I am not as opposed to FBC if it is strictly implemented in current commercial areas (assuming that the majority of current businesses residing in South Ogden are in favor of it). I just don't see compelling reasons to adopt it for a city that is 95% built out. And economically it will be pricy for businesses and hard for them to compete with existing businesses.

I would also like to know the following information:

1. Would it be possible to have city staff post online a summary of how we got from public opinion poll number 1 to adding commercial development along 40th street?
2. How will this improve the goal of the 40th street improvements to alleviate congestion along this street, if the economic goals are to encourage development along this street?
3. How will the 40th Street Park be preserved for residents in the northern part of the city to enjoy? This is the only available park in the north where residents have already sacrificed almost half of their green and open spaces in the park for the current city offices. Why is this currently being shown with a blue shadow over our park? Can it not remain in the R-2 zone as parks were intended to be for the residents in that building zone to enjoy?

4. Can the city post online, (so design is transparent to residents) a compilation of the latest and greatest redevelopment/proposed zoning/40th street improvements so that residents can see what the proposed plans are for our city?
5. What opportunities will there be for residents to sit around the table and look at the proposed plans for our city for the current plans, and future plans the South Ogden City Staff has envisioned for our city?
6. What opportunities will residents have to discuss 40th street improvements with South Ogden City Staff and UDOT? Can we have a citizen work session (not so formal), where citizens who are not accustomed to speaking at public meetings can get questions answered and give feedback of what they would like to see?
7. Did the 40th street development plan include the new Birch Creek Elementary School (combining Marlon Hills and Club Heights Elementary School)? If so, how will children (like my own) who have to pass across 40th street be safely protected. My kids, I have been told are to be bussed, but there will be times when the kids still walk 1 mile home. Other children will walk along and across 40th street. How will safe crossings be established? I am confident that Councilwoman Ore will put children's safety ahead of public and private development based on her previous public comments.
8. If larger building heights are allowed in our traditional residential neighborhoods, can the maximum height of allowed buildings be adjusted from 5 stories high (as it currently is proposed) to a typical 2 story dwelling which is commonly found in a residential or business park for our area? How would a new 5 story building fit into an older neighborhood and impact the residents surrounding views? Earlier 2008 General Plan said, that redevelopment should be "sensitive" to surrounding residents. What is currently being proposed is not at all sensitive and in conformance with that plan. 70 foot tall commercial buildings (or any wide scale housing or commercial development in the middle of where residents live and have lived for the majority of their lives) – Seriously is this the best our city's staff can come up with for the residents living here? Has mayor considered hiring a second consulting firm to give a second more resident friendly opinion of a better suitable design and plan? Or ask us residents how best to help our city. We are a wealth of free knowledge of what works around us and what does not.
9. Any FBC business or multi housing units in a primarily single family residential zone (zoned for R-2 max), is not a benefit to the existing residents. But if forced up the residents, can a new zone type be added that would be more family friendly that would be family and children appropriate for allowed commercial uses? All approved uses should be approved through city council. Would any normal resident trust a commercial set up near your priceless children? There is a reason that we raise our families away from strangers, why make R-2 residents children be more unsafe in their neighborhoods? How about only allowing small office businesses? I really don't even like this in that there will be days where office patrons will park and interfere with normal resident life along our streets.
10. Store Hours for stores and businesses adjacent to residential neighborhoods should be limited to 8:00 a.m. to 5:00 p.m.
11. The expansion of commercial properties where they have not historically been along 40th street will affect residents' homes nearby with store patrons parking in front of their homes.
12. Also 40th street has had many failed businesses (maybe due to the folks on the north not having enough economic buying power to keep afloat), or due to the traffic along 40th street is primarily

- related to those attending WSU. During the recession, the university students noted the decrease in traffic counts for 40th street. Would be interesting to get the number of out of Ogden city residents enrolled at WSU to compare with traffic counts. How much of our traffic stems from WSU? What are they doing to help fix our street congestion problems?
13. I don't think it hurts to plan for future business opportunities by perhaps creating storm water detention facilities that stores and businesses can purchase storm water storage when it is desirable for them to build along 40th street. There are currently many available commercial spaces along 40th street. Let these empty vacant businesses get established and occupied before creating more.
 14. If planning commissioners, city council, and Mayor really want more stores along 40th street, the street section will need to be the width of downtown Washington Blvd. Three lanes of travel will be needed if traffic speeds are to be decreased to get people to see available shops. If speeds are slower, there will be more congestion.
 15. Concerns with Hospital Emergency Vehicle routes to the New McKay Hospital need to also be addressed. Their representatives along with UDOT should be consulted for further input. Emergency vehicles would not be able to drive through beautiful landscape islands (islands would be nice, but may come at the cost of lives, which no one wants).
 16. In regards to hospital routes (which Councilman Porter has also raised concerns over), it should be noted that what some may desire along Washington Blvd for South Ogden City (which does not contain a hospital), and has side streets is not the same as what we have along 40th street which does contain a very nice hospital, but no parallel streets running east and west that connect to the hospital (for emergency personal).
 17. It has been said that residents will not be forced from their homes by our city exercising immanent domain. How about in the form of what residents are required to pay for their property values? How will residents be safeguarded that their property will not be taxed at a higher commercial rate? On the flipside, since their streets are now being shown for allowed commercial use, how are residents who may want to sell their home being safeguarded that their residential property won't be less in value (if people no longer want to live near the new businesses)?
 18. From my engineering perspective, slopes look like they will present some challenges (which they currently do with ice and snow). In SLC, SLC takes care of snow removal on sidewalks adjacent to businesses. Wouldn't it be more cost effective for our city to do the same to ensure school children have a safe place to walk along 40th street (whether business goes in or not). With current 40th street design and maintenance, no snow removal happens along 40th street. One may say it is the residents' responsibility, but I don't think with the amount of snow pushed onto the frontage of their lots that this should be the case. Also what about the elderly and ADA persons living along 40th street. Can city persons help shovel their walks so that they have safe access along current sidewalks that are provided and not being maintained?
 19. Finally with traffic flow along 40th street. It is like moving water in a pipe. The current single lane in each direction with center painted median has about 1.5 times the congestion on Riverdale Road and we currently have one lane with no on street parking. Parallel parking along store fronts as depicted in the FBC draft Jan 2016 manual, would significantly decrease traffic flow as a person tried to maneuver in and out of a stall along 40th street as would parking on an angle along with increasing the chances for accidents on the steep grades which require a

greater stopping distance for motorists. Also the less accesses the better from a UDOT perspective (they will prefer only having at main block intersections). If you want a better level of service than what we have now, than we add one lane of traffic and leave portions of the median with no further commercial development. If commercial development along 40th street is still desirable by people living in the South Part of South Ogden City, than three lanes plus the center median will need to be added, which will come at a significant initial cost and then have long term maintenance costs for our city (if I understand correctly that we maintain and provide snow removal for the road).

20. In regards to bike paths proposed with Form Based Code, it is safer for the bikers if the location of the bike route is outside of the traffic maneuvering locations. First preference would be to have it be located along the sidewalk edge of the park strip. Second location would be directly next to the curb & gutter. Maneuvering across cars pulling in and out to park would be very dangerous resulting in an accident or death.
21. As I read though the results of what South Ogden City Residents wanted, residents in the north part of the city were satisfied with amount of businesses and residents while residents in the south part of the city desired more near them. What areas will Form Based Code development be implemented to help the residents in the southern part of South Ogden City have more stores and restaurants near them?
22. Is there an overall master plan for our city for short term and long term development that can be posted proudly on the South Ogden City's website? If it is already available, where can residents go online to find?
23. If the South Ogden City Center & 40th Street Corridor are so important to all residents of South Ogden City, important enough to create a new "Form Based Code" for the area; please explain why over \$300,000 for RAMP funded grants that would go towards school athletic venue restrooms and athletic facilities and dog parks located in the south part of our city and \$0.00 of RAMP grants is being requested for the 40th street park which many residents would like to remain a part of our City Center? The items being requested seem more special interest motivated than for helping all South Ogden City Residents. Funds allocated for a park in the center of our city or for the City Center & 40th street seems like it would be more inline with looking after all citizens interest in our city. Do you agree? If not, please explain to the public why taxpayer dollars which residents in the north voted for as well for RAMP sponsored activities and park improvements are not being proportionally distributed for these residents where they live? Can city council and planning commissioners see how neglecting an area with publicly funded tax revenue (that our zone helped pay), can make an area of town appear more "blighted"? How would our area look with brand new roads, and sidewalk where none currently exist? Many of the homes here are quite nice, especially on the inside, where residents have invested much to make a nice dwelling place for their families. How did the areas get chosen as redevelopment areas? I would like to see these areas be re-evaluated by an independent person from another small city (such as Brigham city). Many of our homes are very well built, no settlement cracking, etc. Bricks are not cracked on the outside and in quite good shape along Adams Avenue.
24. It is no wonder that the north part of town is falling apart when very little financially is being even considered for improvement within our area in my opinion. Does city manager or city planner agree that if dollars are not spent on public infrastructure than that area will be less

desirable to live in and become more run down looking? And if you agree, what can be done from a fiscal management policy to change this? Also what if anything can be done so that residents who do not have elected city council members (or perhaps planning commission members), who make decisions for the city at large, can still have a say in what gets planned for them in the part of the city where they reside? With no voice for these people, can the city perhaps send out a mailer to all residents living in the R-2 zones and schedule at least two or three non formal public hearings where the residents can ask their questions get answers, let city staff know of concerns that they may have and see hard copy documents of the proposed master plans (short term and long term for our city both past and future) and other proposed form based code documents? It is vital that people with no say have a say in their government, otherwise this feels like a dictatorship to those people, which I don't think is the type of government South Ogden City wants to be perceived as. Proposed zoning changes should be addressed to the satisfaction of residents and business owners). That is the whole purpose of the open public input period, is to get the proposed policies to be able to either work with what residents find would be appropriate or to come up with a better plan, or get rid of the plan all together. If this FBC is not good for South Ogden City and not what the residents in our community want, than no further action is needed at this time and the city can save money on changing its zoning codes.

25. In the past, when zoning changes have been proposed affecting the south part of the city, there has been strong opposition from residents. When asked where residents were asked in a public opinion poll (conducted by South Ogden City) to state where they considered the city center to be, there was no clearly defined region. Some residents in the south thought it was near them between Adams Avenue Parkway and Harrison Blvd. Residents in the North thought by Washington Blvd and South Ogden City Offices (where they live). Why are none of the existing commercial areas (or potential land areas for new development) located south of 40th street not having their zoning changed to "Form Based Code"? Is this really intended to be "Justice for all" or simply a redevelopment tool where someone prefers brick structures and large windows over wood structures and older homes? We like the fact that most of are homes are uniquely different in the R-2 zone and affordable. We don't like the look of fees associated with HOA establishments. If we liked and could afford, than we would be living elsewhere. We do for the most part like it here in South Ogden City (except for when FBC wants to invade our neighborhoods).
26. Why only 40th street park in blue "general" zone (I realize that it states 40th street general). Why not develop Friendship park commercial opportunities where there could be a great demand for hamburgers, hotdog shops and taco stands? Why limit it to just 40th street if this new code is so good for South Ogden City, shouldn't all residents in our city get to have this FBC across our city? (I don't think residents in the south will like it any more than the residents in the north, but if you are that confident it is good, expand it to areas adjacent to residents in the south and see if you get similar results with residents opposing and commercial businesses).
27. Is city council and city staff concerned with the possible repercussions the proposed redevelopment areas shown for the 2008 South Ogden City plan may in actuality lead to more residents who would otherwise want to stay and live in the R-2 Zone and be a part of our city, actually turn them to want to leave our city in that is has been slated for "redevelopment"?

28. What research has the city done to ensure that properties that have been redeveloped provide more affordable housing to residents than properties that have not been redeveloped? I have read that city staff feels that more density should equate to cheaper overall housing (since there is less infrastructure required), but what to actual results show in comparison to the existing available housing for sale in the R-2 zone?
29. What will be the permitted land uses to residents in the new "form based code" areas? Will they be the same as other residents living in the R-2 Zone?
30. I have noticed that many of the homes slated as undesirable by whoever evaluated the north part of South Ogden City, chose primarily homes that did not have brick on the outer portions of the homes. Wood homes actually stand up better in an earthquake than brick or cement constructed homes (depending upon the construction of course). And we do live along a major fault line. Will wood home construction of homes still be allowed under Form Based Code? Wood homes stand up better under an earthquake than a brick home does. What will govern individual resident home building requirements within this Form Based Code zoned area?
31. The new code requires much open glass viewing areas along store fronts. In affluent areas where there are commercial entities that have the capitol to pay for this highly expensive glass, this isn't such a big deal. The cost for the glass can be passed on with the products that they sell to the public. But what about in our small city of South Ogden? What about store owners concerned about smash and grab crimes? There is a real crime concern in the greater Ogden Area and right here in South Ogden City. I like the look of glass as well, but wonder if requiring glass has a detrimental result on some businesses wanting to do business in our city? Can a less restrictive code be allowed for those who may have such concerns, and maybe a more affordable code for first time business owners wanting to start up a business? Will there be grants available if the code is too cost prohibitive) for potential new business owners? What will the average cost be for such commercial building changes compared to the current zoning requirements? If we don't know, it may be a good thing to find out. We do not have the same economic factors driving our community as SLC or Park City has (No Hollywood stars are wanting to live in South Ogden City that I'm aware).
32. Where did the template South Ogden City is adopting as our cities Form Based Code originate from? When South Ogden City was considering PRUD ordinance, they copied Ogden's and modified it and ended up with going to Multiple buildings on a single lot. Where did we copy this code from and are we modifying it to fit our local needs? Can residents compare the two codes (WFRC template if used and our current FBC) to see what was included and what was left out? If not, why will our city not come clean on where they copied from? There are laws against plagiarism. Credit needs to be given where credit is due.
33. Under section 5.0 building types, it stated states that the minimum height shall be 14' and the maximum first story height could be 20'. The maximum upper stories height can be 14'. So $20' + 14' + 14' + 14' + 14' =$ maximum allowed height along Ogden Avenue would be 70' (taller than the 4 story McKay Dee Hospital or two stories taller than the building south of the former Flying J main building on 40th street. That would potentially cast a pretty high shadow over any neighbors living to the east and change the skyline and view of the Great Salt Lake sunsets for residents in the area.
34. Why not allow shorter building heights (8'-10') in that they would be more environmentally friendly in both construction and less space required to heat and cool? Also limit buildings in

- residential areas to two stories (that would be most sensitive and fit into the area better – if FBC is allowed).
35. Does a resident in the current R-2 Zone have to abide by any of the commercial zoning codes or which zoning would they be subject to (Use Ogden Avenue as an example)?
 36. What is the basic differences between our traditional zoning and form based code zoning?
 37. How many current commercial buildings would meet the proposed "Form Based Code"?
 38. I am aware of one business that has large windows and a nice stone front along 40th street that is currently empty (was a former barber shop), and an electronic shop prior to that. It is currently across from a new beauty salon business. If this building basically meets many of the Form Based Code goals, yet is not renting out, what makes South Ogden City staff, mayor and city council members think that adopting this code will make more commercial opportunities for out city and create tax revenue when existing commercial buildings having this design form are vacant?
 39. Have business dynamics changed since the original general redevelopment plan was adopted for South Ogden City in 2008? In light of the recession, and there being many businesses available for lease or purchase, why would having more businesses help the current market which is struggling? It should be noted that R-2 home prices have gone up in value to their highest levels on record (common gains are \$10k in value), yet many larger more expensive homes have severe losses from what they had been valued at 7 years ago. Common losses are \$10k to \$25k in value. As a result, we are carrying more of our cities tax burden – isn't that good for the wealthier residents living on the south, why should they pay more taxes by wiping out our homes?
 40. There are three rules to real estate – location, location, location. Why does South Ogden City believe businesses will want to put themselves on a non-busy street along Ogden Avenue in a generally more impoverished part of out city?
 41. Is the city aware of developers who are looking to buy land in these areas and develop? Who are the financial experts who are supporting this rezoning into a traditionally residential area?
 42. Have the residents living along this street been educated by South Ogden city that there is a potential for a 70-foot tall building to be across from their homes? Does South Ogden City Staff think this is appropriate for a residential neighborhood or is this an oversight and perhaps three or less stories should be considered for Ogden Avenue as was proposed for 40th street where residents will be living next to future commercial development (assuming South Ogden City Council approves this).
 43. What if a developer decides to buy up a commercial lot on the east side of Washington Blvd. and then a residential lot on the west side of Ogden Avenue and make one large lot connecting the two streets. Will they be required to have a building on both the east and west faces of their properties a certain setback from both main streets of Ogden Ave. and Washington Blvd?
 44. Young Chevrolet is currently purchasing Big 5 Sporting goods to expand their car lot on Riverdale road. Under form based code, they would have to put their new building closer to the street and not be able to display their cars for sale from the street (assuming they chose to expand the existing store more than 25%) – is that correct? How would that benefit a car dealership whose business it to have the cars be on display (not the Form Based Code building)? This is a business or city has partnered with recently. Will FBC be changed to meet car dealerships desires? What if other business desire the same? Will we have justice for all, or injustices equally for all?

45. What motivation is there or incentive for a store owner to want to have anything to do with Form Based Code if they can avoid it in that it requires them to do costly reconstruction costs to their businesses? Won't this in reality tie the hands of business owners so that only the extremely well to do businesses can be in compliance with "Form Based Code"?
46. Do we have the public infrastructure currently installed to handle a 5 story building built to the full capacity it could allow along Ogden Avenue?
47. What size and capacity of water lines and sewer lines would need to be upgraded to allow for the expansion in order to ensure that current residents do not experience unacceptable impacts to their services (such as sewer blockages or decreased culinary water pressure in their water services)?
48. The city engineer who reviewed the Form based code said he thought it may work for a private street section (in other words one that the city did not take any responsibility for and makes no representation that it would work for a public street – owned by South Ogden City). Why?
49. If a minimum acceptable standard won't work for the city, than why would a private developer (who generally want a higher level of quality than the city), why would they want something that is less functional for the patrons who will be supporting their business? Can developer's build wider streets like they do now, if they so desire for a higher quality, safer end product (or will that not be allowed)? Does this logic make sense? Sure there could be some reduction in asphalt, but the cost of pavement verses landscape is about the same for commercial development. Landscaping take more time and effort to maintain over the years (it can be beautiful if well maintained), but may not be well maintained. And then there is the additional cost for the form based code building that requires a minimum of a 14' high building and expensive store front windows (assuming one buys the shatterproof) ones. What is going to stop vandalism from happening on the new store front windows or buildings to protect anyone who can afford such a nice building to be built in our old broken down part of town. We do have real problems with vandalism in the north part of our city.
50. Have any of the proposed street sections been evaluated for how a firetruck would be able to access a resident's (or commercial site's) lot in the event of a fire. The current minimum access for a fire truck is 26' wide.
51. Has our city researched to see if there are cities along the Wasatch Front who are not adopting "Form Based Code"? Why are some other cities not adopting this code? Has our city looked into which cities have chosen not to adopt and why?
52. The consultant team that prepared the Template Form-Based Code for Centers & Corridors along the Wasatch Front has three firms listed as providing content as follows: Farr Associates (located in Chicago, Illinois and Reconnecting America located in Oakland, California). The portion of the workbook entitled "Legal Considerations" were contributed by Adrienne J. Bell Attorney from Stoel Rives LLP, located in SLC., so just the legal consideration part of the Form Based Code was actually on the primary consultant teams. The funding was provided by the Department of Housing & Urban Development, U.S. EPA, and the U.S. Department of Transportation. Are there UDOT reports available for the final draft version of the "Form Based Code" to see how they approve or disapprove of what is being proposed on 40th street? Their advice and recommendations should be sought for as well regarding the proposed Ogden Avenue conversion to Form based code street sections so that any future entrances onto 40th street and 36th street (which have major traffic flows), can be properly engineered for safety of

- those using these approaches onto and off of Ogden Avenue. When will a meeting be scheduled when residents being affected can discuss any of their concerns with UDOT (and help ensure that they get a good final product in their neighborhood)?
53. There is also a "Consortium Advisory Committee" listed which does include a large handful of Utah cities and organizations. But it should be noted that the only city selected north of Salt Lake city listed was Layton City. No other cities north of Salt Lake City were listed. Richard Brockmyer from UTA was listed (as Project Manager) and John Janson from the American Planning Association Utah (as Project Manager). It should be noted that UDOT (the authority on local traffic requirements and traffic safety) was not included for the WFRC template. Does that not seem odd? UDOT does have public roads that run through Urban Cities. Why were they not included? Were they intentionally left off the advisory committee for some reason? Or was this a mere oversight to have had forgotten to invite them to give some common engineering traffic safety sense that may be in conflict with the proposed "Form Based Code" that is being proposed on UDOT streets and accesses. Also it would be good for city council and residents to know what sections have been modified by city staff and why they have made modifications.
 54. Is our fire department equipped to handle putting out a fire on a 70-foot tall five story building? Currently there are not very many five story buildings in South Ogden.
 55. What about limiting FBC to the West side of Washington (away from where residents have lived)? It seems that large buildings set along Riverdale road would not impact the view of as many residents as large buildings along Ogden Avenue or Washington Blvd. would do.
 56. What of the current law that states residents within 500' of a rezoned area need to be notified? Will this curtesy still be given to existing resident living within the affected area should South Ogden City adopt form based code, or will this no longer be the law of the land where a new code is being adopted? I spoke with two resident on the east side of the road on Adams avenue and they had not been notified by our city. One of which wrote a letter to our city regarding to be included for public comment. The other one said he would like to come to the meeting and was grateful that I had let him know concerning.
 57. What would be a non-permitted use along Ogden Avenue? Are there other businesses that may not have been listed such as sexually oriented businesses that would be allowed? What would be in place to safeguard against?
 58. Earlier versions identifying a city center showed two city centers. However only one has been selected for Form Based Code implementation. How is this fair to less well to do business owners or residents in the north part of our city who maybe wanting to start or remodel their existing business? If the code is good for one part of our city's commercial area, why not apply as a global standard? What could the city possibly be concerned with for possible outcomes if they did implement this both on the north and south city centers of our city?
 59. With the late realization that our city has grown out of space, and maybe the desire as well for more commercial areas within our city to generate more tax revenue; What is being done with the remaining 5% of undeveloped land in our South Ogden City?
 60. Shouldn't places like golf courses be considered for redevelopment of high density residential units, prior to existing homes? Many of the residents in the R-2 zone don't have the means to step foot on a golf course and would prefer this option over their homes and neighborhoods being revamped by our proposed South Ogden City's "Form Based Code" proposed zoning areas in our residential communities. These locations are more desirable business locations as well.

61. If the Mayor and South Ogden City Staff, city council and planning commissioners think this is such a great idea, why not propose and allow it all over the city (since there wasn't a clear city center) or at least in the south part of the city. Why would you want it in a location as far away as possible if it is going to be such a great thing?
62. If a developer has to choose between developing a piece of ground under the old code or an existing piece of ground under the new code, what would developers choose (assuming the price of ground and the interest in one's product that they were marketing was equal for both locations)? Can we have a neutral body put out a public opinion survey and see actual preferences? (Residents should be involved to confirm that questions being asked are genuinely neutral and so should city council representatives be included to confirm neutral questions seeing as how they were elected by the voice of the people.)
63. Does the Wasatch Front Regional Council recommend changing currently zoned residential communities and allowing commercial use in neighborhoods or is this our own city's great plan?
64. Why has not South Ogden City asked all residents all over our city whether they felt it was appropriate to allow mixed commercial use in their current residential zones?
65. Next ask residents a follow up question such as given the option of raising property taxes or allowing a mixed commercial/residential use in all zones, which do you prefer raising property taxes or changing the zoning to allow for more commercial development (with the hope of more available tax dollars).
66. Another question that should be asked, "If form based code is allowed, which uses does any reasonable person feel would be appropriate in a residential community (or within 500 feet of your current residence)." Then list five of the most conservative uses and five of the most extreme uses, which are not currently allowed in residential neighborhoods.
67. As a middle ground question, ask "Would you be opposed to any of the following typical office space uses in your neighborhood?" Then list typical office retail uses such as law firm, engineering firm, dentist, and other business that operate 8 to 5 hours. Answer if you strongly oppose, neutral or are in favor (1 to 5 ranking as was done previously would work).
68. I feel the citizens should have first say on whether or not form based code is allowed for our city, given the large scale potential use or misuse of this code. Has city staff, city council, or Mayor considered allowing the citizens to vote on whether this code should be implemented?
69. Citizens and Residents being affected by the proposed use changes that are not currently allowed in our R-2 zone should have the most voice of anyone as to what is allowed in their current R-2 zones. Will citizens be able to give input on appropriate uses they feel are acceptable for their community? If in the future, this is going to change, maybe citizens at large should have more of a say so that this doesn't come up each time city Staff recommends expanding the core city center into residential neighborhoods.
70. Just an idea, as opposed to expanding the city, why not allow for 10 story high mixed/ commercial development and high rise parking places within our existing down town areas. This would meet the desires of all involved in that it provides for more commercial centers and would not need to affect traditional residential neighborhoods.
71. If the need is on our doorsteps for provide high rise residential buildings, why isolate it to areas where land is simply cheapest? This is not fair in that it targets the R-2 zone specifically. Why not leave it open to basic economic principles (and leave out government intervention)?

- Especially in light of there being no one who has final say on this matter living in the affected areas being proposed for "Form Based Code"? The fact of the matter is that developers will propose buildings whether commercial or residential in areas where they feel they can make a profit. Supply and demand is what shapes the prices for homes. It can be expected that since there are no more available houses, in South Ogden City that home prices everwhere will increase at a faster rate than they have historically. Also the city does not need to specifically say a certain region is only allowed for Form Based Code. Let normal economic principles govern. If 1 person sees a cheaper priced lot in the R-2 zone, than if they want to try and make a profit with it let him. Likewise if a person living next to the mayor or any city council member wants to develop a home into a five story high rise next to them, let them (if Form Based Code is to be implemented fairly) within our city. If one truly believes that the lower cost of land in the R-2 zone will be the facilitator of "Form Based Code" working to improve this area, than it will occur naturally without isolating a few city streets for this to occur within. Also you need not fear that your neighbor's property will be developed into a five story (70 foot tall building) in that your property costs more than a developer would want to pay. My point is allow it fairly in all parts of our city or don't allow it unfairly in just one part of our city. How a place looks is in the eye of the beholder and purely subjective. If city council and mayor are convinced by their hired City Manager & City Planner (who are not residents of our city), that this code is good to be implemented in R-2 zones, would you be willing to allow it in your neighborhoods (or even in the south part of town which is also zoned commercial)?
72. If city council member's can not in good conscious allow form based code also in the voting precincts where their neighbors live (which is the current proposed form of the form based code), than how can you justify allowing it all if your own neighbors would oppose it? This in my opinion is a political nightmare waiting on the door steps should any city council member vote in favor of this code (seeing as how you cannot confidently go to your own neighborhoods and want this code to be implemented). Please provide current proof to the contrary if there be any. Form based code will not make your areas look any worse would it? Public opinion changes on things after a recent recession.
 73. The way form based code is being implemented is a form of economic segregation. I am concerned that it is dividing our community, not unifying us as a city. Time and funds are being spend on an item that may not really be that needed in our small city and could be better directed for improving existing facilities, instead of throwing out a "hail Mary" that some developer might see this as an "opportunity" to build under more extreme building requirements in a low to moderate income area with the hopes of higher than normal market share returns. Does this add up for investors? If it doesn't, at best, little will occur without residents being involved.
 74. If city Staff were to drive around the R-2 zone and compare the existing older buildings that were here 10 to 15 years ago and to how it is currently, they will see that the majority of existing upgrades and upkeep to current properties have been accomplished through the existing private residents efforts (and not through PRUD ordinances or multiple buildings on a single lot ordinances). What has the city done to specifically invite R-2 residents to give their input on how to improve the community where they live? Can a neighborhood meeting be facilitated to get their input prior to implementing another government zoning change that may also prove to

- fall flat on its face? If desired improvements are sought, it must 100% come from the affected residents to be effective (it has to be our ideas), it won't be effective on a wider scale.
75. Has South Ogden City done inventory to see what percentage of rental properties are in what condition compared to the primary residential owned units? My concern as a resident living in the R-2 zone is that many of the troubles we currently have in our community is due to the lack of upkeep from the homes being rented. This occurs in the forms of weeds and the upkeep of the properties in general. How about making a rule that if repairs and upkeep is not done on a regular basis (having a preset monitoring schedule by a city inspector), then the landlord would be fined or required to sell their property. Have the inspection schedule and fines increase monthly so that the penalty becomes severe enough to warrant an intended result. Have each rental property be required to pay this property inspector's fee. Have measurable items that can be evaluated such as flaking off paint, falling apart roofs, weed control, broken windows repaired, etc. There seems to be enough people making some money off of rental properties to warrant this almost as a full time job to someone within our city.
 76. With the fines and payments accumulated, spend any amounts accumulated on improving residents who may have financial, physical (ADA or elderly disabled), or emotional needs (or a combination there of).
 77. Maybe outreach to church groups and allow for them to receive money for home improvements to such people in need or recommend persons in their congregation's who could be chosen to anonymously receive a home make over (as accumulated fees would permit)? (There are some people who will never ask for help no matter what their circumstances, so this would provide a means to help all people not matter their circumstances). Have all available options been considered for neighborhood improvements prior to implementing "form based code" to change our city? If this is something that has not been implemented, could it or could it be done in a more effective manner? Maybe there needs to be an anonymous tip line where back yard negligence can also be reported and fixed should maintenance not be properly done on rental properties. The main financial benefiter to the renter property is the landlord.
 78. I heard a saying that I think applies to residents living in the R-2 zone. The question was once asked how do you fix a bent nail? One doesn't give it a whack on the head (which is what was attempted with the PRUD and multiple building on a single lot aimed at facilitating redevelopment in the R-2 zone). Now the proposed solution to fixing the "bent nail" is to hit it over the head with a sledge hammer in the form of "Form Based Code". The answer to how do you fix a bent nail fixed is simple, by gentle pats on the back. This is what residents in the R-2 zone need, not major reconstruction of our area. Have all efforts including allowing time for changes to occur been exhausted prior to implementing "Form Based Code" to change how the R-2 zone looks? Or how about awarding R-2 residents who make an effort to upkeep their properties in a pristine manner? Maybe even something for all residents who try somewhat (to encourage better behavior). It works for kids, why not adults?
 79. Why does city council, any planning commissioners or mayor care how it looks in the R-2 zone anyway? They don't live here and only come here on a minimal amount as required for monthly meetings.
 80. What does mayor, city manager, city planner, planning commissioners, and city council think normally happens to a person's home as they grow to become elderly? When people age, they are not able to take care of their properties as they once did when they were fit and able.

- During this time which could be anywhere from one to 30 or so years, if a person hasn't adequately planned financially, they will not be able to afford to pay for outside help. Family members often can help out and neighbors in our community, but what if they don't? Say a home and yard is not maintained for several years, the person eventually dies, and say a young family with kids purchase the home. This your person has a full time job and children and a spouse that also wants their time and say also has limited resources with their new job right out of high school or college. It may be until the kids are gone that this person actually has time or money to renovate their home as desired for their retirement years (let's say 30 more years), so by the time anyone who is 30 or younger sees this home, it may take 60 years before it is properly upgraded, but the upgrades do happen on homes where it belongs to a primary resident. It is one of the risk factors that those of us who have purchased a home in the R-2 old part of town have consciously (for the most part) accepted as a possible consequence of purchasing a home where we have. If we wanted to guarantee that we would be living in a nice brand new neighborhood with young families and kids, we would have purchased a more expensive home in a newer residential development. There are tradeoffs of cost to get one's home paid off and they type of neighbors and their properties we have chosen. But it was our choice to live in this type of residential neighborhood. The key is residential neighborhood. The changes being proposed with "Form Based Code" do not keep R-2 homes as a residential neighborhood and makes our homes within the R-2 area the next target for commercial development expansion in the future which we residents do not appreciate. My question is how much time does the city feel should elapse prior to implementing new code changes in light of there being a transition period with older resident occupied homes and newer families. It should be noted that not all new families wait to do upgrades, many do them as quickly as they possibly can (much of the work being done by their own two hands).
81. People living in the R-2 zone like living in a place where the homes are affordable, that is why we live here. I am concerned with the affordability of living here changing with "Form Based Code". How many residential homes and commercial buildings would be affected by the proposed form based code? How many currently exist that would be in compliance with the new form based code?
 82. There are two primary reasons why I purchased a home in the R-2 zone. Family history of relatives who have lived in our home, and based on council from a revered leader, Gordon B. Hinckley said, "... I recognize that it may be necessary to borrow to get a home, of course. But let us buy a home that we can afford and thus ease the payments which will constantly hang over our heads without mercy or respite for as long as 30 years. If you have paid your debts, if you have a reserve, even though it be small, then should storms howl about your head, you will have shelter for your wives and children and peace in your hearts. . . ." <https://www.lds.org/general-conference/1998/10/to-the-boys-and-to-the-men?lang=eng>
 83. How would the vote occur on form based code being implemented along Ogden Avenue if it were voted on purely by residents living along Ogden Avenue who owned a primary residence?
 84. How will the implementation of form based code in an area which is much impoverished and where we have a mix of poorer people and residents help those residents to have more affordable housing?

85. We are not so far out of the recent economic recession and there could be still more of an effect now that the U.S. government is spending less on federal funding for infrastructure projects. Is this a concern that a more stagnant economy may still be looming on the horizon? How will form based code possibly help current business in such a case or for small start up business in South Ogden City by local residents (which might be our most likely chance of having business opportunities)? A respected community leader with more than eight decades of life experience, made some statements (prior to our recent economic recession) which I feel could apply to many of the residents living in the R-2 northern part of our city. He was speaking in regards to the pioneers, but many people living here are facing similar circumstances as the pioneers in their lack for the basic necessities of life such as food and decent shelter

Speaking of the pioneers he said, "*They had very little money. . . What a dismal station we have reached in this nation where we have borrowed and spent and failed to repay. At the close of 1994, every man, woman, and child in the United States owed as his or her part of the national debt \$17,805.64. Think of it. It is a disgrace. It affects all of our monetary policies and all of our commerce. It burdens us with taxes from which there is little or no relief.*"

Our pioneer forebears had as their motto:

*Use it up,
Wear it out,
Make it do,
Or do without.*

That statement of frugality and thrift served them well. We could learn a lesson from their example." https://speeches.byu.edu/talks/gordon-b-hinckley_noble-pioneers/

Keeping older homes does make economic sense for South Ogden City. How does form based code which would basically require the tearing down of homes adhere to that pioneer motto? Are there developers knocking on South Ogden City's doors asking for more commercial land to expand their businesses? Has South Ogden City asked any local business developers whether they are in favor of the proposed code? What do they anticipate that their additional building expenses will be? How do planning commissioners, city council and city staff anticipate that the added expenses will be paid for? (Consumers will ultimately have to pay for, or the businesses will go under like many have in the past and will continue to do regardless of code or zoning).

How are we doing with that old pioneer motto? Residents living here would like to, "Use it up, Wear it out, Make it do, - in regards to our homes and do without South Ogden City wanting to make our beloved homes go away with new FBC zoning policies in our longstanding residential neighborhoods. What residents are hearing from South Ogden City is "do without." In regards to our quiet currently zoned R-2 neighborhoods. And we are left asking the question why? Why after so many years of residents loyally paying taxes to our city to help it expand and grow within our neighbor hood and city park, why is the city now turning on residents and asking them (actually I don't think the city ever has to date asked residents), or should be asking residents how they fell about them wanting to rezone their property into commercial/mixed use zoning? Does it even matter to city council or mayors how residents or anyone else feels about the proposed zoning changes in the name of "Form Based Code" part of a broader Wasatch Council plan or our communities? I would venture that even residents in the south part of our city would emphasize and support residents who are opposed to this new zoning ordinance. Why has the city not asked the public if it is on PAR with the survey questions that they have asked to come up with their vision for the city (Making sure that all residents can have easy access to the new Form Based Code)?

What of residents who still value this motto in regards to their homes? Why can't others who don't live in our R-2 zone or South Ogden City Staff who are not residents of our city respect that some of us are quite attached to our homes and relatively quiet neighborhoods and do not desire east of Washington Boulevard to become the next commercial zone of our city?

86. If some of the poorer people who currently live in the R-2 zone (many rent), don't live here in an affordable home in South Ogden City, where would South Ogden City Staff, city council and our Mayor prefer they live?
87. I see no evidence of new development = affordable homes, I am seeing quite the opposite evidenced by home prices on new PRUD developments that no one can afford to buy on 40th street, except 2 people out of 10 available units. R2 homes are up in Value more than any other South Ogden City Residential zone (measured from 2008 date of South Ogden City's latest general city plan that is posed under the planning and zoning website).
88. What about the old pioneer saying of wear it out, fix it up, make it do or do with out? Does that not apply to residents homes living in the R-2 zone?
89. Why does South Ogden City have Form Based Code currently posted on its city website under Parks? Shouldn't there be a flashing bright colored link right on the main webpage instead of obscurely hidden in a remote location? I am glad to see it finally being posted though -- at least somewhere where residents can have a chance to read over it.

From an April 11, 2013 Planning commission meeting:

Discussion on Appropriate Zoning for Mount Benedict Monastery Located at 6000 S 1075 E

Commissioner Heslop moved to have a public neighborhood meeting, presenting a list of acceptable uses the commission is considering, and those it will not consider; and allow input from neighbors. Commissioner Sebahar seconded the motion. Commissioner Gurr asked when and how the neighborhood meeting would take place. They discussed sending notices out to people within 500 feet or within a natural boundary of the neighborhood. It was also suggested that the meeting be held at city hall. The commissioners discussed having the meeting be informal. They then agreed the meeting should be held on May 16, 2013.

Commissioners Gurr, Heslop, Pruess, and Sebahar all voted aye. Has a similar course of a public meeting been held for this proposed Form Based Code which will affect many residents? Can the affected residents be mailed a notice and given directions as to how to find the proposed form based code affecting them in their neighborhood? It seems that by current existing laws of our city, this should be done prior to changing the zoning on the people who are currently living in the R2 zone. This was done for a small scale proposed re-zoning, why not do this for a large scale rezoning affecting so many residents in our city?

April 1, 2014

<http://www.utah.gov/pmn/sitemap/notice/204017.html>

Event End Date & Time: April 1, 2014 7:00 PM

Description/Agenda:

NOTICE OF PUBLIC HEARING

On Proposed Roadway Improvements for
UDOT Project No. F-R199(70);
40th Street; Washington Blvd to Gramercy Ave in South Ogden City, UT

An Environmental Study has been prepared and is available for public comment. To learn more about the Environmental Study contact Nicole at 385-244-0799 or sogden40thstreet@gmail.com. Copies of the environmental document will be available for review at the Public Hearing. Written comments should be sent to Horrocks Engineers, 2162 West Grove Pkwy, Suite 400, Pleasant Grove, UT 84062, postmarked by midnight, April 16, 2014.

Why are we not using more locally available forms to help out our local economy? They would have more local experience and be better suited to performing environmental work here locally? Did they consider owls and many of the raptors that live in our trees? Has an environment study been completed along Ogden & Adams avenue? Many trees here are used by raptors which are a protected.

June 11, 2015 Planning commission minutes

<http://www.utah.gov/pmn/files/168097.pdf>
(read more what was discussed)

July 21, 2015

http://www.southogdencity.com/images/uploads/documents/record/Resolution_15-32_-_Approving_An_Agreement_with_UDOT_for_Exchange_of_Federal_Money_-_WITH_ATTACH_-_21_Jul_15.doc.pdf
Request for Federal Funding from UDOT

August 13, 2015 - Wasatch Front Regional Council

http://www.wfrc.org/new_wfrc/minutes/rge/2015/Aug20/RGC%20FullPacket%2020Aug2015.pdf

Spotlight on South Ogden

As South Ogden City continues to develop within its downtown commercial district, leaders want to ensure that the city code allows for the greatest flexibility but still produces the type of vibrant center the city desires. Form-Based Code is a zoning technique that emphasizes the physical characteristics and design of a particular place, making it a more pleasant place to live, work and play. In 2014, South Ogden City was awarded program assistance to calibrate a Form-Based Code, modeled after the [Wasatch Choice for 2040 template](#) for their downtown commercial core. South Ogden City will discuss lessons learned from this project at the RGC meeting.

RECOMMENDATION:

This item is for information only.

CONTACT PERSON:

Local Planning Resource Program: Julia Collins (WFRC) (801) 383-4250 ext. 1126,
julia@wfrc.org

Just wanted to comment on the above that this was given by WFRC for Washington Blvd and 40th street (not certain if our city staff even talked with the school district regarding the new Birch Creek Elementary school to go in 3 blocks south of 40th street. Residential neighborhoods were not a part of the original design, so why add them in at the last hour and put us all on high alert to protect our dwellings?

August 20, 2015

http://www.wfrc.org/new_wfrc/minutes/rge/2015/Aug20/RGC%20Minutes-August%202015%20approved.pdf

RGA UDOT -- Jeffery Harris and Cory Pope
Only other three northern Utah Cities represented (besides ours):
Mark Allen Mayor, Washington Terrace City
Don Carroll Mayor, Fruit Heights
Logan Wilde Councilman, Morgan County

Mentioned in the meeting as a resource:

The Community Development Block Grant (CDBG) Program—LaNiece Davenport and Sam Klemm, Program Managers. The CDBG program funds a variety of housing and community development projects that principally benefit low and moderate income persons in Morgan, Tooele, and Weber Counties and cities within (excluding entitlement cities).

Find out if existing affordable housing is being potentially illuminated with proposed mixed use form based code zoning.

The Surface Transportation Program (STP) Surface Transportation Program (STP)—Ben Wuthrich, Program Manager. The STP provides funding that may be used for projects on any Federal-aid highway, bridge projects or any public road, transit capital projects and improvements, and active transportation projects.

Contact to see if South Ogden City has informed them of their form based code desires and what traffic congestion effects can be expected with proposed expanded commercial development.

• Congestion Mitigation Air Quality (CMAQ)—Ben Wuthrich, Program Manager. CMAQ funds are intended to fund transportation projects that improve air quality, with the exception that they are not eligible for major road widening.

□ The Transportation Alternatives Program (TAP)—Ben Wuthrich, Program Manager. The TAP funds support the construction and planning of bicycle and pedestrian facilities.

Can a more bicycle safe sidewalk bike location path be considered adjacent to a public sidewalk and park strip (instead of on the street)?

Information: Local Planning Resource Program spotlight on South Ogden

In 2014, South Ogden City was awarded Local Planning Resource program assistance to calibrate a Form-Based Code, modeled after the Wasatch Choice for 2040 template, for their downtown commercial core. Form-Based Code is a zoning technique that emphasizes the physical characteristics and design of a particular place, making it a more pleasant place to live, work and play.

Matt Dixon, South Ogden City Manager, and Ray Whitchurch, IBI Group, discussed the objectives, challenges and lessons learned of the project. They also talked about some of the grant program benefits which included:

- The project will lead to better, smarter development that will benefit the surrounding communities.
- Form-Based Code will be expanded to include other areas of the city.
- Form-Based Code will help insure the types of development will be in harmony with the City's desire future vision.
- The grant program allowed South Ogden the financial ability to accomplish this project.

November 24th, 2015 "Form based Code was introduced to South Ogden City Council with a biased presentation comparing formal zoning and "form based code" Not certain why this was publically filed back three years in the minutes folder (makes it kind of hard to find to say the least).

http://www.southogdencity.com/images/uploads/documents/recorder/2011_minutes/11_November_25_2014_CC_PC_Combined_Min.pdf

December 1, 2015 Multiple Buildings on a single lot ordinance (in preparation for proposed form based code implementation for Northern Part of South Ogden City).

http://www.sterlingcodifiers.com/codebook/getBookData.php?id=&pending_id=20622&keywords=

South Ogden City does finally have the latest form based code draft 2016 version appearing now on its website. One would expect to find it under:

http://www.southogdencity.com/planning_zoning or
http://www.southogdencity.com/planning_zoning/planning_commission_agenda_minutes/

Where the last meeting minutes were posted, but the place it has been located as of (January 29th, 2016 is hidden under parks - for whatever reason).

<http://www.southogdencity.com/parks>

Page 15 shows possible street sections (which do not include on street parking currently), which may be implemented along 40th street.

Page 18 shows the proposed zoning changes along 40th street and 36th street.

http://www.southogdencity.com/images/uploads/documents/planning/2016_01_08_South_Ogden_FBC_Draft_LR.PDF

North Ogden City Form Based Code: (Does not currently have)

http://wfr.org/new_wfr/programs/LocalPlanningResourceProgram/2015/North%20Ogden%20Form%20Based%20Code.pdf

Form Based Code - Proposed South Ogden City updates along 40th Street and Ogden Avenue which connects to 36th and 40th street. Has UDOT reviewed recent proposed amended zoning changes and proposed street sections and use along 40th street and Ogden Ave. The most recent proposed changes included making commercially zoned lots all up and down 40th street which will slow traffic flow as being proposed. I would also like to know if and when a public meeting

will be scheduled regarding the most recent commercial uses being proposed by our city along this street. I am not opposed to the widening of the street, but adding commercial congestion where homes currently reside is my concern. I am of the opinion that if they want to have on street parking than the minimum number of lanes in each direction they will need is 3 (so that 2 lanes can handle the traffic flows and the outside lane be for cars parking along the store front). I am wondering if an additional public meeting should be held where a well versed UDOT representative can be in attendance to help facilitate a good solution that can be functional for all involved. My other big concern is that South Ogden City has done little to announce the proposed updates to residents (or to UDOT I'm of the belief) and feel that public input is highly warranted in that the proposed new zoning changes will be affecting so many of the local residents. From what I could find online, there was a public meeting held back in 2014 for adding one lane of traffic to widen 40th street. The latest planned zoning changes definitely will affect traffic flow (Zion's bank has proposed speed slowing devices and large areas of commercial spaces for economic viability, which doesn't = better traffic flow along 40th street). The Form Based Code appears to come from climates that have little snowfall and maybe don't need fire truck emergency vehicle access along their streets in that the proposed street sections are quite narrow.

The lack of transparency with the proposed form based code is what concerns me the most and not letting the affected residents know what the city has planned for them.

If you search for the form based code on the South Ogden City Website, it is not easily found under directories (and was not found at all prior to the last planning commission meeting when citizens voiced their disapproval regarding). South Ogden City does finally have the latest form based code draft 2016 version appearing now on its website in a location where most people wouldn't think of looking for it.

Go to:

<http://www.southogdencity.com/parks>
then click on "Form Based Code"

Page 15 shows possible street sections (which do not include on street parking currently), which may be implemented along 40th street.

Page 18 shows the proposed zoning changes along 40th street and 36th street. My concern is that UDOT has not been made aware of the proposed changes and I would like evidence of otherwise if it has occurred regarding the proposed impact to residents along this street.

For your information and reference, the original presentation that was shown to city council members and planning commission members can be found in another hard to find location:

November 24th, 2015 "Form based Code was introduced to South Ogden City Council with a biased presentation comparing formal zoning and "form based code" Not certain why this was publically filed back three years in the minutes folder (makes it kind of hard to find to say the least).

http://www.southogdencity.com/images/uploads/documents/recorder/2011_minutes/11_November_25_2014_CC_PC_Combined_Min.pdf

(not certain why a 2014 presentation was filed under 2011 minutes) - either a lot of mistakes have been happening by those responsible for letting South Ogden City Residents know of public records, or they are being filed in hard to find places in an effort to make it extremely difficult for the public at large to access. This is my major concern - Why does South Ogden City not want residents to know what it is up to?



Mark Vlasic, Previously lived in Seattle (got his education there)

Phone number

- 801-474-3936

CenturyLink Landline

[View Mark's Social Profiles from InstantCheckmate.com](#)

Address

- 835 E Browning Ave Salt Lake City, UT 84105-2210

[NeighborsDirections](#)



<http://www.ldr-ut.com/mark-vlasic-pla-asla-aicp.html>

Information on Matt Dixon:

<https://www.linkedin.com/in/matt-dixon-ba84bbb>
Lives in Plain City (I believe).

Ben/Zoe Markland
12-7-2010 (Opposed South Ogden City Budget).

Form based Code presentation:
http://www.uict.org/uict/wp-content/uploads/sites/4/2013/02/John_Janson-Form_Based_Codes.pdf

Form Based Code in Utah:

- North Temple Hybrid – Salt Lake City
- West Valley Hybrid
- Layton City – Greenfield
- Saratoga Springs and Springville are in development stage
- Provo Hybrid
- Heber City Hybrid

•Park City, Farmington, Ogden, Sandy

A concern regarding how South Ogden City was not informing residents of zoning changes:

Thursday, April 9, 2015 – 6:15 p.m.

John Reeve, 6172 S 2125 E – Mr. Reeve stated that all the area across the street on Harrison was in their service district. Over the years South Ogden had annexed parts of it in and allowed it to be commercial construction. The District did not know anything about it until they came to get a building permit or a connection to their sewer and water. They did not get notified when a piece of ground was annexed into South Ogden; that was a concern to Mr. Reeve. If someone came in to request annexation, no one next to them was notified. A notice was put in the paper and posted on the website, but nobody had time to look every month to make sure what was happening. If someone wanted to annex a vacant property and put in a multi-family project, a hospital, or anything else, the city could allow them to annex and get a building permit and the people around them wouldn't know until construction started. That was his concern as well as the concern of the District.

Commissioner Rounds pointed out that since they did not want to be in South Ogden City, they also could not have a say in what happened there. It was the Planning Commission's responsibility to do what was good for South Ogden, not for unincorporated parts of Weber County.

Mr. Reeve said they were taking their area into the City and doing things in that area that they might not be agreeable to; they lost control of what the ground became as it was annexed into the City.

Commissioner Pruess stated that the owner of the property was making the decision about what happened to his property, and that was his right.

Mr. Reeve said the City should be aware of the impacts of what they were doing.

Marla Mitchell, 2202 Eastwood Blvd. - Ms. Mitchell asked what they would have to do in order to make sure a notice was sent out to residents concerning the next time a property was annexed into the city. Ms. Kapetanov said when properties were annexed or zoning changed, property owners within 500 feet were notified. Ms. Mitchell said 500 feet was not very far; how could she get it changed? Ms. Kapetanov said she would have to approach the City Council to have the ordinance changed.

John Reeve, 6172 S 2125 E – asked if the people along Wasatch Drive were notified of the public hearing. Ms. Kapetanov explained the notification requirements for adoption of the Annexation Policy Plan as well as the requirements if someone actually petitioned the City to annex. Mr. Reeve said if they really wanted to hear from the people affected they should mail everyone a notice. Ms. Kapetanov said the requirements were mandated.

Can we get on public record that residents affected by the proposed Form Based Code updates will be notified by our city in a timely manner that those living within the area and 500' away will be able to give their input to the city council members who they have voted into office?

<https://www.currentresults.com/Weather/Utah/Places/salt-lake-city-snowfall-totals-snow-accumulation-averages.php>

Average total snowfall and days with fresh snow in Salt Lake City

Days		Inches	Centimetres
8.5	January	12.5	31.8
6.2	February	10.7	27.2
4.2	March	6.5	16.5
2.4	April	4.0	10.2
0.2	May	0.3	0.8
0.9	October	1.4	3.6
4.2	November	7.6	19.3
8.2	December	13.2	33.5
34.8	Year	56.2	142.7

Compared to the Wasatch Front Regional Council Consultant firm (Reconnecting America) who are located in Oakland California, which was one of the two listed consultant teams responsible for drafting the "Form Based Code Template for the Wasatch Front"

No snowfall was listed

Compared to the Wasatch Front Regional Council Consultant firm (Farr Associates) who are located in Chicago Illinois, which drafted the "Form Based Code Template for the Wasatch Front"

<https://www.currentresults.com/Weather/US/annual-snowfall-by-city.php>

Days	Place	Inches	Population	Percent (Greater than South Ogden City)
00.0	Oakland, California	00.0	413,775	2,455% more residents
28.5	Chicago, Illinois	36.7	2,722,389	16,155% more residents

34.8	Salt Lake City, Utah	56.2	190,884	1,133% more residents
	South Ogden City		16,852	base line comparison

Population link from US Census Data year 2014:

<http://quickfacts.census.gov/qfd/states/17/1714000.html>

The census shows a 1.9% growth rate for South Ogden City with our city having fewer kids and people under 18 than the Utah average and more elderly residents over 65 years old, 14.4% compared with the 9% Utah average. So as the older residents pass on, their homes will become available for others to live in (if they are not destroyed by "Form Based Code" proposed commercial development).

The average snowfall from SLC is 300% more snow than the average from both consultant teams listed for the design of the Form Based Code seeing that their firms combined average (18.35 inches). Having 20 more inches of snowfall also makes quite a bit of difference in where that extra snow is to be plowed in the winter and how roads will be affected from a safety standpoint regarding snow removal and potential ice accumulation on the roads (which create a hazardous travel condition, especially if roads are constructed more narrowly than the current standards). So that is a question needing to be asked. Is the risk of more accidents occurring worth the more narrower street that the Form Based Code proposes? How does this affect emergency vehicles that need to get access to an accident when it has occurred (particularly in a busy street)?

Also of significant interest that I noticed is the population differences compared to South Ogden City. The next big city doesn't even compare to our small 3 mile wide South Ogden City. If we are so small, why are we really concerned about growth, when indicators show a possible decrease in population or no more than 1% growth rate?

Does South Ogden City birth of residents living here indicate there are more people being born than dying in our city? We are 174,032 from our big neighbor city of SLC (which is just under half the size of Oakland California)

<http://www.chicagobusiness.com/article/20150326/BLOGS02/150329875/chicago-area-population-growth-grinds-to-a-halt>

Above mentioned article states that Chicago growth is actually halting in this city. Maybe a trend happening across the country due to baby boomer generation dying off.

Average total snowfall and days with fresh snow in Chicago

Days		Inches	Centimetres
8.2	January	10.8	27.4

Average total snowfall and days with fresh snow in Chicago

Days		Inches	Centimetres
6.1	February	9.1	23.1
4.3	March	5.6	14.2
0.9	April	1.2	3.0
0.2	October	0.3	0.8
1.7	November	1.2	3.0
7.1	December	8.5	21.6
28.5	Year	36.7	93.2

http://www.southogdencity.com/images/uploads/documents/recorder/2011_minutes/11_November_25_2014_CC_PC_Combined_Min.pdf

(Not certain why this would be filed under a 2011_minutes folder)

Page 12 shows:

Which do you Prefer?

Lifeless Public Realm

Comfortable Public Realm



South Ogden, Utah - November 25, 2014

The above photos are designed to persuade one that you prefer the open form based code. The views are not the same. First photo is taken facing the home and bottom photo shows a wide open street view. Amounts of green landscaping, skyline, etc. differ. Bottom photo shows no driveways which works fine in the eastern and western United States where they get little (if any) snow accumulation on their streets. On street parking would not work well in our snowy climate, so we would need the same street sections widths as what we have now to travel and park our cars safely off our roads.

Form Based Zoning

Form-Based Codes

- A relatively new name...
- For emerging regulatory techniques...
- Serves to implement the rebirth and interest in Urbanism...

Conventional Codes

- Zoning and subdivision regulations
- Designed to separate incompatible uses
- Ideal for suburban development patterns



South Ogden, Utah –
November 25, 2014

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IBI

From page 14 presentation done by IBI. Which photo looks better? In reality, if you remove the driveways from the photo below, these two areas could essentially be the same areas. I feel this is deceptive in an effort to persuade one that form based code is better to lead others to a certain direction, which appears to have worked in that adoption of "Form Based Code" is being considered here locally.

Form Based Zoning

Mixed-Use

A variety of standards
Thoroughfares
Lighting
Setbacks

vs

Segregated Uses

One-Size-Fits-All
Thoroughfares
Lighting
Setbacks



South Ogden, Utah –
November 25, 2014

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From page 20, these two photos don't even appear to be the same type of land use. Residential units with garages on the bottom compared to an industrial parking lot with overhead power lines and eight dumpsters? Really? That is like saying apples should look like oranges! What if one simply had the code changed to say that power lines should be placed underground and require that trash containers should be kept in an enclosed fence/enclosure – wouldn't that improve the second photo substantially? There will be costs associated with updating our 95% built out city to the new codes by businesses which will get passed on to consumers. Can we afford to pay for the desired updates even if they are desirable?

Now the latest update citizens have been shown is <http://www.utah.gov/gmn/files/200439.pdf>

I actually skimmed through the document and like it for the most part as it reads. It appears to be a well written document. I have listed my major concerns at the first of this letter.

Section 3.0 shows the proposed Zoning Map affecting many residents in the R-2 zone where affordable housing is most available (See below):



- Town Center "Core"
- Town Center "General"
- Riverdale Road "General"
- 40th Street "General"
- Edge

Please read carefully which uses are being proposed for 40th Street General and Edge (both of which will be in the middle of residential communities)? See page 21, then read uses on page 23. Legally you can't allow some uses and disallow others (unless there is a new zone created with office/residential), which is what Mark Vlasik suggested to the public in planning commission meeting last week the use would be. If that is the desired intent, than maybe a 6th type of use as office only should be added, but I really don't like the idea of residents having to have their residential neighborhoods destroyed (where housing has been historically affordable) and should be preserved for those living there as stated in Section 1 – Recitals under UCA paragraph 10-9-a-401 (e), and (f) involving the protection of urban development and the protection or promotion of moderate income housing. Also why put our great South Ogden City 40th Street park in the blue shade?

40th street general should be reduced to just those areas affected by the expansion of 40th street on the south side of the road (as was stated by South Ogden City Staff) in the meeting on Jan. 14th. Existing

Residential areas should not be included in any of the above zones, unless they give their consent in writing. Areas of the 40th Street Park should be considered to be removed from the proposed zone and left as it is currently zoned for R-2 (so as to protect from future commercial development of the park).

The decision to add 40th street is based on speculation that the city will be able to have increased tax revenue by including it as a part of the general plan on where to allow commercial expansion to increase. So is the city being consistent with its judicial rezoning policies?

So is South Ogden City following its own standard practices with the proposed zoning updates impacting residential neighborhoods? From a previous May 10 2012 planning commission meeting a resident asked for a rezone of an area to make it into an R-2 zone. The South Ogden City Recorder's Minutes read as follows,

"Commissioner Pruess asked some questions of Mr. Lynch about building single family homes vs. duplexes, the cost of the project, etc. City Manager Dixon cautioned the commission that it was the developers responsibility to make the project work; if the commission's decision were ever contested, someone could argue that the decision was based on whether the developer could make a profit or not."

I would ask is our city making the proposed rezoning decisions for its residents or for the potential tax revenue that commercial use could bring into our city? Which comes first as a matter of priorities – Residents who have been paying into the tax base system for many years or venture commercial zones? Are the new proposed zoning decisions being based on whether South Ogden City can generate more profitable commercial areas? I am certain that the city could if it desires, but is this the desire of residents who live here, or is the desire to make better the commercial areas that we currently have and not run residents out of their homes.

Result from the city Recorder's Minutes:

"Commissioner Heslop moved to deny the rezone, for the reasons that the rezone did not agree with the general plan and residents from the area seemed to be against it. Commissioner Pruess seconded the motion. Vice Chair Sebahar called a vote.
 Commissioner Stone- Yes
 Commissioner Layton- Yes
 Commissioner Heslop- Yes
 The rezone was denied."

Now based on that previous proposed zoning changes logic and conversation and put that into a larger scale with many residents being affected, and many more potential cars coming into a residential neighborhood if commercial use is allowed, how much more should this be denied? Is the city being consistent with its residents or is it just what the current governing body feels at a given time (or hoping that this may result in the city making a greater tax profit from commercial properties)?

Future areas can be expanded as residents no longer care whether the area they live is a residential or mixed use area as desired by the residents who live in that area. Should not be decided upon by those who don't live in their residential development.

If in the future event that our city does either want to reduce the size of the 40th street park (in order to allow commercial development or other use other than a park), such adjustments to the park should be discussed in an open public meeting where residents living within 1 mile of the park are allowed to give their input. Further, any revenue generated by the sell or lease of current city property in the R-2 zone, should be used as additional funds (above and beyond) the amounts spent on other public works improvement projects for the locations north of 40th street. When residents living south along 40th street desire to sell their homes, the rezoning of these areas may also happen (with the consent of the majority of residents living within 500 feet of the affected areas).

Unlike the previous IBI presentation which was not a fair comparison, I would like all to take a look at the "progress we have made" for our 40th street park in the last 12 years and based on the exact same location ask the following IBI like question to you.

Which do you prefer for your local city park?

2015



Or



2003 (previous South Ogden City Park)



How will the proposed zoning affect the currently zoned R-2 residential area of 40th Street Park? Much of this public city park (almost half) as seen from the photo above was recently redeveloped for the new improvements which were to benefit all residents. Would the current recreational facilities that people north of 40th street enjoy (1 basketball court and two tennis courts) be demolished to allow commercial "opportunities"? Who will benefit from such "opportunities"?



For comparison, this above photo shows what our local park used to look like back in 2003 (prior to the city redeveloping our local park). At that time city offices were at the Senior Center and the Private

School was a public elementary school. A couple of residents homes were affected in the city offices expansion.

We have given up much of our open spaces for the good of the city. We are being asked to give up more with the 40th Street expansion. Please don't disrupt our families and homes any more than what is absolutely necessary. The government building that took away much of our park is now wanting to further disrupt our peaceful residential lifestyles, or so it feels to many of us who have lived in the R-2 zone for much of their lives.

When one googles Form Based Code, the first site that comes up is:

<http://formbasedcodes.org/about>

I would ask you to research for yourselves where this code primarily has come from and is being implemented. It is primarily on the east and west coasts (traditionally liberal and where there are high densities of people living in limited land space).

See who is on the boards (where are they from), then look at all the people listed under Staff. Before you do, answer how many people you would expect to find. What do you in actuality find? See: <http://formbasedcodes.org/staff>

Now what is in it for those supporting this organization? See: <http://formbasedcodes.org/donate>
Does this appear to be a not for profit organization? (Judge for yourselves)

And from the Wasatch Regional Council (IBI) presentation page 26 and 27:

FORM-BASED CODE BENEFITS

While traditional Euclidean zoning focuses on use rather than form, Form-Based Codes create communities through emphasizing the design and form. Form-Based Codes also take the surrounding neighborhood context into consideration thus supporting neighborhoods and commercial places to create desirable characteristics in form and design. In terms of implementation and administration, Form-Based Codes are much easier to use than traditional zoning and are both graphically and narratively more illustrative. While traditional zoning can give attention to design, the majority of the focus in Form-Based Codes is on design in considerable detail. Additionally, to achieve these details, Form-Based Codes include examples of what the community desires to be built at a particular location.

Another aspect in which Form-Based Codes play a big part in is economic development. Studies have shown that neighborhoods that tend to be walkable and with a variety of transportation choices also possess higher real estate values and continue to have better occupancy rates than traditional zoning. The emphasis on permitted uses rather than conditional uses lets developers build in less time and with less risk, and streamline the project submittal process which overall encourages investments. The burden is in the calibration and upfront creation of the Form-Based Code. However, communities feel the benefits are

Can't we simply add sidewalks and to a great extent achieve some of the objectives defined above? Who would be benefited from higher real estate values? Would this type of development be better implemented from a social economic standpoint better in the north or south part of our city? Would it be those residents who as stated in South Ogden Cities General Plan currently have affordable housing that will have their housing prices go up. This authority says it is the case. If real estate values go up as they are predicted to do by the Wasatch Front Regional Council, where will the affordable housing be replaced that is being removed (since South Ogden City is already 95% built out)? There really is no other place for affordable housing to be replaced. Look at the Cove on 40th street that is supposed to be one of the affordable housing locations. I who live in the impoverished areas of South Ogden would not be willing to purchase such a home for me and my family to live in. Only 2 of the 10 have sold. Affordable to who at \$155-165 thousand?

I just want to make sure you are aware of the origins of Form Based Code. I don't want you standing around like the story of the Emperor who showed up in public wearing no clothes. In our story some experts came by and told our city that they could make for them a city that would be more beautiful with "Form Based Code" and find out in the end, that they had nothing the better to show for it.

South Ogden residents do not want to have nobody work in local restaurants, no one to do their dry cleaning and janitorial work, and no one to teach or drive their children to school, or provide daycare services. I understand many of city appointed and elected officials have been sold on the idea that this will make your life easier as city council members in that a development either meets the code or it does not and needs to be adjusted to meet the code. Also defining store front elements, water conservation elements are good for the community at large. I would urge you to use caution in what we adopt as a city. I know you have been more involved than I have and I myself have just been made aware of this tide that is rolling forward (I hope not a complete tsunami for my neighbors living in the north part of South Ogden City). As currently presented, I hope that you can see how some of us may fear that our affordable homes may be at risk and that there will be uses allowed which have not previously allowed where our families live.

Thank you to those of you who actually read though my muddled thoughts in the middle of the night. This has caused me loss of sleep from 12:00 p.m. to 5:00 a.m. putting my thoughts together regarding.

Thank you for hearing my questions, concerns, and view points as a father and someone who has worked in the transportation and civil engineering field. I would hope that some of these may be addressed and rethought out by city Staff, who I have heard some of which are indeed very good men in their communities. My apologies if I have offended anyone – I don't mean to offend. I do feel like my family is being threatened by the proposed uses and proposed expansion of commercial uses into our residential neighborhoods, which I don't think any of you would want in your neighborhoods, so why push this into our neighborhoods? Expand on the south side of town where residents have indicated that they want more development. Fix existing commercial areas so they look nicer as you are able (whether that means "Form Based Code" – hopefully revised in its current form and proposed zoning locations).

Please see also attached South Ogden City's approved Ordinance 12-01 Adopting Maps and Text required to give effective to these changes and establishing an effective date for those changes. In light of the proceeding document, how will Form Based Code affect affordable housing, and based on such how can it ever be considered as beneficial in the northern areas of our town where housing is currently affordable and is predicted to become higher if "Form Based Code" (FBC) is implemented within our community? I do a lot of math on a daily basis and am simply not seeing how this all adds up? When I took algebra, they teach how $A+B=C$. I am seeing $O+E=FBC$ (Opinion Survey (limited)) + Economic Study by Zion's Bank = Implement Form Based Code, and I'm just not getting how it benefits any of the poorer economically down trodden folks on the north side of our city (realizing that there are many folks who choose to live here who live here by their own choice in spite of economic/social factors).

Concerns with Form Based Code & how South Ogden City is implementing for our City

Under section 5.0 p.28 it says two different things. I believe the intent is to provide a 20-foot building setback from the residential property line.

(4) Existing Single Family Residential Buffer. In order to assure compatibility of new construction with adjacent single family zones along the 400th Transit Street.
 (a) Transitions from Single Family Homes. A 20-foot setback is required from the property line adjacent to a single family detached home. At 20 feet, 25-foot building height is permitted.

On page 28, section Five (5) on the 6 measurements (FF) to form a certain zoning for South Ogden built on the R-2 zone. What is the minimum lot width for single detached home? The minimum allowed width for a lot to build a home in the R-2 zone is 20' (before the type of zoning is R-2) with no other part of lot. When was this changed to say 20' wide and why did it change from 50' to 20'? Was this a change required when R-2 homes were being proposed in the larger home lots (to not be used part of the lot)? Why change this to a higher standard for our area code? They're talking about compliance to a property line.

Occupation of Corner	required
Front Setback	15'
Corner Setback	7.5'
Minimum Side Yard Setback	5'
Minimum Rear Yard Setback	15'
Maximum Lot Width	20'
Maximum Lot Width	60'
Parking	rear yard

Specifically concerned about expansion of Urban Center Areas into long established residential neighborhoods in "Old Town" South Ogden. Which does not follow the latest online published 2008 South Ogden City General Plan Update – which is posted online under planning and zoning general plan. It is not sensitive to current long standing South Ogden City residents' desires or needs for our community. Also Form based code is not justice for all in that it specifically targets the R-2 existing homes and no other residential areas in South Ogden City. If we are to be the city center, why at the first of the year did South Ogden City Council request RAMP funded grants only for Parks near where they live on the south part of our city? More than \$300,000 of RAMP funded grants were requested for dog parks, athletic facilities, and athletic field restroom facilities south of 42nd street where city council members live, and a grand total of \$0 was requested for the city center park at 40th street park. Something is amiss here when our neighborhoods are being targeted to be torn down by new zoning measures and no money is being proposed to enhance our local "city center park". The way our local government is allocating and collecting tax revenue it is making our part of town more economic blighted, due to fining of residents more here and using resident's tax payer dollars elsewhere in South Ogden City. This is not at all just or fair to those who live in the R-2 zone. There are other places where form based code can be implemented, such as along the edges of the golf course or Friendship park, that could generate additional housing and commercial (mixed used) structures if desired. Please don't shrink our parks further or eliminate our homes, prior to exhausting all other available locations for "Form Based Code", if city council members feel this is the direction our city needs to head for future growth. South Ogden City does not have to become an urban housing growth district (especially the R-2 zone). We already have higher densities than other areas of the city. Let other residential zone catch up.

in their base density per acre before increasing ours even more. Otherwise, let all areas of South Ogden City that are currently residential remain residential so we can remain a community of neighborhoods, like South Ogden City has always primarily been. We are only 3 miles across (not really a large geographic area like Ogden is). Please keep our city a primarily single home residential community like we have always been longer than any other residential subdivision area. We don't need to be like SLC or Park City in "Small town South Ogden." Many of our homes have stories that have gone along with them passed on from generation to generation. The home across from me that currently belongs to the Greens was originally constructed by Mr. Barry. My mother remembers they used to buy chicken eggs for \$0.10 a dozen from the Barry's. When she passed away towards the end of this new century, her grandson Brian Hadley remodeled their home, and I dare say it would rival any home in South Ogden City. They finished up some of their remodels in the last five years. Their story is that it was originally a one story home and the original builder, Mr. Barry was a concrete worker. He built up on the home as he could afford it. Many of the older homes were overdesigned back in the day and very well built. My home has a story as well as to how it was remodeled by my grandfather in the 1960's or so time frame. Our home has the tongue and groove redwood siding, that would be quite expensive if I had to replace with in kind redwood siding. As a result, we try our best to maintain our home. I believe the reason for our homes having been targeted as a redevelopment area is due to its' being labeled economically blighted meaning that many of the homes in the area were deteriorating and not going up in value. Well since 2008 when the housing bubble burst shortly after this, many of the overpriced homes have still not recovered from their inflated values. Interesting to report that based on the most recent data from 2015 Weber County Recorder's Office, that taxable residential values on home have gone up significantly for many homes in the area that were considered "economically blighted". We are paying now more taxes north of 46th street where many people living in the south part of South Ogden City are paying less taxes than they did 7 years ago. As a group, in our economy, from what I have seen, we have one of the best returns on our investment if we had purchased an affordable existing home here in South Ogden City. Is there a way we can be taken off the redevelopment area in light of the more favorable higher priced homes that are higher now in value than they have ever been since we have owned our homes? We don't want to see our homes get run off the face of South Ogden City for new development which is not sensitive to the surrounding residential homes here in our community. Homes are going up in value in the R-2 zone compared to where prices were 7 years ago when the 2008 South Ogden City General plan for redevelopment was created. I am not happy with my home being targeted as a redevelopment area, which I didn't know existed until the first of this year. Why is our area being targeted we are left asking? Many of my neighbors as well don't know this even existed. I have found only one resident who was aware that our area had been told it was blighted. When I looked up to learn more about this, I came across the following:

In 1996 the Utah State Legislature passed HB 295: *Providing Affordable Housing*. For those who need affordable housing, I thank our city for considering this as a part of their plan. My concern is that I see no evidence that "form based code" is the solution to this dilemma that our city is faced with. I actually am concerned that it will have just the opposite effect in that it will wipe out the majority of all of the affordable housing that is available. In a typical big city, residents that live in the "down town" district usually pay a premium to live in the "big city". What South Ogden City has proposed, will not increase the availability of affordability of affordable housing, unless they have a plan to subsidize more expensive home prices that can be expected from newly build "form based code" mixed use establishments. Even with the proposed uses of mixed use being allowed, there is not requirement (that I am aware of that housing must be included with a commercial building). The R-2 zone which historically has had the most

affordable housing available to residents is what has been proposed as the redevelopment area of form based code.

Another point to mention is when their homes are wiped out, where will residents go and what will happen to your property values? They will of course go up since they will be the most affordable, desirable properties that people can afford. Unless you are planning to move away and sell your home, having home values go up and being taxed more is not such a desirable thing for the average resident who already feel like they are paying more than they should in taxes. And what services are we getting in return for our taxes paid? How much is going to roads and curb and gutter or sidewalk installation? And what of those people who can no longer afford to live in South Ogden City, where will they go since we are one of the cities with the most affordable housing? People have to live somewhere or they will become homeless. That is not a desirable outcome obviously.

From the following website:

<http://www.business.utah.edu/sites/bcbr/Documents/studies/AffordableHousing.pdf>

"The sources for construction data were the Utah Construction Monitor and the construction database maintained by the Bureau of Economic and Business Research, University of Utah. The Wasatch Front Regional Multiple Listing Service provided sales data for existing homes."

"Can our city staff verify that what they are proposing will generate more affordable housing that current residents living in this area can afford? If not, then these affordable homes should not be slated to be wiped out by "form based code."

"The principal task of this study was to examine compliance with HB 295 through an analysis of new housing construction. Whether a city has adopted an affordable housing plan may or may not affect the actual number of new affordable housing units produced in that city. The number of affordable units produced by a city was the measure of compliance. If a city has allowed new affordable housing in sufficient numbers the intent of HB 295 was met."

If this was the honest intent of increasing the available affordable housing units, that I commend city staff and city planners for taking this into account. I do not feel that "form based code" will generate cheaper housing costs and have sources that actually say otherwise. They actually state that the result will lead to less availability of affordable housing. If city manager or city planner can demonstrate otherwise, I am open to hear how they feel this will be so and what they expect affordable prices mean for our community. Remember that affordable in South Ogden City is not the same as affordable in SLC.

"Approximately 40% of all households in the

study area have incomes that fall below 80% of the median income. Therefore, to meet the housing needs of low to moderate-income households approximately 40% of all new housing should be affordable. Of course in this case it is assumed that all increases in affordable housing needs would be met by new homes or new rental units. Under this ideal case the affordable housing inventory would have an infusion of new units each year. In reality existing units play a significant role in providing affordable housing. Older units filter down to low and moderate-income households. Consequently, the overall quality of the affordable housing stock deteriorates as relatively fewer and fewer new units are added. Hence, those low and moderate-households that prefer better quality housing will generally have to assume housing burdens above 30% of their gross income."

¹¹Table 8
Percent of Sales of Homes and Condominiums
Qualifying as Affordable – 1987 to 2002
(Ranked by Share of Sales in City Qualifying as Affordable)
City Total Sales
Sales of Affordable Homes % Share of
City's Total

"South Ogden 2,542 911 34.5%" . . .

"However, if the number of low and moderate-income households is constant then the demand for affordable housing could be met entirely by the existing inventory. In such a case a "reasonable opportunity" for affordable housing may be satisfied. . ."

Has our city looked at whether the proposed updates in terms of form based code, have sufficient services available such as large enough sewer lines and water lines to accommodate the increase in population this could bring into our area? Also what about availability for a fire truck to have a ladder large enough to get up to a burning five story high building? Has this been looked into by city staff? How would impact fees be set up for new developers? Would there be a pay back agreement that the first contractor would be betting on other contractors following him to build in the area? What does our city charge for hook up fees for the "form based code" redevelopment areas? What about the safety of existing children living in the neighborhood. There are existing residential neighborhoods that will be getting torn up. What about the existing failing infrastructure that will only be made to be in worse shape by heavy construction equipment driving up and down the street?

Blighted Area

A location where multiple buildings are dilapidated or abandoned. Blighted areas are marked by low property values, crime and capital flight. Many municipalities take steps to reduce blight, for example, a city may offer a tax incentive for a business to move into a blighted area or a grant to repair a building.

Source: Farlex Financial Dictionary. © 2012 Farlex, Inc. All Rights Reserved

Please see link below regarding rent control: Maybe our city is part of the problem. I myself was thinking this may help solve part of the problem, but according to this study, maybe it is part of the problem we are having with enforcement issues.

I came across this on the internet which has many good explanations of policies that are trying to be implemented that have been tried in other cities and the results are listed below which I think matches up with our results to date in the following areas copied from:

https://en.wikipedia.org/wiki/Urban_decay

"Rent control[edit]



The **neutrality of this section is disputed**. Relevant discussion may be found on the [talk page](#). Please do not remove this message until [conditions to do so are met](#). (July 2013)

Rent controls are often enacted due to public pressure and complaint regarding the cost of living. Proponents of rent controls argue that rent controls combat inflation, stabilize the economic characteristics of a city's population, prevent rent gouging, and improve the quality of housing.^[1] It has been documented that rent control distorts the supply and demand relationship in housing markets which contributes to the rapid deterioration of the community and to urban blight and does not provide the supposed benefits its proponents promise.^[1] Rent control contributes to urban blight by reducing new construction and investment in housing and deincenitizing maintenance.^[1] If a landlord's costs to perform maintenance consume too large a proportion of revenue from rent, the landlord will feel pressure to drastically reduce or eliminate maintenance entirely. This effect has been observed in New York City as 29% of rent-controlled buildings were categorized as either deteriorated or dilapidated in contrast with 8% of non-rent-controlled housing.^[1]



Much of the city of Camden, New Jersey suffers from urban decay."

“Policy responses to urban decay[[edit](#)]



Pruitt-Igoe public housing, St. Louis, Missouri. In the 1950s, this urban renewal project was built; it failed and was razed in the 1970s.

The main responses to urban decay have been through positive public intervention and policy, through a plethora of initiatives, funding streams, and agencies, using the principles of [New Urbanism](#) (or through [Urban Renaissance](#), its UK/European equivalent). [Gentrification](#) has also had a significant effect, and remains the primary means of a natural remedy.

[United States](#)[[edit](#)]

Further information: [Community Reinvestment Act](#), [Social programs in the United States](#) and [Law enforcement in the United States](#)

In the United States, early government policies included “urban renewal” and building of large-scale [housing projects](#) for the poor. Urban renewal demolished entire neighborhoods in many inner cities; in many ways, it was a cause of urban decay rather than a remedy.^{[[cite\]](#)} These government efforts are now thought by many to have been misguided.^{[[cite\]](#)}

For multiple reasons, some cities have rebounded from these policy mistakes. Meanwhile, some of the inner [suburbs](#) built in the 1950s and 60s are beginning the process of decay, as those who are living in the inner city are pushed out due to [gentrification](#).^{[[cite\]](#)}

blighted area

A declining area suffering from seriously decreasing property values and not likely to recover without some outside intervention. More than simply a market slip, a blighted area can be identified by deteriorating buildings, increased crime rates, and decreased occupancies.

Source: The Complete Real Estate Encyclopedia by Denise L. Evans, JD & O. William Evans, JD. Copyright © 2007 by The McGraw-Hill Companies, Inc.

Gentrification

From Wikipedia, the free encyclopedia

Germany's version of Form Based Code (five stories high as our code currently is proposing)

<https://en.wikipedia.org/wiki/Gentrification>



Buildings on Mainzer Straße in Berlin.

“**Gentrification** is a trend in [urban](#) neighborhoods, which results in increased property values and the displacing of lower-income families and small businesses.^{[[cite\]](#)} This is a common and controversial topic in [urban planning](#).^{[[cite\]](#)} It refers to shifts in an urban community lifestyle and an increasing share of wealthier residents and/or businesses and increasing property values.^{[[cite\]](#)} Gentrification may be viewed as “correction” of [blockbusting](#) and urban flight^{[[cite\]](#)} as many gentrified neighborhoods of the present were once affluent neighborhoods of the past.^{[[cite\]](#)}

Gentrification is typically the result of increased interest in a certain environment. Early “gentrifiers” may belong to low income artists or [bohemian](#) communities, which increase the attractiveness and flair of a certain quarter. Further steps are increased investments in a community and the related infrastructure by real estate development businesses, local government, or community activists and resulting [economic development](#), increased attraction of business and lower [crime rates](#). In addition to these potential benefits, gentrification can lead to [population migration](#).

In a community undergoing gentrification, the average income increases. Poorer pre-gentrification residents who are unable to pay increased [rents](#) or [property taxes](#) may find it necessary to relocate.^{[[cite\]](#)}

A change of residence that is forced upon people who lack resources to cope has social costs.^{[[cite\]](#)} Measures protecting these marginal groups from gentrification may reduce those.

There is also the argument that gentrification reduces the social capital of the area it affects. Communities have strong ties to the history and culture of their neighborhood, and causing its dispersal can have detrimental costs.^{[[cite\]](#)} The [Center for Disease Control and Prevention](#) has a webpage discussing adverse effects gentrification has on health, and provides a list of policies that would inhibit gentrification in order to prevent these impacts.^{[[cite\]](#)}

Positive	Negative
Higher incentive for property owners to increase/improve housing	Displacement through rent/price increases
Reduction in crime	Loss of affordable housing
Stabilization of declining areas	Commercial/industrial displacement
Increased property values	Unsustainable property prices
Increased consumer purchasing power at local businesses	Displacement and housing demand pressures on surrounding poor areas
Reduced vacancy rates	Community resentment and conflict
Increased local fiscal revenues	Homelessness
Encouragement and increased viability of further development	Secondary psychological costs of displacement
Reduced strain on local infrastructure and services	Increased cost and charges to local services
Increased social mix	Loss of social diversity (from socially disparate to rich ghettos)
Rehabilitation of property both with and without state sponsorship	Under occupancy and population loss to gentrified areas

Source: Loretta Lees, Tom Slater, and Elvin Wylie, *Gentrification Reader*, p. 196. © 2008 Routledge.; Rowland Atkinson and Gary Bridge, eds., *Gentrification in a Global Context: the New Urban Colonialism*, p. 5. © 2005 Routledge.

Displacement [\[edit\]](#)

Displacement in the context of gentrification is defined in *The Gentrification Reader* as "forced disenfranchisement of poor and working class people from the spaces and places in which they have legitimate social and historical claims."¹⁰ It is one of the most studied negative aspects of gentrification, yet its nature has provided researchers with many prohibitive barriers to obtaining accurate and reliable data, much of which is more focused on the gentrifiers than those who are displaced by the process.

What is generally agreed upon, however, is that those displaced are primarily minority, elderly, and transient groups, and they are nearly always driven out in areas where gentrification occurs. Studies have also shown that there seem to be two waves of displacement of these original residents. In the early stages, renters are largely driven out because of the changing incentives of landlords. With the rising interest in a particular neighborhood, they have no motive to retain

their current tenants over the new, more affluent rent seekers.²¹ As the process continues, owners of single residential units are strained with the surge in property values that translates to increased [tax assessments](#). Often their incomes cannot continue to cover these increased living costs. Those who are 'gentrified' not only lack the economic resources to compete with these changes, but stereotypically lack political power, are easily exploited by landlords and developers, and eventually are simply forced to leave due to these inability to resist the gentrification process.²²

As requested by Mark Vlasic, our city planner, I have summarized my Form Based Code concerns from the January 2016 planning commission meeting. I have additional concerns and questions that I will address in a separate letter. These comments are based on a 70 page accumulation of documents that I discovered for the first time as a resident researching "form based code". I am actively involved as a project manager in the civil engineering field and am discovering these for the first time. I have put in bold my main emphasized concerns. I have tried to mark new comments regarding additional thoughts in red. (Numbers in red do not mean a new comment, just a formatting bug in my version of word). I have tried to go in sequence to my previously submitted notes concerning "form based code", and how we grew to involving so many residential homes in the R-2 zone without notification or input being sought from the residents. I am further concerned with no public voice for these people being appointed by our city during the planning of new zoning specifically affecting them.) I apologize for it not being more organized originally and now. I had very limited time and was up all hours of the night literally due to my concern regarding during my first submitted hand written notes. I am unfortunately doing this on the evenings and weekends after work (not because I enjoy it or think city council members or Mayor appointed planning commission members enjoy reading through my comments). I am truly deeply concerned at what is being planned for R-2 residents without their knowledge or asking them what they think of planned development by our city. So starting with page 1 here are my summarized comments as follows with main ideas put in bold (as much as I could remember writing at the early morning hours and late night hours) – a task hard to complete with four young sons wanting to have dad's attention and sitting on his lap while he finishes up writing early on a Saturday morning (which is what is currently going on in my life). I am taking the time for this because it is important for the welfare of my family and other neighbors of mine being affected.

Summary of my hand written comments beginning with page 1 of my previous submitted comments from January 2016 planning commission meeting:

1. Have all current residents to be impacted by the new Form Based Code (and those living within 500' of the proposed new zoning changes) been sent a letter by our city informing them of the proposed zoning changes? If not, when is South Ogden City going to let them know of the proposed zoning changes? For such a life altering change as this, **people should be notified directly by our city** so residents can give input on what they feel is appropriate in their neighborhoods.

2. Why has South Ogden City or South Ogden *City Staff, not sought direct input of the residents* who would be affected by the "Form Based Code"?
3. *Does our city or staff fear public resistance* and therefore has not advertised to residents what it is planning for them?
4. If "Form Based Code" zone change is approved, how will these residents be affected with their *property taxes*? Will they be based off of their previous R-2 rates?
5. Is it expected that *home values in general* will increase or decrease the day after Form Based Code would be implemented? What has happened in other cities regarding?
6. General economics of supply and demand would make for more *scarcity of R-2 homes* and possible result in other *resident's property taxes going up*. Does city staff or the new form based code *protect against* this in any way?
7. Prove there is an interest that residents in the north part of the city want more commercial development. Many business in the north have *gone out of business* over the last 25 years. *Gas station* on the East part of 40th street still shows \$1.13 gas – went out of business about 20 year ago. *Country Club movie theater* also sat vacant for many years. Many other businesses including *video tech businesses and barber shop* as well did not survive.
8. *Why would more businesses want to locate to an area where many have failed* in the recent past? *Approximately half of all current businesses* between Adams and the McKay Dee Hospital *are vacant* and have been for some time.
9. If South Ogden City wants area by South Ogden City Hall to be vibrant, they *need to invest in public park venues first* that will attract businesses, like the Triad Center has (i.e. an outdoor ice skating rink).
10. Issues with *East portion of 40th Street having steeper grades* – not ADA compliant as is.
11. *Consider two phases if FBC is allowed along 40th street*. Consider developing the more commercial south side of 40th street first as phase 1. Then and only then, if it is successful, allow a phase 2 after South Ogden City has purchased the properties first that it wants to be in the new form based code.
12. *Can South Ogden City afford "Form Based Code"*? Has an economic analysis been performed showing buildings types under the current code which would no longer be compliant and the cost it would cost businesses to be compliant? Are developers willing to pay the extra cost in an economically challenged area to risk a lot of their money and then have to compete with those who don't have to have their building have the same standards?
13. *Residential streets in the north have not been maintained with badly needed new asphalt*. *When will our streets be repaired by our property taxes we have been paying that are supposed to cover these repairs?* Is form based code being used by our city to avoid having to pay for street repairs for *long time established residential neighborhoods? Please provide R-2 residents with a roadway replacement schedule* on when our public neighborhood streets will have existing old asphalt removed and new asphalt paved (and subbase work as well – if needed). *The 20 year lifespan for asphalt has elapsed* on many of our streets. This leads to our neighborhoods becoming more run down when the City does not perform proper maintenance on our local roads. Is the same treatment being given residents on the south end of the city? *Where is the justice for all* that city council, city staff and planning commissioners repeat at the first of each meeting?

14. Can all residents come out to a *public meeting* and *view the proposed current plans for the 40th street widening*? Has there been a public meeting where affected residents are invited and the public in general (*outside of planning commission or city council meeting*) since the proposed Form Based Code existing *residential areas were added to 40th Street "Form Base Code Zoning"*? *Residents and planning commission should be available to view in a public meeting traffic studies, etc.* not have to specifically request each document individually from the city recorder. This would facilitate getting input from a group of residents gathered together. Isn't that the whole point of a public hearing is to get what residents would want most for their community? We are helping to pay for this with our taxpayer dollars – *not city staff who are not residents of our city*. There are very good engineers living here in South Ogden City: David Waldron lives on Orchard Ave. and has a master's degree from USU and specialized in water, and has done many civil related improvement projects. Would be great to allow him and other civil engineers to give free input to reports generated from other civil engineering firms at no cost to our city. This will help make our new 40th street and neighborhood park better. He lives in the R-2 zone, by his own choice and often has a bountiful garden in his backyard. Some of us bought our home for the productive soil (not just for the looks of the surrounding homes in our neighborhood).
15. Approximately *11% of our city budget comes from fines and forfeitures*. Where are extra funds used by our city from these collections? *Can portions of the fines be used to improve neighborhoods* where the fines are primarily collected as opposed to tearing down the homes with "Form Based Code"?
16. It appears that *widows older homes being demolished is not a new thing in history*. Jesus Christ had a word to say in his day to those who were involved with such practices in the beautiful city of Jerusalem. Matthew 23:14 states, *"Woe unto you, scribes and Pharisees, hypocrites! for ye devour widows' houses, and for a pretense make a long prayer: therefore ye shall receive the greater damnation."* Can people making these decisions do so without even meeting these people whose homes and lives will be affected? How will city Council Members feel when in 20-30 years from now, they are old and not able to do their upkeep on their homes? Would they like it if someone told them we are not forcing you to move, but if a developer wants to buy a house next to you, your city will allow them to make a commercial business with parking lot right next to your home? This is what is being told the older residents in effect with their older homes in our neighborhoods.
17. *City council and Planning Commissioners should not vote for "Form Based Code" until all city residents have been notified properly*.
18. *Proposed uses allowed in long established residential neighborhoods are not conducive to a typical residential neighborhood*.
19. In the event that our city council really feels like "Form Based Code" is the direction our city needs to take, it *should be placed on a November ballot* and left for the voters to decide. It is very controversial for those residents who this is being opposed upon. This would be a more appropriate recourse of action, since it will be affecting long established neighborhoods, and if adopted can be suggested for any part of our city in the future which could potentially affect all residents.
20. *Churches and schools and city parks are approved used in the R-2 zone. Commercial businesses is not an approved use* accepted in a residential zone. *Allow if desired for new commercial*

buildings. In fact if we are running out of room, mandate for businesses that are not shopping malls to have residential housing on the third, fourth and fifth floors of their new businesses so that lots of residential housing is created. May also considering allowing other zones, which have much bigger yards and homes than most existing R-2 homes have, to allow R-2 housing if desired by them so that more than one family can live legally under their roofs. I am certain that during the tough recent economic recession that this may have already happened with some families outside of the R-2 zone.

21. *It can be expected that the 40th street park will again be shrunk with the widening on 40th street. Does the city have a plan to replace parks which are vital to a prosperous community and is an item that many of us in the north desire? If the city is not replacing our parks that are getting sucked up by city office building and public street widenings, could it consider perhaps how this might be beneficial to residents living in the affected area?*
22. *The sales pitch photos used by IBI and many of the city drawings show off street parking of vehicles. The IBI photos emphasized no drive way accesses as a part of an attractive street view. Will drive way accesses still be allowed under Form Based Code? How will this affect residents when a commercial business want to put a drive way all the way back into their neighbor's back yard? What rights does that residential neighbor have to prevent such a use?*
23. *City newsletter says that 40th street is moving ahead. No mention though of "Form Based Code" which city staff is of recent proposing. Why not ask residents for input regarding? Wouldn't it be good to have us onboard if this is such a great thing? If it is not desired by our residents, than out city can stop wasting tax payer money having city staff look at revising all our zoning ordinances. Why take the approach that the less residents know about what city staff is doing in regards to "Form Based Code", the better so staff can get done what they want in our city?*
24. *Can't many of the objectives of the Wasatch Front Regional Council be accomplished without implementing "Form Based Code"? We can build sidewalks, and the city can allow mixed commercial and residential housing uses in the existing commercial zones. People don't go to nice formed stores because it looks nice – they go because they want to buy something the store is selling (primarily). We don't have Hollywood movie stars living here in South Ogden City, nor do we have the LDS church wanting to rebuild around a temple like they have recently done in Ogden city and SLC. This is small town South Ogden still. We are not even close to the population of SLC or big cities that do need to allow for mixed use, but we can start small in existing commercial zones without existing residents having to be affected. Then if all commercial lots are gone and people want more, consider allowing this in both the north and south commercial areas of South Ogden City. Actually allow for both now (if desired), but I would be hesitant on implementing "Form Based Code". It is too restrictive and may actually deter commercial development from occurring with its added costs. Many of small town South Ogden City start up business entrepreneurs will not be able to afford to pay for their new commercial venture. When they go out of business because they can't compete with the guy who is selling the same thing they are in their existing commercial business, who gets the brand newly built building? The lending institution – maybe that is why one lending institution may be in favor of "Form Based Code". Residents don't benefit from failed businesses.*

25. *Concerned with the small amount of time residents were allowed to view the document on the city public's notice website. The January 14, 2016 planning commission packet was posted on the South Ogden City's main web page at basically the close of business on **January 12, 2016 at 4 p.m.** allowing only two business days for residents to review a very large document. Concerned residents would like to see track changes turned on the documents going forward so that they don't have to re-read the whole proposed form based code each month going forward. More time should be allowed for public viewing and input. The document was immediately removed the following day after the January 14, 2016 planning commission meeting. Why? Also, why so limited viewing time for residents to see on the South Ogden City website? Residents not being allowed to review a 200 page document possibly affecting the rest of their lives is a big deal to those residents. I have been made aware that it has been posted now to the main city website. Can the menus that are all under parks not be properly placed on the main South Ogden City web page?*
26. *Why was the "Form Based Code" packet not posted January 8, 2016 when the notice and agenda was posted?*
27. *Is there any relation to eliminating city council from the subdivision approval process and possible "Form Based Code" implementation in our city? Citizen elected city council members should have a voice for what happens in our city, not all power given to a non-elected, non-South Ogden City, city manager or city planner. I think that before you remove yourself and change these basic time tested procedures we have had in our community, that this should be asked to the voters to vote upon. This takes away a fundamental checks and balance system that we have had historically to protect residents from unwanted development occurring, or to foster a more acceptable outcome for residents who may be affected by development near them. Planning commissioners are all appointed by the Mayor. Isn't this like saying we trust the elected President will make our country work, regardless? Wonder if a bad dictator-like mayor takes office and doesn't make choices that are best for all of the residents?*
28. *Historically there have been many similar "run out those we don't like" methods used in history. Consider the "Extermination Order" by Lilburn Baggs, or what Hitler did to the Jews. Recently there have been people opposed to Hispanics in our community. I hope this is not the case for any South Ogden City resident. By specifically targeting an economically impoverished area or class, some of the residents living here feel like the city is now trying to run them out of our city and replace their homes with commercial real estate. Please reconsider the course of action you are taking and if you genuinely feel this is the correct course, please list all the Southern commercial areas under the same code, so that they can also incorporate mixed use residential/commercial development that the WFRC says will help our city to grow for the expected 2040 population increase.*
29. *South Ogden City has various websites that have different information posted (or information not posted at all which should be posted). When I checked on January 9, 2016 to see what the agenda was for the upcoming 2016 planning commission meeting, The Planning Commission Agenda & Minutes showed no upcoming meetings. This misleads the public to think there is not an upcoming meeting to be held, and as a result they miss the meeting that they may have liked to have otherwise attended. If South Ogden City is not going to properly update their web pages where important city information is supposed to be available to residents, than they should post a disclaimer on that webpage to where the most up-to-date, latest available*

information can be found. Residents should be directed to where the information is posted, since by law the city is required to post in three public places. I would think that the Planning Commission Agenda & Minutes page would have been one of the primary places it would have been posted – and it was not. How is this “transparency”? Why did this occur? Has the parks webpage been where our city has been posting information internally? How many hits does the city have to its park webpage in comparison to its main webpage? People are not given a fair chance to even know about a public meeting for the proposed passing of Form Based Code in the Planning Commission. Is this how residents want our elected officials to run our city?

30. Maybe South Ogden City should consider posting a link on their website that takes one to the “Utah Public Notice Website”. I discovered on this webpage www.utah.gov/penn/about.html it states, “The audio recordings of open meetings are also public information and the audio recordings of state bodies must be available through the website, either by posting or linking.” This is especially needed in “Form Based Code” and other recent city code change proposals where the city recorder minutes do not account for all the things spoken of by the residents. Some people speak fast or lots of information and a brief summary is given on many occasions. Residents need access (without having to formally request) and audio recording. I believe that is what the current Utah Public Notice Website is stating. Cities like Honolulu, Provo, and Ogden already do this, and provide video recordings as well. Why can’t we provide video recordings as well (or at a minimum the audio links as required by Utah law)? Transparency, I believe, was one of the goals for South Ogden City; now is the time to act on this and properly post information on the city’s web page.
31. Example of abandoned commercial gas station business that has been abandoned for 20 years. Why invite more businesses to fail if they are not able to succeed on existing commercial prime corner locations?
32. Also concerned that the value of the property increased by \$1,000 over the last 18 year. Why? My property taxes have gone up over the years. Why not a commercial lot?
33. Is there a possible tax fix or “abandonment fix” that our city needs to consider to help move vacant commercial properties into the hands of those who would want to develop a commercial property near a residential neighborhood? Fines should be heavily imposed on vacated properties as warranted for neglect to encourage the owners to either use it or sell it off so the properties don’t become eye sores year after year. This fix can be implemented without implementing “Form Based Code”.
34. Why is 40th Street Park being shown in the new “Form Based Code” commercial zone? Residents living in the north part of our city have seen the park shrink almost in half when the new city offices were constructed, and again this will happen with the widening of 40th street. We would like to see what little park we have protected and beautified, which is not happening if this park gets put into the new zoning area. Please leave our local neighborhood park out with the R-2 zone that it is currently in so that other uses will not be listed as permitted uses within our ever shrinking park. Maybe to be fair and just to all residents, consider allowing restaurant type venues near Friendship park, that the city could make money from leasing out a plot of the park. People attending sporting events generally have money to spend and this is common and desired by sports attendees. If our park is making money for South Ogden City (with police fines, etc.), than maybe other parks should have this as well to help our city

generate badly needed revenue so our roads and infrastructure can get repaired. Could also let people construct a small building on the fringes of the park, and have them pay a long term lease. When the lease is up, South Ogden City would own the building and could either re-lease or get a new tenant and make money for our city to keep resident’s property taxes down. A

35. Will existing private elementary school along 40th street be affected by street widening along 40th street? Have they been made aware of the proposed uses with Form Based Code and additional commercial traffic that will come with the proposed uses?
36. The Cove at 40th Street, that we have all seen for many years now, still has a few units available. Out of the 10 available units, only two units have sold. For a 145’ x 300’ lot, what is the effective density per acre of ground compared with the form R-2 zone for the actual habited units? Is this a success for our city to have such overpriced units that are not currently selling? Maybe this is not what South Ogden City residents want – at least not in this area of town.
37. Would like more transparency for what South Ogden City has planned for the 40th street park.
38. What is reason that over recent year RAMP dollars are proposed for other parks, but not for the 40th street park (where residents actually do use their park)?
39. If commercial use is allowed along 40th street, where will the parking be allowed? There is not much room along 40th street and it would impede traffic flow.
40. Has South Ogden City Planning Staff settled on an approved street section (See Section 2.2.3 under Form Based Code)? Each version of the “Form Based Code” seems to have a different section, none of which are better than our current zoning street sections. Also it was noted that I believe it was Wasatch Civil who stated that one of the earlier proposed street sections may work for a private street. They have not stated that any of the proposed street sections would work for a public street. It should be noted that all the street accesses for the proposed residential neighborhoods lead onto an existing public street, and so the street sections need to be wide enough (and approved by the local agencies responsible to ensure adequate safety). For 37th, 38th, and 39th street, the proposed streets connect to a UDOT owned road (Washington Boulevard) which would also have to give their approval. Has UDOT been approached concerning latest proposed “Form Based Code” uses on Washington Blvd, and for their input with our local 40th Street?
41. At one time there were many parties involved for the widening of 40th Street? I believe UTA dropped out. What is the expected amount (percent and total dollars), that South Ogden City is responsible to pay for the widening of 40th Street? Is it still a good deal for South Ogden City residents that needs to be jumped on right now – or lose the opportunity?
42. In reference to Section 2.2.3. of the Form Based Code, Few people use bike lanes (especially during cold winter months). Maybe consider moving bike lane off the busy road and adjacent to the sidewalk (keep park strip desired width). This leaves for a safer bike route (so long it is properly striped with a bike symbol and signs are posted letting people know of the restricted use). If no on-street parking is allowed, this could encourage a more “clean air” traffic pattern of bikers and pedestrians, so bikers don’t have to ride near car traffic. Bike path adjacent to sidewalk would be especially desirable for keeping kids safe as well since there are bound to be some children near the school that will be three blocks from 40th street improvements. <http://greatergreaterwashington.org/post/28136/suburban-style-streets-dont-fit-a-busy->

[bethesda-corner/](https://www.flickr.com/photos/rflayman/6931624141) or see photo here: <https://www.flickr.com/photos/rflayman/6931624141>
for a nice high class Indianapolis bike and pedestrian crossing combined together.

43. **Section 2.0 has very narrow and short parking stalls listed (especially for parallel parking). Should list a more realistic dimension of 24' to 26' feet for parallel parking and parking stalls of 9 foot width as standard. Kind of confusing since this is shown under Bicycle Facilities (I was looking at the latest publically available version of Form Based Code that I had available to me at that time prior to the planning commission meeting which was dated August 2015) – perhaps city staff have since corrected (please verify).**
44. **Section 2.6.2 of Form Based Code shows a very unrealistic street section for Utah cars and parking. May work for California where they have small compact cars and no snow, but will not work with our snowy climate and larger cars that many people in South Ogden City drive. I have never in all my 15 years of civil engineering experience ever seen a 7' wide parking space. Plans would be rejected by any city if I were to propose this. Also verify what with fire requirements are. 26" is pretty standard for the minimum clear width for most fire truck access.**
45. **How will city streets be plowed with proposed on-street parking street sections? What I'm noticing is that many of the desired changes we are seeing look good in theory, but when we try to actually apply them, we end up going back to the time tested standards that have been working for us in the past. I'm certain that street sections will need to be what we had previously in our long established residential neighborhoods (or very close to it), unless South Ogden City wants its residents not to be able to commute with their cars to work.**
46. **When will South Ogden City planning staff be complete with their draft versions of form based code? Have they given residents their best effort? Some of us have jobs and not much time to review city proposed zoning changes. We rely on our elected officials to make sure our city is kept in a safe condition and appropriate sites near residential homes. Commercial use in any form and especially the items listed under the "Form Based Code" is not acceptable to me in my neighborhood. We have already allowed the foot in the door for a few commercial, family friendly stores. When the market at 35" street was first opened, it used to be a family friendly neighborhood store. When one drives by it now, what do you perceive that it is? It is better to say no for the protection of residents than to open up a Pandora's box that cannot be closed. Somewhere down the road, someone will try to sue our city for not allowing it to do business in a business zoned area. At that time other uses not desired by residents will simply be allowed.**
47. **Who came up with the definitions and uses? These are listed under the template word for word pretty much in the same version given out as a template from the Wasatch Front Regional Council. I know SLC is a very liberal community that votes more along the Democratic party line. I have always thought South Ogden City is a conservative city. These are pretty liberal big city accepted uses (not small town South Ogden City acceptable uses). Neighborhood Retail Includes: Alcohol & Liquor Sales, Book, Magazine, & Newspaper Store. (if Adult Content, may not be an acceptable residential use), Pawn Shop (South Ogden City has been fighting against these thankfully), Smoke Shop (I appreciate Councilwoman Sally Orr's recent statements against Marijuana to protect children especially), Wine & Liquor Shop (would like to see gas stations within 500' of existing resident homes not be allowed to sell alcohol), current zoning prohibits gas stations near residential areas. Neighborhood Service: Microbrewery, Restaurants (refer to state law for alcoholic beverage requests).**

Tattoo/Piercing Parlor (not exactly services that I would like promoted in my neighborhood). People have the right to consume alcohol, but currently there are not any open beverage establishments allowed in any of the residential zones that I am aware of. Some residents in the R-2 zone suffer from substance abuse addictions and debt problems. These things will not help create a more vibrant community. Maybe a building or two here and there (like has been accomplished with the PRLD use that has been specifically targeted for use in the R-2 zone), but what about the many individuals? Do the individuals affected really matter to South Ogden City Mayor, city council, or planning commission? The sooner this Form Based Code goes away, the better I think for all residents. Also, please take into consideration what demographics of people you will be removing from their homes should they decide they no longer want to live in a commercial part of town. Kent Killpack lives on Ogden Avenue, and is a snow plow driver for Ogden City. Their family is not in favor of "Form Based Code". Ron Van Alfin and Pat have been long time residents and used to interact with my grandparents in our neighborhood. He and the Singletons have been in the gas and furnace repair business. Their homes are on the proposed residential areas to be affected. Is this how South Ogden City thanks its long standing service providing residents who have fixed many of people's furnaces over the years right here in South Ogden City? We might as well delete Catering, Dry Cleaning, and Day Care from the list as well since if residents can no longer afford to live in the new "Form Based Code" apartments, or condos, than who will do these jobs, like garbage collection that nobody else wants to do in our community? Teachers in Denver, Colorado have to be brought in from the surrounding communities because they can't afford to live in their community. There are also former school teachers who may have to consider moving now to avoid all the dust around them should Form Based Code be approved. When one looks at the individuals, this is not a very pretty "Form". Is it safe for a resident to live above a Veterinarian who uses X-ray equipment (I don't know).

48. **Section 5.0 Building types: Street Widening will most likely occur again if South Ogden City continues to grow as planned. May want to consider having the Front Setbacks be 20' on 40th Street General to allow for street widening in the future. Otherwise, we are tearing down all the buildings or no longer have streets or sidewalk on the street side of the building.**
49. **Section 10.1.4. Conflicts itself.** The reason the R-2 zone is being targeted for redevelopment by Mayor, city council and city staff is because they don't like how our homes look for the large part. (Realize they were built for the most part during brutal times between world war one and world war two.) Don't build on small location or a small business unless you want the city to come back and zone you out of your new business or form based residency should someone in the future chose they no longer like small businesses. If you own a big home on a big lot (or are paying out the nose for one), you are safe or if you live where elected city council members live is what I am noticing. Is this, "Do as I say and not as I do" being implemented?
50. **Section 10.3. Who should be responsible for our South Ogden City? It should not be someone who is not a resident of our city. The code should be administered and enforced by a South Ogden City resident or elected by the general public – not by a non-South Ogden City resident, unless otherwise voted upon by the residents. Residents need to be assured that they have a say in their local government and that their voices are heard, not spoken over by a non-resident appointed city Manager or city Planner.**

51. It is a bit strong to say at the last section of section 10.3 that this code which currently has many mistakes and is not desired by residents should trump any existing time tested code that residents are generally O.K. with.
52. Same issue with 10.7. *Staff Review Committee. The City Manager or Designee (Should be required to be a South Ogden City Resident).* We have residents right here who are capable of reviewing and have a genuine vested interest in the welfare of our city and its residents (beyond a paycheck). This gives too much power to someone none of us residents elected. Why outsource when we have people capable here in our city?
53. Page 90 of the Draft January 2016 FBC, again has Non-South Ogden City resident as the person in charge of approving or disapproving under 10.3.(4)(b). Why not hire a local South Ogden City engineering or architecture or structural firm to review and approve. This would keep local tax dollars in our city to benefit local residents. In the preceding paragraph, who is the Staff Review Committee? Unless it states this prior, it is not clear who this committee is (should all be South Ogden City Residents).
54. 10.4.1.(4) under Nonconformances, states, that all nonconformances shall be maintained as required by law . . . *Funds should be available for elderly or ADA residents who cannot otherwise maintain their home due to a lack of ability and funds.* This will solve some of the home issues where residents are not able to maintain their homes.
55. 10.4.2.(2)(a)(i) and 10.4.2.(2)(a)(ii). & iii. Under Nonconforming Structures, which will be basically all existing residential homes or businesses, I have an issue with requiring them to *limit their renovations to 25% or less to avoid having to have to bring their whole home or business up to the current standard.* This is restrictive and unjust compared to other businesses and home owners. This is not justice for all. From my viewpoint, any improvements done to any home in the R-2 zone should be welcomed and encouraged (not limited). Residents should be allowed to improve their homes to either code which is in their best interest as a private home owner. This also helps our local economy when people purchase home improvements they desire.
56. *I consciously chose to live in an affordable housing area of town that did not have an HOA requirement because I am not a person who wants to pay additional fees.* Section 10.4.2.(2)(a)(iii) [the second one with the parentheses] forces residents to make the front of their home a certain way. If I had wanted to look at neighbor's houses that all looked a certain look, I would have moved into an HOA. I would rather take the chance of having some great looking homes and a few not so great, than have my local city government tell me how my home should look. We have enough government red tape. Why invite more on our residents?
57. *10.4.(2)(e) Explain the intent of "Abandonment", and what happens if, "the right to utilize a nonconforming structure shall be terminated" if the structure is not utilized . . .* What happens next? Does South Ogden City lay claim to the property, or who gets it (finders keepers)? Does it get sold on the open public market or made into a local neighborhood park? Originally in my earlier planning commission meeting comments, I had marked this as a violation of 4th amendment rights (I know I didn't say that right). I think this could have some uses (if it is actually legal) to do this to get properties moving along if left vacant for long periods of time.
58. *Back in November 19, 2013 there was a Presentation on 40th street Concept Drawings given, where UDOT gave the city input. Has UDOT input been sought since the proposed commercial rezoning areas were added along 40th Street in regards to Form Based Code?* Parallel parking

- scenario along 40th street would prove to be a traffic congestion nightmare unless the road is being expanded to be three lanes wide in both directions. If UDOT was contacted about the new Form Based Code proposed uses, who from UDOT has provided feedback and what did they say regarding? If not, will city staff allow them to give input that we may have a better street for all to travel upon? I think this should be recommended by planning commission prior to any approval being given in regards to current proposed form based code. Also in regards to Washington Blvd, which are also UDOT streets where 37th, 38th and 39th streets also connect.
59. From the November 19, 2013 City council meetings Page 5. *Councilman Porter said he was concerned with how a median on 40th street would affect the emergency vehicles traveling to McKay-Dee Hospital.* I agree with councilman Porter's concern. The whole grounds for doing street widening was to alleviate traffic congestion, not to create more traffic congestion by slowing traffic as commercial development would do. *Is increased business revenue more important than the health and general welfare of residents* living in the greater Ogden area? Landscape islands as nice as they are, should be limited for the sake of the public's need to have quick emergency vehicle access along 40th street. Also, *South Ogden City doesn't need to adopt Form Based Code to have a median* – simply add it where it makes sense. The city manager, who is not a resident of our city, is more concerned with economic development of our city than the safety of residents. Safety should trump business expansion development in residential communities. *40th street must stay safe as well as be functional.*
60. Under the definition, *City Engineer: Any registered civil engineer appointed by the city council or city manager . . . Our current city manager is not a resident of South Ogden city. Appointments should be made or approved by residents of South Ogden City (preferably our city council who is educated on the matter or should be by our city staff).* We pay a lot of money out to firms and people who are not residents of South Ogden City. Our South Ogden City web page says buy local, yet South Ogden City government is not doing this. Why?
61. *What % of residents in South Ogden City actually use public transportation?* Often one passes a large smelly UTA bus and it has 4-6 people at most in it. The way it is currently being implemented with a few people on a large bus is not economically or environmentally friendly. *If the reason for going to "Form Based Code" is because city council and mayor feel like we need to use it more, they should try using it for a week, and then report back in a public city council meeting of how they enjoyed their experience.* UTA hasn't caught on in our snowy cold climate, and the cost of owning a used car is relatively low. So what happens should a new mayor and city council decide that "Form Based Code should be allowed everywhere"? Would city council members still vote for this if they were the residents who lived along 40th street or Ogden or Adams Avenue? Would you want this code in your neighborhoods? *Tearing down old homes, displacing the elderly etc. for the primary sake of generating commercial revenue; is money more important to South Ogden City than having good neighbors as residents?*
62. *Have not seen a traffic study done with proposed commercial developments being allowed all up and down 40th street as proposed with the new "Form Based Code". What delay times will be added (should on street parking be allowed along 40th street)? How will snow be plowed if cars park along 40th street for commercial businesses in the winter?*
63. *How many current South Ogden City Residents will be directly affected with the possibility of commercial businesses within 500 feet of their homes with the proposed "Form Based Code" zoning being proposed by the new code?*

64. *When will our city notify residents of proposed zoning changes affecting them?*
65. *Back in June 5, 2012, council member Strate recommended enhancing and beautifying the street, not just widening it. Thank You! I agree with this, especially along the edges where hopefully large park strips will be provided to beautify. Can all the documents associated with 40th Street Improvements and Form Based Code be grouped together by city staff and posted online in one location for residents to more easily access? It is difficult to get brought up to speed with what is going on for residents who have trusted their elected officials to look after their city and their general welfare. Many of us are concerned about what has gone on up to now, basically unaware to most of us living on the North part of South Ogden City.*
66. *Consider adding landscape islands (as council member Strate suggested for 40th street also to Glassman way). This road was designed to be a secondary reliever street for Harrison Blvd which never materialized when the new McKay (ex Hospital) location was chosen. Could be attractive Xeroscaped (low water demanding) landscaping. As an alternate, make this street less wide and allow residents to have extra yard frontage who live along this area. Our city does not need Form Based Code to do this.*
67. *From the general South Ogden City plan from 2008 (Addressing the Moratorium in the Downtown Area – Figure 2-3), I did not even know that such a plan existed until the first of this year and have been cognizant involved residents who read the monthly South Ogden City newsletter each month. Is general plan the reason that our city has been doing very little roadway maintenance in the North part of our city? Has city manager or Mayor gone around this area and let residents know of the plan to facilitate new development & encourage new investment (which is taking upon the shape of "Form Based Code" now in their community)? Maybe to be fair to residents they should be made aware, so that they can move away from our city if they don't like the direction it is taking and want to avoid having a commercial development as their next door neighbor at some point in the future. Better yet would be for them to be made aware so they can come out to a public meeting and stop the planned madness for our R-2 long established residential neighborhoods and have their voices heard if they disapprove of the direction our city is headed. Why was so much of the R-2 zone houses targeted by South Ogden City for new development? What about historic preservation for the homes where residents have lived for generations? We are the third generation and my children are the fourth generation of South Ogden City residents who have lived in our home that is slated for new development. There are also many others who have been here for many generations. What if the existing R-2 residents like our older neighborhood basically as they are with the more affordable homes that are suitable for families with large backyards? Is there a way to get this plan changed so that the affordable R-2 homes are not specifically being targeted by our city as a new development, new investment area. New investment on R-2 (single or double) residential homes is acceptable under this plan, but not commercial development. Also what about the goals of "historic preservation." Our homes have a history of being built near the turn of the century and when people couldn't afford much after World War I and World War II. The current home occupied by Dennis Green on Jefferson Ave. was originally built with one story by a man who was an expert in concrete. As he could afford it, he built up and built the whole house without any corners in the home. It is a work of art similar to the Eccles Art center home, although the former residents were not millionaires like the Eccles. I will gladly take city planner, city council, or city manager and Mayor over to visit a few of the finest homes I know in*

- our area (should they desire to be informed) and see homes of beauty and comfort. There are only a few homes on my street that really need repair badly (one of which was recently purchased by a new owner and is in the process now of getting fixed up) so it can be habited again. Why not allow all zones to be R-2 if more housing is desired in the future? This would double the available housing in our city by just allowing this. If R-2 residents have to arise again take the brunt of new development, shouldn't other areas also be allowed to have more resident occupants if we are to grow all over our city? Again "Justice for all should be implemented" (either with "Form Based Code" and redevelopment for future growth, or confine to downtown areas where residential mixed use building can be allowed. Also considering putting this exhibit on a public opinion survey asked to residents and see first: if residents were aware of such a plan existed for the North part of our city, and second (if this type of plan is what they had envisioned (or in the name of Form Based Code), when they marked their public opinion answers. Third, see if they approve of the current planned commercial development along Ogden and Adams Avenue as currently proposed with "Form Based Code". These homes have been traditional residential neighborhoods, some are of the oldest remaining neighborhood homes we have in our city where some homes were built before the 1900's. It is not what I had envisioned for my neighborhood residential area to improve. I oppose targeting an area like this for many reasons. There are no main traffic routes along these streets. The reason that commercial developments have grown where they have (along Washington and Harrison Blvd.), is because they are main travel routes. The original 2008 plan had only the west side of Ogden Avenue identified. Please go and speak to Ron Van Alfen prior to allowing any more development along the west side of his street on Ogden Avenue. This is his long-time home for he and his wife. Moving at their age and without having any feet is not an option for Ron. He needs this not to be approved so he can live out the remainder of his days without more commercial development. Once all available commercial developments (or at least 95% are occupied), then maybe consider other areas that can become commercial developments if still desired by South Ogden City residents and city council.
68. *On page 2-10 of the 2008 South Ogden City General Plan Updates, Land Use and Neighborhood Design Analysis which is posted on the planning and zoning website, it states, "Based on the results from the July 2007 community survey, residents of South Ogden are clearly satisfied with their city. This is due to a number of factors including location, their feeling of safety, and the small-town feel of the neighborhood. (For details, see the survey responses in the appendix.)" Why are we changing things now if residents reported being satisfied? Those who think we need change, should allow change to occur in their neighborhoods, not neighborhoods where they don't live.*
69. *The next paragraph on the above mentioned sheet states, "Development and redevelopment in established areas will need to be undertaken creatively and carefully in order to maintain the integrity and feeling of safety with existing neighborhoods. Zoning ordinances and development approval processes should incorporate design guidelines which ensure sensitivity to existing, stable neighborhoods." Where did resident input from the community survey turn into redeveloping the north part of South Ogden City? It doesn't make sense to me how our city leaders jumped to this conclusion, because I don't believe residents wanted this in our community. I don't feel that the proposed development in the name of Form Based Code is*

sensitive to existing stable neighborhoods. In fact if it is pursued, it will make our whole north part of the city become more unstable as less desirable for residents to live here. Most of the existing residents who currently live here would not be able to afford the price of a "Form Based Code housing" implemented under mixed residential and commercial (assuming that any developer actually puts one in and doesn't just do commercial development). How does this benefit any of us R-2 residents? Do you see why we are concerned?

20. Second to last paragraph states, "South Ogden is a city of neighborhoods. . . ." "They should be woven to each other and back into the community fabric. . . This can be achieved in part by providing a system of urban street trails for safe and walkable movement through neighborhoods and eventually across major roads which dissect the city." *These changes can be done without Form Based Code.* How many linear feet of 4' wide sidewalk could have been installed in our city as opposed to paying city staff to research a "Form Based Code" that the residents do not want in our city? I am still looking forward to the day when many of the R-2 homes have sidewalks on at least one side of the street (and preferably both sides of the street). Would be nice to see in conjunction with the badly needed asphalt replacement on our streets.
21. From the Socio-Economic Analysis done in Table 3-2 & Table 3-3, it shows *South Ogden Residents as paying the largest percent of their cities general fund (24%)* for the budget in 2007 compared with 12 other cities. It is also interesting to note that residents provide *(12%) of our cities budget came from fines and forfeitures. (What are residents being fined for and where do these residents primarily live)?* Can't our city workers generate more revenue for our city in the charging for services (*South Ogden City was tied with Herriman for the lowest rate at 3%*)? 11 of the 12 compared cities fund their general city budgets substantially more than our city. Can we find out *what Pleasant Grove is doing to achieve this (their budget was 36% from services)? What are they providing as services to generate revenue?* This is substantially more than what revenue can be generated by building permits which would only occur on a small scale with "Form Based Code" with the proposed old town locations in South Ogden City. It would be interesting to find out *what the other 12 cities total general fund budgets were in comparison to our city's total budget, and how this breaks out per individual resident living in our city. Can this information be made publically available (and show an update of where South Ogden City is for the previous year 2015)?* Residents would rather see their city be more profitable by having city workers in use money to support our city and not vice versa where city residents purely support city employees. It would be good if the city operations could be more self-sufficient as opposed to adopting "Form Based Code" to support more city spending and redevelopment. If we don't need to spend money for a housing inspector to go and inspect new houses, than that should be a cost savings to the residents. Don't displace 100 residents to save one person's job. Subcontract out building inspection services to other cities if needed if we no longer have enough demand for this job to maintain a worker full time in this position. Ogden City has been buying homes along 24th street, fixing them up and selling them for a profit. Why doesn't our city do the same so that it can guarantee that it gets results that it wants? Would be a win-win for our city and residents. The city would get a profit from the sale of the house and residents would get a nice home rebuilt where previous eye sores have existed. Again we are the residents living in the affected area, and converting our homes into commercial real estate is not what we have envisioned for our part of South Ogden City. We would rather live near eye sores than commercial development (given the choice). It is more family friendly than a busy

commercial (or worse yet an abandoned commercial property), would become - which is highly possible given the selected choice for redevelopment.

22. **Goal 2: Redevelopment of areas which are economically depressed, blighted or incompatible with surrounding land uses. This is the old town of South Ogden City that was supposed to be preserved as a part of historical preservation. Who came up with this goal of redevelopment and did they intend for it to take place in the name of "Form Based Code" which is not being done in a sensitive manner.** There are many residents in the proposed redevelopment area that are living significantly better compared to the wood cabins some of our pioneer ancestors lived in and most other people in the world in general are living in. *There are a few dump looking houses on most streets - sure, but the key is they are few and not the majority.* I would like to have a serious neutral body opinion sought based on current conditions sought after by our city prior to tearing down a single home in the name of "Form Based Code". Again consider having South Ogden City buy up the properties, fix them up and selling them for a profit. Would be a good thing for any available public works employees to be working on or could hire local residents in the north part of our city who may be in need of a job here in our community. They could then perhaps spend their earned income and use their skills on improving their home in kind.
23. The areas which South Ogden City is considering for redevelopment currently (instead of historic preservation) is ironically the origins of residential homes living in our city. Table 3-7 from the South Ogden City General Plan Update shows the *homes going back from 1924 (as the average year built)* it should be noted that *some are over 100 years old in this area.* A couple of them have also been beautifully reconstructed with second story levels by planning commissioner Pruess along Adams and Ogden Avenue. Would be a shame to see such fine homes disappear with time due to encroachment of commercial development.
24. There are also *parts of the 2008 South Ogden City plan which seem to contradict each other.* For example, Map 2-3 discusses the "Old Part of town" states as follows (which I agree with as a resident living in the affected area). "Seems to be transitioning from single family to multiple family housing. Property upkeep can become an issue as homes become rented because absentee ownership, and a higher turnover in residents. Current zoning (R-2) allows development which doesn't preserve existing, desirable characteristics. Scarcity of land may lead to tearing down old buildings - - threatening existing, desirable characteristics, inappropriate and insensitive subdivision of property and homes. Seems to be a sense of loss/degeneration in the area" . . . "Measures such as home improvements and architectural continuity, need to be taken to encourage home ownership in the downtown area." Form based code does not meet any of these targeted issues and would make for an insensitive subdivision of property and homes and discourage home ownership in light that the developer would own the property, not individual residents. Sure the building can be required to have a nice form, but this will involve tearing down old building with existing desirable characteristics. *Why not target key issues and then allow time and tweak policies as needed to get the desirable effects?* This would help resolve some of the key issues described above and preserve neighborhoods and the primary residents who live in this area. Can we risk doing another social experiment called "form based code" upon residents in our community which has no guarantees for anyone's success (particularly for the existing residents who are living there).

75. Under Retail Locations paragraph from the 2008 South Ogden City General Plan Update on page 3-18 it states, the following which I whole heartily disagree with. It makes reference to a table and concludes, . . . "more population, and therefore more buying power, associated with the northern location. The northern location is surrounded by higher-density, more urban-type development, while the southern location is more suburban in nature." Even the authors of the report stated earlier in the report on page 3-11, "Goal 2: Redevelopment of areas which are economically depressed . . ." So how does more buying power = Economically depressed? The two statements contradict one another. I would say it is obvious (and everyone in our city knows) that the higher income earning residents live primarily in the south part of our city and they have more buying power. That is why new stores have been springing up so well in the south part of South Ogden City over the last decade and why many of the smaller businesses in the north have not survived as well. This was the basis for stating that a commercial development should be targeted in the north part of our city. I am not opposed to commercial developments, but am opposed to expanding more commercial development into areas that already have need of repair. Fix the existing commercial developments in our down town area and our residential roads and then expand commercial areas further, if it is still needed.
76. Appendix A of the South Ogden City General Plan Update states that there was no clear town center, and that residents ranked it a 3.2 in importance on a scale of 1 to 5 (basically in the middle as neutral meaning that it was not important to residents). City staff and city council are directing city staff to spend money on city staff researching and writing "form based code" when a city center is not what is important to most of the residents. Why is the town center concept being pushed so hard by our city? South Ogden City is a city of neighborhoods, not planned commercial development. An afterthought now that we are all developed is a bad policy when it comes to impacting residents. In terms of economic analysis, has our city reviewed how properly maintaining roads (that they are responsible for providing to its residents) can save our city money in the long term? When roads crack, and don't have asphalt wearing courses and rock chip seal coats applied, water can enter into the sub-surface and with our freeze thaw cycles, it damages the sub-surface pavement and the upper surface road and shortens the life of our roads. Asphalt also becomes brittle over time – like an old rubber band and simply falls apart when it reaches a certain age. Properly maintaining roads lengthens the life of the pavement. Why not ask residents to rank if their roads need repaired and fix roads in areas where repairs are needed? Ask residents if they see the need for city council and city staff to implement a new form based code and see what the response is.
77. Under 2008 South Ogden City General Plan, Appendix sheet A-2 Neighborhood Analysis it states, "Generally speaking, residents in the southeast portion of the City wish there were more shopping opportunities in their neighborhood. However, residents in the central and northern parts of the City (mean score of 2.8 and 3.1 respectively on a scale of 1 to 5, with 1 meaning strongly disagree and 5 meaning strongly agree) do not feel as strongly about the need for more shopping opportunities." So if the south part of town wanted more shopping opportunities near them, why are we making the north part of our city the "town center?" Residents in the north are good with the south part of our city being the shopping metropolitan so that we can continue to live our quiet peaceful lives. I would actually like to see the old failed businesses be converted back into a stable residential homes where possible.

78. For the same page mentioned above, "When asked if there is enough availability of affordable housing in their neighborhood, respondents in the north end of the City are the most likely to feel there is enough affordable housing (mean score of 3.6). Conversely, residents in the southeast portion of the City are the least likely to think there is enough affordable housing in their neighborhoods (mean score of 3.1)". If I understand the goal of the WFRC correctly, they feel we will be "busting at the seams" with our population growth across the Wasatch Front by 2040. Shouldn't all commercial zones in South Ogden City plan for allowed mixed use (residential and commercial uses) or none of our communities and people will just have to live elsewhere? Living in an urban city center has its own challenges for those who choose to live there. Please don't force an urban city center into a residential neighborhood for residents who feel they have sufficient affordable housing available to them. Don't exclude the South side of town seeing as how there is not sufficient area in the north part of our town to house many more people. R-2 zoning currently allows more population density in homes that are generally quite a bit smaller than the large homes in the south part of our city. All areas of our town will need to allow more forms of residential development or realize that our city will not be growing further in population. It would make sense to encourage multi-use form of development especially in the south part of our city, where there is a concern by residents in that area about the availability of affordable housing in their neighborhoods.
79. The next bullet point in the appendix states, "Residents in the northeast part of South Ogden City have the least sense of community (mean score of 3.1) . . ." 3 means neutral as far as have a sense of community, not that we don't have a sense of community which the word "least" implies. This is due in large part to the number of rental homes that have popped up in recent years, where people come and go frequently. Policy encouraging home ownership and discouraging rentals (treating them more as businesses), would benefit our community – not "Form Based Code" which would only create more fragmented residential communities and encourage more short term residents in a rented apartment or perhaps short term condo.
80. The next bullet point addresses how residents feel about their community being clean and welcoming. Residents in the North ranked their neighborhoods as 3.3 (neutral again basically).
81. The number one concern in regards to land use and planning was code enforcement of rundown properties. My guess is this concern was voiced more strongly by residents living near the rundown properties in the north. However, with that being the case, residents in the north are least likely to want to have residents displaced in their long established residential neighborhoods. We want to see rental properties properly maintained, or the landlords run out of our city and the homes turned back into single family residential dwellings. Residents wanted and I quote from appendix sheet A-3 of the 2008 South Ogden City General Plan Update "limitation of multi-family development in existing residential areas." What is being proposed from "Form Based Code" contradicts what responding residents desire. We do genuinely care about each other and want the best for each other. Has South Ogden City asked residents living in the affected area if the proposed zoning in their neighborhoods in terms of "form based code" is what they want to live next to in their neighborhoods, or are they now doing this in terms of the upcoming planning commission meeting to be held on February 11, 2016 where residents can attend if they so desire (if they were fortunate enough to have been made aware by a neighbor or happened to check the South Ogden City webpage which few residents do on a regular basis). Why was this not put in the South Ogden City news letter to inform

residents of this possible life changing event that is being planned for them by our Mayor and city staff? It was discussed in last month's planning commission meeting that it should be put in next month's (February's) monthly newsletter. Shouldn't long standing residents get some form of notification of what is planned for their communities in the "golden years"? The lack of our city notifying residents of this really concerns me. Dictators take such actions, not publically elected officials. I know these are strong words, but sending developers and land speculators to grab up properties in long established residential neighborhoods (without residents being notified of the plans) is not fair or just – probably even illegal. The residents living there are for the most part unaware and those who are aware, say, "Well I guess it is time we will have to move," or they say they trust their elected officials and they wouldn't let such a harmful thing befall us.

82. Under Appendix A of the 2008 planning document, *the highest priorities ranking the second highest of concern on the ranking scale (2) was as follows, Code enforcement of rundown properties, redevelopment of Washington Blvd between 3600 S. and 4000 S., Appearance of neighborhoods, Appearance of commercial neighborhoods, and limitation of multi-family development in existing residential areas.* . . . These were the top five priorities. How did we get to making 40th street widening more of a top priority? Has anyone compared the time required to make a left hand turn movement onto 36th street versus a left hand turn onto 40th street? I have timed it on many occasions and it takes roughly two minutes (timing of a typical traffic signal on 40th street), and it takes five minutes to make a left hand turn on 36th street. I am not complaining about the worse traffic condition on 36th street, because I am willing to put up with it as opposed to having my longstanding neighbors have a road widened to their door steps of homes completely removed in the redevelopment process. I can wait up to 10 or 15 minutes if needed or navigate to a traffic signal to make a turn. *How long does it take someone to move through 40th street corridor even during the busiest times currently?* Is it really a dramatically long time exceeding 15 minutes? If not, then we may not truly have a traffic congestion (major problem), maybe minor at best during parts of the day. Also, it has come to my attention, that the money South Ogden City was given by the Wasatch Front Regional Council was awarded for a nicely drawn plan from the South Ogden City General Plan update 2007 (Downtown Structural Plan) showing the Washington Blvd as a rezone area. It was not showing the removal of homes in the R-2 zones (or anywhere else) at that time. If we were to be asked how we rank this current form based code being proposed, I would have wanted an option to say I am highly concerned with residential homes being targeted for commercial redevelopment areas in our city. Kind of hard to do on the ranking system of how the city should prioritize its resources of 1 meaning significantly more and 5 meaning significantly less. I remember seeing one survey where I believe in the middle of the survey they reversed the ranking system of 5 meaning something different than what 1 meant earlier. If our city is basing much of its' current planning and development based on survey results only (from only 15% of people in our city who responded), and only 5,000 or so residents received the survey, this seems pretty shaky ground to be standing on. It is also interesting to note that *condition of streets and sidewalks ranked higher than community design guidelines.* Can't we follow the will of the people and get our streets and sidewalks repaired (or installed) and then catch up with the rest of the cities (if they have had success with Form Based Code on a wide scale). Tackle one problem at a time that residents' want. Let's not open up a can of worms here. We

definitely cannot afford to be wrong on this with people's homes on the line here. Let's bring our whole community up to the 1980 general subdivision standards of sidewalk accessible routes on both side of the street. This also meets one of the Wasatch Front Regional council and South Ogden City's goals of making safe public accessible walking locations for our residents (and improves property values) – something that for a large part is non-existent in the north part of South Ogden City and in the "Old Town". Safe accessible routes to public transportation areas helps these facilities get used. Maybe that is why more resident's living in the Old Town showed up to a recent South Ogden City planning commission meeting in favor of allowing hens in our city (we basically almost live in the country with roads going back to dirt roads as the asphalt unravels). Or maybe we are more concerned with providing for our basic substance of what we will eat, not where we will go recreating or spend our money shopping this weekend (most of the residents living here have little to spend beyond their basic needs). What is city council doing to hear the desires of what resident's living in the R-2 zone would like allowed for uses in our residential zones?

83. *Were residents asked how much they would prefer redevelopment meaning that residential homes would be lost in the process, their roads would not be maintained by our city, and that their taxes would go up as a result?* This is the hard facts of what I have seen accomplished to date or will come to pass if form based code is implemented in current residential zones, without residents having been asked, "Is this plan we have come up with what you as residents want?"
84. *Conditions are not the same now economically as they were when the original survey was conducted.* We have experienced our nations' latest economic recession in 2009-2011 which impacted many residents. I would dare say that a higher percentage of people living in the north part of our city were affected by this more than any other demographics in South Ogden City. And just a short time after this, our cities solution to this is to get rid of residential home in the R-2 zone (That is quite literally what is being proposed under "Form Based Code"? Opinions change when money is scarcer. What has the most recently conducted public opinion polls shown? Do there need to be more done in regards to proposed zoning changes prior to them going into law (if passed by city council)? I think so. Also can our city do anything differently to help create jobs for all residents affected and get much work done in our city (for a great price), should such an economic recession return to our door steps). Something to consider for future planning when labor is more available and prices of materials drop – due to supply and demand. A great opportunity to provide jobs and put in sidewalks throughout our city (where needed).
85. *Street sections are not functional or approved for public use as such.* On the sheet numbered 48 that I left at the recent planning commission meeting held in January 2016, I labeled the bare minimum required widening that would be most cost effective to our city and have the least impact on surrounding properties and provide the desired additional traffic flow. This could be modified with wider landscape islands, bike travel path adjacent to the sidewalk, and some strategically planned center median landscape islands as desired to make the area more beautiful and pedestrian friendly. One engineering firm said the proposed street sections would be acceptable for private use. This does not imply necessary public safety street sections for the general public and does not imply these street sections would be acceptable for firetruck access as required for public streets. The latest form based codes have not shown an acceptable street section that meets civil engineering of MDOT standards for safety and acceptable traffic flow

City needs to provide evidence that this condition has been met and that traffic times to the McKay Dees Hospital will not be impacted. Would be prudent to get two or three expert opinions on this matter. If the code is being implemented on traditionally public streets, it must meet engineer approved standards. (The result will most likely be street standards that we currently have in our current zoning - would like reported by city staff what their net effect changes would be and whether these net effect changes can be implemented into our current city code without having to implement "form based code".)

86. From the November 19, 2013 City Council Minutes – Attachment A, 40th Street Concept Boards, chosen excerpts (p. 49 of my January planning commission written comments). Presentation was given by WSU and University of Utah students. They looked at the 40th street feasibility study. *The existing park is being taken away by the street widening. Park size should be required to be restored as possible not further sold off by our city. The photo included on p. 52 does not show congestion, and I have marked some easy low cost fixes to make it more user friendly.* p. 53 of personal comments *shows inaccuracy in the student's study. Photo shows 40th street which actually is Chambers street (again not heavy congestion). Traffic counts also interestingly went down by 6,085 less AADT from 2006 to 2011 when people traveled less during the recession. This is actually an indicator that fewer people are traveling to work and going out shopping compared to 2006 assuming that the data is correct. In regards to the proposed rezoning of residential area for form based code along 40th street, I'd like to know where the storm water detention facilities will be placed and how they will be designed so that our ever shrinking "city center park" is not further impacted with park areas that can no longer be used by residents. Are storm water basins being designed in a form friendly use that still allows residents to use it (such as a catch and release bluegill pond), or other facility residents can use and enjoy? The regions east of the park along 40th street exceed ADA acceptable standards (without adding a handrails) along 40th street (5% slopes is the maximum). May not be an ideal location for commercial stores being the case especially access along 40th street. What happened to the goal of historic preservation? Many of the older homes are in the proposed affected form based code rezoning areas. Report shows South Ogden City as having a much lower growth rate than other areas compared (1.86%). We don't need Form Based Code on account of our low growth rate, but can consider allowing mixed use commercial/residential if that makes sense for future growth in existing commercial zones (not current residential zones until available commercial zones are filled in with mixed use development). The preferred plan from South Ogden's City's general plan showed planned residential businesses along 40th street. This has already occurred to a good deal in the renting out of these properties (by residential or commercial landlords seeking to make a profit from renters). Further business expansion along 40th street is a bad idea that would create more traffic congestion, which is the whole justified reason we are supposedly redoing 40th street. Mobility and traffic flow to the hospital is important. It may make sense to allow in the commercial heart of the city (multi use development) is, so long that the public infrastructure system can support the Super Bowl half-time flush from increased residents and had sufficient culinary water systems available for the residents. Infrastructure would most likely need to be upgraded to allow, which most city planners don't take into account with initial plans. Are developers willing to front the cost of such expensive infrastructure upgrades? My guess is that our city doesn't have the funds to front (judging by the lack of road repair on a wide scale area of South Ogden City). One of my*

concerns with "form based scale" implemented on a large scale by a single large developer may result in one ugly large building (that would technically meet the form based code). Less restrictive codes allow for more development and more variety where the person wanting to develop has the choice of what they want for their business. This makes more sense for encouraging businesses to develop here in South Ogden City. Residential businesses is not why home owners decide to purchase a home in the R-2 Zone, it is primarily due to affordability of the homes available.

87. The standard examiner ran an article on April 24, 2015 stating traffic counts which are not accurate from the student's report for the section of road where widening is being considered. The latest UDOT traffic counts for showed over 16,000. It should be noted that these were students and not professional engineers and taken for just that (although some limited input may have been provided from their professors). I know firsthand how that takes place having specialized in traffic engineering during my upper division course work in the professional program up at USU. We did a mock project involving the extension of the Logan Airport main runway so they could land larger jets. Students have limited time and resources and use available resources provided to them by those interested in the projects. It was built later, but not off our student supplied recommendations—it was properly engineered to required FAA standards by professional engineer and based off of soil conditions (which we could only guess at the time).
88. From the August 18, 2014 City Council Meeting, it is noteworthy that the city manager noted that the planned improvements for 40th street project had been slowed down due to possible involvement by UTA, making 40th Street a major transit corridor. If UTA is not involved now that they have delayed the street widening, what additional cost does South Ogden City now have to front – can we still afford it? Do residents living along this street want high density housing along their street (or commercial businesses)? Why not ask them and then move forward as preferred by the residents who will be most impacted by the development?
89. One of my biggest concerns as a resident coming in blind at the 11:55 hour of implementing form based code in South Ogden City was a presentation given a little over a year ago. See November 25, 2014 Combined City Council/Planning Commission Special Meeting pages 13, 14, 15, and 19 (60-63 of my hand written notes with comments). Would like to ask city council and planning commission to take a closer look at these photos see if they notice that they were presented with faulty comparison between existing zoning practices and what things could look like with "form based code". If people deciding upon this code have not looked at, please look at and see how many advertising subtle differences there are between the compared photos. See how it compares to what I found after looking at for the first time without a presenter guiding me through the presentation. Page 13 from the presentation asks, Which do you prefer and next to a text that reads *Lifeless Public realm shows a photo of a 1970's Phoenix or California built home. The view faces the two homes and shows brownish colored grass. The photo is zoomed in more. The second photo is labeled Comfortable Public Realm and shows newer built homes in a less arid climate with a view looking down the middle of a wide open street and cars parking on either side of the road (without driveway access) and much green vegetation, and a nice blue sky with a mountain at the background.* These are not fair photo comparisons! This may work in California, with no snow, but doesn't work well if you add snow to the picture with only on street parking allows. I ask "Who is trying to deceive who at the

bottom of my notes?" Form based code is promoted based on the assumption that people prefer form over I don't agree with this, allowed uses are more important than form uses with their zoning. In residential areas if controlled substances such as alcohol is to be allowed, sure the city can gain revenue though the alcohol sales, but who is being hurt? The alcoholic, their families and the community at large. Businesses in general are not conducive to be invited into traditional residential neighborhoods for the sake of revenue for our city. Yards next to parking lots – how is that making the North part of our city more beautiful? A nice looking building does not compensate for a backyard parking lot that a neighbor will get to enjoy with the added vehicle exhaust. Page 15 from the presentation shows the first photo they got you to already like and next to it says, "Form Based Codes" (see you like this and didn't even know that you preferred it is the presenter's intent I believe). Below it they show a new photo labeled, "Conventional Codes" and show an aerial zoomed out photo of a high density suburban neighborhood (counted about 76 homes). In reality the first photo could look exactly the same from the air with the exception that the first photo had no street side drive way accesses. (perhaps they had other accesses to their homes which would allow for less density, which does not help our city to have more population growth. Page 21 from the original form based code presentation shows at the top Mixed use (all looks the same and looks like parking is provided on the lower portions. All look the same like an HQA, not the same variety of housing we have around here. It is compared to an industrial use area as one can see by the many dumpsters one can count. Simply requiring the trash contains to be kept in an enclosed facility and undergrounding power lines would make this industrial site look much better. Form based code is not required to accomplish these changes. At the bottom photo I ask where will folks park. Our existing set up requires people to drive. Once an effective public transportation is established, people may be able to get around without automobiles, but that has to come first, not vice versa. If we had an effective transportation system that came like clockwork during the day (10-20 minute intervals), and every half hour or hour during the later hours, people would use it and you wouldn't need to own a car to get around. This is not the case since I last attempted to use public transportation over five years ago. Works better as well in warmer climates and where space is limited. If a person has to go to such extreme measures to sell you their product (not even comparing same same) a warning signal should pop up in one's head saying why are they promoting what they are promoting in this way? I have asked Matt (ixon where I can go locally to see "Form Based Code" done by a local developer (not the LDS church or large city development project), but one that is actually done by a local developer and I have yet to hear of one that would have the mixed use residential and commercial buildings incorporated into one building. Sure they can be found in SLC, but what about locally? Do we want our city to grow into a liberal city like SLC has become (or preserve conservative traditional family values)? Which code facilitates more conservative traditional family values and which support liberal ideas? Which code gives residents more say in the development process of their city? City council has been convinced by someone already that they want planning commissioners to allow them to give up their right to vote on subdivision approval and related form based code proposed uses.

90. South Ogden City - Historical population

Census	Pop.	%±
1940	1,407	—
1950	3,763	167.4%
1960	7,405	96.8%
1970	9,991	34.9%
1980	11,366	13.8%
1990	12,105	6.5%
2000	14,377	18.8%
2010	16,532	15.0%
Est. 2014	16,852	1.9%

U.S. Decennial Census¹

Based on the trends shown above, it appears that we will be entering a negative growth soon.

Another interesting statistic is as follows:

Snow Days	Place	Inches	Population	Percent (% more residents)
00.0	Oakland, California	00.0	413,775	2,455% more residents
28.5	Chicago, Illinois	36.7	2,722,389	16,155% more residents
34.8	Salt Lake City, Utah	56.2	190,884	1,133% more residents
	South Ogden City		16,852	base line comparison

Population link from US Census Data year 2014:

<http://quickfacts.census.gov/qfd/states/17/1714000.html>