



MEMORANDUM

TO: Mayor and City Council

FROM: Matthew J. Dixon, City Manager

RE: **February 01, 2022 City Council Meeting**

WORK SESSION

- ***Representative Miles.*** We are very fortunate to have Representative Miles who has offered to come to the work session and talk about legislation. Given that the session is going strong, it's extremely nice of him to want to come meet with us. I've attached some slides from this week's LPC meeting with the ULCT for you to review prior to the meeting.
- ***FY2023 Strategic Plan.*** Time permitting, we will jump back into updating the City's Strategic Plan. I've attached a copy of the updated plan to this packet. Although we'll focus mostly on Community Engagement and Community Beautification, I invite you to look over the entire plan to be sure I haven't missed something we discussed at the retreat. If it makes it easier, I've bookmarked (in the PDF) links to the different sections of the plan to simplify navigating the plan. If we run out of time in the work session, and we most likely will, we have time budgeted in the regular meeting to continue our work.

DISCUSSION/ACTION ITEMS

- ***Discussion on Planning Commission recommendation to amend city codes related to setbacks for interior row buildings.*** As staff has been implementing the Form Based Code on various projects, it has come to our attention that the code does not adequately address row homes along interior streets within a development. The code seems to assume that all row buildings would be located along a public roadway. City Planner, Mark Vlasic, has prepared a detailed Staff Report reviewing this issue and the Planning Commission's recommendations for amendments. Leesa has also included a copy of the Planning Commission minutes so you can listen to their discussions, deliberations and vote. Not to give anything away, but the Planning Commission voted unanimously in favor of the proposed code amendments.
- ***Discussion on amending city codes related to changing the number of children allowed in a home daycare from five to eight.*** In November 2021 the city received an application for the city to consider amending the city code to increase the number of children allowed in a home daycare from the current five children to eight children. Since November, the Planning Commission has been working with staff and state officials from the Utah Department of Health – Child Care Licensing Program to better understand how daycares may or may not be different from preschools, etc. Mark

E mdixon@southogdencity.com

O 801-622-2702

F 801-622-2713

3950 Adams Ave. Suite 1

South Ogden City, UT 84403

SouthOgdenCity.com

Vlasic has provide a detailed Staff Report with information regarding this issue. After a couple of months of discussion and work and a public hearing, the Planning Commission voted unanimously in favor of recommending that the council amend the ordinance to increase the number of children allowed in a daycare from five to eight.



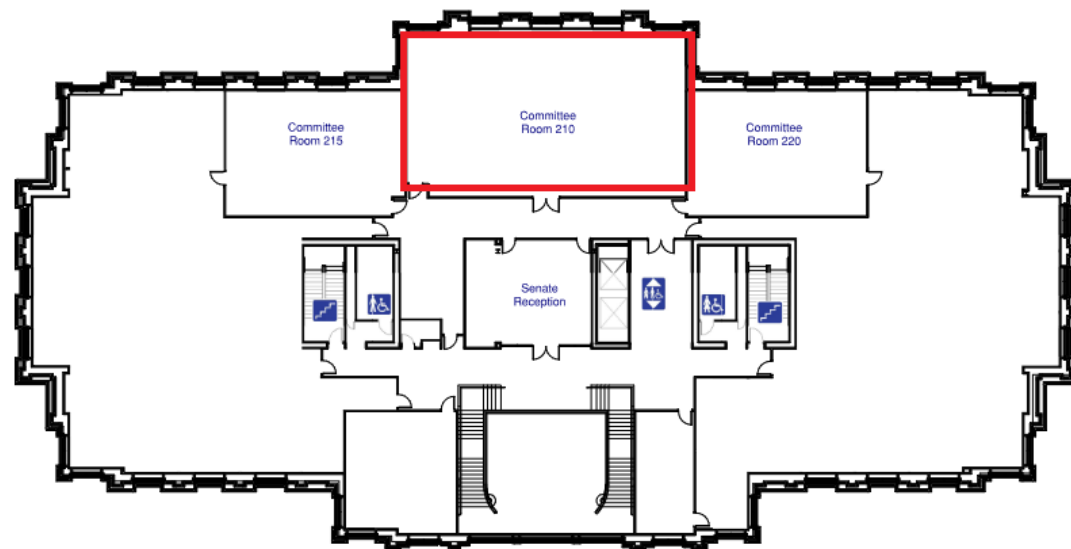
LPC

January 24, 2022

Session Logistics - LPC

LPC

- Every Monday at noon (except for the week of 2/21, when LPC will be held on that Tuesday)
- Room 210 of the Senate Building and Online (via Zoom webinar)
 - You can vote and participate online or in person
- Raising an issue
 - If you would like to request the LPC consider an issue, please notify staff at least one business day in advance of the next meeting.
- Updating your LPC roster
 - Please request changes at least 1 business day prior to LPC.
- Learn more: <https://www.ulct.org/LPC>



East Building - Level 2

Stair Elevator Restrooms



Session Logistics - Communication

Staying up to speed

- Friday Facts
 - Who: all subscribers of Friday Facts (entire ULCT email list)
 - Content: highlights legislative priorities or the most significant events of the week, along with non-legislative information and the usual sports trivia
- Nightly email
 - Who: all subscribers of Friday Facts.
 - Content: highlights priority bills or significant events of the day
- Action Alerts (issue specific)
 - Who: LPC members or targeted outreach to cities with legislators on a given committee.
 - Content: talking points/concerns, relevant information about upcoming votes on a bill

Session Logistics – Bill Tracking

Click here to download this report in PDF or Excel.

Number	Title	Sponsor	Tracking Level	Position
HB 0006	Executive Offices and Criminal Justice Base Budget	Cheryl Acton	Monitor	
HB 0012	Public Safety Retirement Amendments	Matthew Gwynn	Work	Position Pending
HB 0021	School and Child Care Center Water Testing Requirements	Stephen Handy	Monitor	
HB 0022	Open and Public Meetings Act Modifications	Doug Welton	Watch	
HB 0023	First Responder Mental Health Services Amendments	Ryan Wilcox	Work	
HB 0033	Instream Water Flow Amendments	Joel Ferry	Watch	
HB 0036	Commission on Housing Affordability Amendments	Steve Waldrip	Watch	
HB 0037	State Water Policy Amendments	Keven Stratton	Watch	
HB 0039	State Construction Code Amendments	Joel Ferry	Watch	
HB 0045	Justice Court Judge Elections Amendments	Jon Hawkins	Monitor	
HB 0046	Utah Energy Infrastructure Amendments	Carl Albrecht	Monitor	
HB 0057	Government Records Access Amendments	Andrew Stoddard	Watch	
HB 0061	Postretirement Reemployment Amendments	Kera Birkeland	Watch	
HB 0064	Drinking Water Amendments	Christine Watkins	Watch	
HB 0071	Utah Fair Housing Act Amendments	Clare Collard	Monitor	
HB 0085	Eminent Domain Amendments	Mike Petersen	Work	
HB 0093	Juror and Witness Fee Amendments	Mike Winder	Watch	Position Pending

<https://www.ulct.org/bills>

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CITIES AND TOWNS

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MEMBER SERVICESADVOCACYCONFERENCESTRAINING

Legislative Priorities

Bill Tracking

Legislative Wrap Up

Legislative Policy Committee

LPC Agenda & Minutes

ULCT Resolutions

Policy Resources

Legislative Issues

Love, Listen, & Lead

Senate Bill 34 Housing & General Plan Resources

HB 98 Local Government Building Regulations

HB 82 Single Family Housing Modifications

PAUSE

REGISTER

Photo: South Jordan, Utah

Water Issues

- Land and Water Planning
 - SB110 – Water as Part of General Plan - McKell
- Landscape – Turf
 - HB121 – Water Conservation Modifications – Spendlove
 - HB95 - Landscape Requirement Prohibition – Ward

Cities cannot say you can only use grass in yard landscaping. HB121 will likely exclude cities.
HB95 wants cities to provide options other than grass.
Making changes: cities will provide property owners an alternative to grass, cities will not only allow grass. Cities can still require a maximum or minimum percentage of grass. Applies to cities, counties, HOA's and mobile parks. Substitute bill coming out soon. Has support of the Governor.



Retail Incentives

What we are hearing

- Gov. Cox in State of the State:
 - *“I ask for your support of bills by Rep. Schultz ... and Reps. Ferry, Waldrip, and Briscoe and Sen. Anderegg to remove gov’t regulations that needlessly increase Utah’s housing prices. We can increase supply without decreasing quality of life. We cannot let our state become California.”*

Housing Legislation: HB151 is being endorsed by Cox and others. ULCT is opposed because we'd like to be able to use other funds not just property and sales taxes. Also discussion around the exceptions. For example, can incentives be used for system-wide infrastructure? Improvements that benefit the larger system, not just the one business. Can incentivize IF 50% + is housing.

ULCT continues to work with groups on exceptions. ULCT position is still opposed until can be re-worked.

Potential concerning concepts out there:

- 1) State MIDA-like land use authority in some unincorporated counties
- 2) Development by right if it meets state, not local, criteria
 - Residential density
 - Affordable housing
 - Owner occupied
- 3) State minimum zoning in certain areas (i.e. near transportation hubs)

These are the hot topics over the first week of the session. (2) Property owner could get automatic approval IF meet the criteria set by the state for density, affordability, etc.

Housing and land use update

- Rep. Waldrip w/ULCT Board, Jan. 19 (90 min)

- 1) SB 34+: improved data records, focus on implementation
 - # of permits, # of entitled units, low-income units, etc.
 - Prioritize state \$ for cities going above and beyond w/MIHP
- 2) Intelligent regional solutions
 - Technical assistance
 - Support cities who plan well
 - Public engagement about growth, density, and quality of life
- 3) “Transformational policy”
 - Need a metric to show how cities are planning for housing (“fair share”)
 - Metric = 2022 interim
 - Enhance housing and transportation nexus
 - State role around transportation hubs?
 - One size misfits all

Some legislators are selling this as though they are helping provide local electeds political cover by mandating land use issues, etc.

So much political pressure for legislature to do something, it's going to be a crazy session. ULCT has hired Val Potter to help with the housing legislation.

Short-term rentals is also a discussion issue with legislators as a way to help address housing availability - especially in towns like Springdale, St. George, Park City and others.

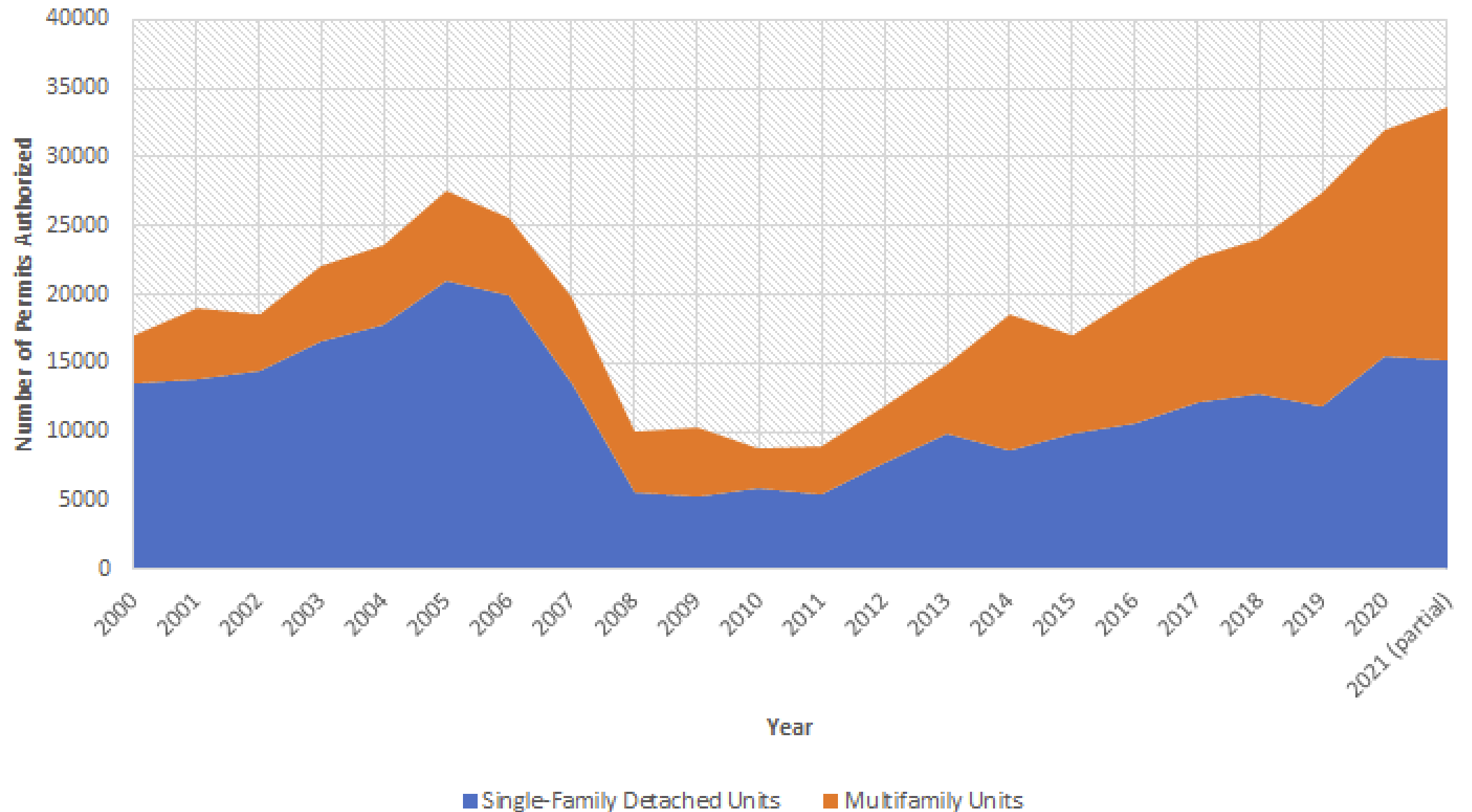
Rep. Waldrip is excited about SB34+ (see left side of page).

Every city would have a way to determine if they have their "fair share" of affordable housing. Lots of good discussion in these areas. It will be important to keep these conversations going.

The state lacks good data on housing. Cities know better, what we have but state needs to know this. We need to focus on better ways to gather and provide data on what we are doing.

Single-Family Detached & Multifamily Residential Permits Authorized in Utah

Shows the trend up to Oct. 31, 2021. Record setting permitting for the state.



SB 34 status quo v. SB 34+

11/82 cities out of compliance (as of Dec 30)

Compliance = submission of annual report to DWS about selected menu items

- Fruit Heights
- Grantsville
- North Logan
- Ogden
- Pleasant Grove
- Salem
- Sunset
- Taylorsville
- Vernal
- West Haven
- West Jordan

The SB34 annual report may become critical as cities seek Transportation Funding, etc. DWS information that came to us this year was outdated and caused delay in meeting the Dec. 1 deadline for 2022.

This needs to be more than simply checking a box.

DWS is going through a transition with the new Cox administration and is aware of the challenges we experienced with this year's report.

- SB 34 = Soft deadline
 - Late submissions: American Fork, Bountiful, Cedar City, Clearfield, Mapleton, Midway, Providence, Smithfield, South Jordan, South Ogden, South Salt Lake, South Weber, Syracuse, Washington Terrace, West Bountiful
- SB 34+ = Dec. 1 hard deadline
- SB 34 = select menu items
- SB 34+ = show your implementation
 - TBD: how DWS will evaluate and an appeal option for a city
- SB 34 & state \$ = eligibility for state TIF/TTIF
- SB 34+ & state \$ = same, plus eligibility for ARPA local match
 - TBD: GOEO economic opportunity zones, other state \$, retail incentives
 - TBD: the more menu items the city picks, the higher priority the city gets for state \$

Housing concepts we are actively engaging on:

Here is what it looked like as of TODAY.

- SB 34+
- Retail incentives limitations with exceptions when housing is included
- HTRZ expansion Housing and Transit Reinvestment Zone - allows for cities to plan around Front Runner Stations. Trying to see if this applies to other transit stops beyond Front Runner Stations. Could be used for BRT stops, etc.
- Requirements for station area plans (SAPs) around transit that meet Wasatch Choice objectives
 - Overlay
 - Referendum

Retirement Bills

Retirement

HB 12 1st sub: Public Safety Retirement Amendments (Gwynn)

- Applies to all public safety employees (police and fire)
- Cooling off period: reduced from one year to 60 days for public safety and firefighters (lines 43-50)
- Requires that a retiree shall have a bona fide termination from all participating employers and may not have before the retiree retires, prearrangement that anticipates postretirement reemployment with a participating employer
- 3-year repealer.
- Changes from original: strikes the shorted years of service and the adjustments to tier 2 contributions
- No Fiscal Note or URS estimate for substitute yet
 - The fiscal note for the cooling off period in the original bill was ~\$15m (~\$9.8m for the shortened cooling off period for Tier 1, ~\$5m for the shortened cooling off period for Tier 2 employees). URS anticipates this will change with the repealer provision in the substitute.

Does not include reducing years of service. Waiting for updated fiscal note, since not reducing to 20 years of service.

Retirement

HB 61: Post Retirement Amendments (Birkeland)

- Applies to all public safety employees and teachers
- Cooling off period: reduced from one year to 60 days
- Requires that they do not work more than 20-hours a week/part-time equivalent
 - Cannot make more than the lesser of \$15k/year or the wages from the above hours
- Changes from original: seems to strike previous requirement that they return to employment in a rural area
- Fiscal Note: May cost local governments up to \$5,672,500 beginning in FY 23

No longer requires they work in rural area. This should help keep them from leaving Wasatch Front to go to rural areas.

ULCT has not talked with the sponsor about making this applicable to all public employees instead of just public safety and teachers.

Retirement

	HB 12 1 st Sub (Gwynn)	HB 61 (Birkeland)
Applies to	Public safety only	Public Safety and teachers
Cooling-off period	Reduced from 1 year to 60 days	Reduced from 1 year to 60 days
Additional Terms	<ul style="list-style-type: none"> Requires bona fide termination and may not have prearrangement for re-employment 3-year repealer Does not specify hour limits, income limits, benefits, or what type of employment they return to. 	<ul style="list-style-type: none"> May not work more than part time (20 hrs/week) May return to teaching, public safety, or “any other position” Cannot earn more than the lesser of part time wages or \$15k/year Does not receive any employer paid benefits other than workers comp (retirement, medical, dental. PTO)
Changes from original	<ul style="list-style-type: none"> Strikes shortened years of services Strikes increased Tier 2 multiplier Strikes Tier 2 backfill 	<ul style="list-style-type: none"> Appears to be amended to remove requirement that reemployment take place in rural Utah
Fiscal Impact	<p>URS and LFA still working on Fiscal impact</p> <p>Cost of cooling off period in original bill was ~\$15m (~\$9.8 tier 1, ~\$5m tier 2). URS anticipates 3 year repealer may change this.</p>	<p>LFA Fiscal Note: May cost local governments, employers, and individuals up to \$5,672,500 beginning in FY 23</p>

Bill Tracker – Ratify Positions

What do you need to do right now?

- Contact your legislator(s) about the need to respect the role of local government and to discuss ULCT legislative priorities Cities don't need political cover...we need partnerships with the State of Utah.
- As bills arise, be ready to: ULCT has daily briefing calls IF you want to jump on to learn what's in committee, etc.
 - 1) Reach out immediately to legislator(s) to explain your city's position
 - 2) Use social media to explain the city's position to your residents and urge them to contact your legislator(s)
 - 3) Use social media to thank legislator(s)
- Follow up with ULCT if your city is interested in:
 - HB 181 (railroads)
 - Bills impacting land use around transit

Other key dates/info

- Upcoming LPCs
 - Monday, January 31
 - Monday, February 7
 - Monday, February 14
 - Tuesday, February 22
 - Monday, February 28
- Tuesday, March 8: GOP AND DEMOCRATIC CAUCUS NIGHT
 - Hold your legislators publicly accountable
- February: UTA transit-free month!
- National League of Cities: March 14-16 in Washington, DC
- Midyear Conference: April 20-22 in St. George

Retail Incentive Comparison

January 24, 2022

ULCT Proposal 2.0	H.B. 151
<p>No tax incentive payments to a regional retail business unless the project meets two of the municipality's public purpose goals <u>and</u> one of the six project-based exception areas:</p> <ul style="list-style-type: none"> Mixed use development meeting one of the three housing criteria: <ul style="list-style-type: none"> 25% of the net occupiable floor area dedicated to housing and 20% of the total housing units in the project dedicated to households earning < 80% AMI, or 10% of the total housing units in the project dedicated to households earning < 50% AMI Net occupiable floor area with 20 equivalent dwelling units per acre, of which 20% is dedicated to households earning < 80% AMI or 10% dedicated to households earning < 50% AMI Have 24 equivalent dwelling units per acre for a large project or 18 equivalent dwelling units per acre for a small project (housing) System improvements (infrastructure) Mitigate development impediments (redevelopment) Development in a ≤70% AMI census <u>tract</u> (equity) Development in a 4th, 5th, or 6th class county or a county of the 3rd class not bordering a county of the 1st or 2nd class (rural) <p>If a city is compliant with moderate-income housing plan requirements (SB 34+), OR if a certain percentage of the city is zoned to allow missing middle housing, then the prohibition on retail incentives does not apply.</p>	<p>No payments to a retail facility unless the project meets one of the exceptions:</p> <ul style="list-style-type: none"> Retail component is ancillary Recipient has < 30 employees (small business) Development in census block with AMI ≤ 70% of state median wage (equity) Mixed-use with ≥ 50% sq footage dedicated housing and ≥50% of that new housing must be affordable (housing) Development in a 5th or 6th class county (rural) Recipient arts or cultural organization (RAP/ZAP) The payment is for one of the following purposes: <ul style="list-style-type: none"> Infrastructure improvement Redevelopment of an existing facility Main Street program assistance Environmental mitigation Emergency aid/public safety or security program Water or energy conservation program
<p>Regional retail facility is defined as (a) a retail business occupying > 40,000 sq ft; (b) a vehicle dealer consistent with 41-1a-102; (c) a retail shopping facility with at least two anchor tenants occupying a total floor area > 70,000 sq ft; (d) a grocery store with a gross sales floor area > 40,000 sq ft.</p>	<p>Retail facility is defined as a facility where a transaction subject to sales and use tax occurs.</p>
<p>No specific penalty for violation</p>	<p>Penalty for violation: Civil action - if a court finds a violation of this section has occurred, they shall enjoin the violation; order the public entity to recover any amount of public funds lost to the state; and provide any other appropriate relief.</p>

Tax incentive payments include a:

- Property tax incentive payment
- Sales tax incentive payment

Payment means a payment of public funds, including any money received by a public entity from:

- appropriations,
- taxes,
- fees,
- interest, or
- other returns on investment

DRAFT



NOTICE AND AGENDA SOUTH OGDEN CITY COUNCIL WORK SESSION

TUESDAY, FEBRUARY 1, 2022

WORK SESSION – 5 PM

COUNCIL MEETING - 6 PM

Notice is hereby given that the South Ogden City Council will hold their regularly scheduled work session at 5 pm Tuesday, February 1, 2022. The meeting will be located at City Hall, 3950 Adams Ave., South Ogden, Utah, 84403, in the EOC. The meeting is open to the public; however, the city will abide by all COVID-19 restrictions in place at the time of the meeting, including social distancing, wearing of masks, and number of people allowed to gather at one time. No action will be taken on any items discussed during pre-council work sessions. Discussion of agenda items is for clarification only. Some members of the council may be attending the meeting electronically. The meeting will also be streamed live over www.facebook.com/southogdencity.

WORK SESSION AGENDA

I. CALL TO ORDER – Mayor Russell Porter

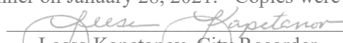
II. REVIEW OF AGENDA

III. DISCUSSION ITEMS

- A. Legislative Update By Representative Kelly Miles
- B. FY2023 Strategic Plan

IV. ADJOURN

The undersigned, duly appointed City Recorder, does hereby certify that a copy of the above notice and agenda was posted to the State of Utah Public Notice Website, on the City's website (southogdencity.gov) and emailed to the Standard Examiner on January 28, 2021. Copies were also delivered to each member of the governing body.


Leesa Kapetanov, City Recorder

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



SOUTH OGDEN CITY FY2023 STRATEGIC PLAN

1.0		FISCAL SUSTAINABILITY: Ensure the ability of the City to provide quality public services through careful, long-range planning and evaluation of current decisions in context of future fiscal impacts.					
On Track	1.1	Hold quarterly work sessions to review and update the City's Sustainability Models	Steve Liebersbach	2/1/2022		25	<p>MattDixon : Next meeting scheduled for Oct. 05</p> <p>MattDixon : Fred came and presented a CFSP 101 overview for the council on Oct. 5 (presentation attached). Some feedback from the council included: Drill down into more detailed review of Revenues (trends) and Exps., Update model for inflation we are seeing in 2021, and How the model deals with the higher rates of appreciation in property values we're seeing. There was also a desire to see what has been getting pushed within the CIP's.</p>
On Track	1.2	Expand the City's fleet lease program when doing so results in cost savings and benefits to the City	Steve Liebersbach	6/30/2022	Jon & Garth		<p>MattDixon : Talked with Young Automotive Group and they referred me to their fleet sales person, Rick Bailey, at 801.710.4401, (rbailey@youngauto.net) who would like to meet and discuss our vehicle lease/buy-back program needs.</p> <p>MattDixon : Garth and Jon have worked out a contract with Unified Fleet Leasing. They will take over and be the company that the City leases through. They have agreed to similar terms and conditions as Horsepower had. Jon and Garth think this is something the city can start doing on its own in the future. They will be working on this for the next round of lease vehicles that would best be purchased via this type of lease program.</p>

On Track	1.3	Complete Sewer Capital Facilities Master Plan update	Jon Andersen	1/31/2022	Brad Jensen, Shane Douglas, Josh Sully	50	<p>MattDixon : Matt,</p> <p>The Storm Drain Capital plan should be done around the end of August. The sewer capital plan would be done 90 day following that.</p> <p>Brad</p> <p>JonAndersen : With the Storm drain not ready until September 15, 2021. I am thinking the Sewer capital plan will not be available to adopt until mid December or the first of the year in January 1, 2022. Once the Storm is completed will confirm date for the sewer plan.</p> <p>MattDixon : Bumped completion date to Jan. 31, 2022</p>
Completed	1.3.1	Project list to Wasatch Civil Engineering	Josh Sully	10/29/2021	Wasatch Civil Engineering	100	
Attention	1.3.2	Review the plan & present to the Mayor & City Council in January 2022	Jon Andersen	2/18/2022	Shane Douglas, Josh Sully, Wasatch Civil Engineering		
Attention	1.4	Analyze the effects of increased use of solar on City power utility revenues.	Steve Liebersbach	6/30/2022	FA consultant(s)		
	1.5	Create an ARPA spending plan (ambulance, latter truck)	Steve Liebersbach				
	1.6	Update Sustainability Model to address inflation and population growth	Steve Liebersbach				
	1.7	Prepare an Accountability and Spending Plan for CARES, ARPA, Impact Fees	Steve Liebersbach				
2.0		EMPLOYEES: Recruit, develop and retain quality employees by maintaining competitiveness in pay and benefits and demonstrating a commitment to every employee's growth and development.					
On Track	2.1	Increase Employee Satisfaction	Doug Gailey	6/30/2022		37.5	
Attention	2.1.1	Establish a base-line of current Employee Satisfaction	Doug Gailey	10/29/2021	Qualtrics, Department Directors	50	DougGailey : A survey was sent to all employees to gather a baseline of satisfaction
Attention	2.1.1.1	Design and distribute employee satisfaction survey	Doug Gailey	1/19/2022		100	
Attention	2.1.1.2	Gather survey results	Doug Gailey	2/4/2022			
Attention	2.1.2	Hold monthly inter-departmental lunches	Doug Gailey	6/30/2022	Matt Dixon, Jon Andersen, Darin Parke, Cameron West, Steve Liebersbach, Jamie Healy	25	<p>DougGailey : Can we discuss the progress on this?</p> <p>DougGailey : Jamie sent out an email last night. She wants to start next week, but is still waiting to hear back from Cam and Jon</p>
On Track	2.2	Identify areas for improvement with the City's Employee Wellness program	Doug Gailey	6/30/2022		50	
Overdue	2.2.1	Conduct an employees survey to gather information on what changes the employees would like to see in the program.	Doug Gailey	9/3/2021	Qualtrics, Department Directors		MattDixon : 2/11/21 - Wellness programs still on hold. PEHP did not do healthy Utah screening this year (2020) because of COVID concerns. Will evaluate again in the fall.
Overdue	2.2.1.1	Present ideas to the wellness committee		9/15/2021	Wellness Committee		

Completed	2.2.2	Enhance financial incentives for employees who participate in the Wellness Program.	Doug Gailey	8/30/2021	Steve, Matt, City Council	100	DougGailey : Increased Gym reimbursement to \$30 per month
	2.3	Prepare Succession Plans for departments	Doug Gailey				
	2.4	Improve access and quality of Mental Health Resources for employees	Doug Gailey		Chief Parke, Chief West		
	2.5	Evaluate and make recommendations for Benefit changes that may be necessary to remain competitive	Doug Gailey				
	2.6	Ensure staffing needs are built into the Sustainability Model	Steve Liebersbach		Department Directors		
3.0		INFRASTRUCTURE: Invest in the maintenance of existing City infrastructure (i.e. utilities, parks, roads, etc.) and plan for new infrastructure needs necessary to support new growth and development within the City.					
On Track	3.1	Increase resident satisfaction with the quality of the City's streets by 10 percent	Jon Andersen	6/30/2025		41.66	
Completed	3.1.1	Review 2020 Community Survey results for base satisfaction score.	Matt Dixon	10/1/2021		100	MattDixon : Survey results from 2017 thru 2020 indicate that residents who rated the quality of city streets as either Excellent or Good were 22.50%, 30.67%, 29.65% and 38.92% respectively. The goal is to have this combined rating be equal to or greater than 48.92%. MattDixon : 2021 combined "Excellent" and "Good" was 41.75%. Short of the goal of 48.92 but positive gains from prior years.
Completed	3.1.2	Compare 2021 Survey Results with 2020	Matt Dixon	12/31/2021		100	MattDixon : Total of "Excellent" and "Good" rating was 41.74% (see results attached).
Attention	3.1.3	Complete a minimum of \$1.3M in road maintenance and improvement projects in 2021.	Jon Andersen	6/30/2022	Brad Jensen (City Engineer), City Council, Budget	50	
On Track	3.1.4	Provide quarterly updates/education on street maintenance treatments, City projects and efforts made to improve City streets.	Jamie Healy	3/1/2022	Jon Andersen, Shane Douglas, Josh Sully, Wasatch Civil Engineering		MattDixon : emailed Jon and Leesa about doing something in the month of Sept. (i.e. Facebook post, Newsletter, etc.). JonAndersen : October News letter will have information about the current road projects the City has completed this construction season(2021) JonAndersen : Information was sent to Leesa for the October news Letter on 9-10-21. JamieHealy : Working with Jon for a late January push of road information for the new year kick off.
Attention	3.1.4.1	Work with Jon to find out what projects are upcoming for the following quarter.	Jamie Healy	10/1/2021	Jon Anderson		
Attention	3.1.4.2	Content creation for project-video	Jamie Healy	10/15/2021	Jon Anderson		
Attention	3.1.4.3	Deliver content to all media platforms	Jamie Healy	11/1/2021			

On Track	3.1.5	Evaluate alternative funding plans for streets in anticipation of restrictions on the City's ability to charge Road Utility Fees.	Steve Liebersbach	6/30/2022	City Council		JonAndersen : Reviewing WFRC for possibility of different funding options for the repair/upgrade of roads for the next grant funding cycle with WFRC. Letters of intent are Due 9-30-2021 for some of the grant options.
On Track	3.1.6	Increase beautification of Washington Blvd. between 36th and 40th Street.	Matt Dixon	6/30/2025	CDRA Board, UDOT, Jon Andersen		
On Track	3.2	Increase resident satisfaction rating of the City parks by 10 percent	Jon Andersen	6/30/2022		60.88	
On Track	3.2.1	Complete Burch Creek Park.	Jon Andersen	2/28/2022		90	<p>MattDixon : Jon reported today that the only remaining issues are: building a small concrete retaining wall between dirt landscaping and playground area and final plant/tree replacement - which will be in spring of 2022.</p> <p>JonAndersen : Change order was signed to fix the above mentioned areas. Will give update once I have been given a timeline for construction. Still having major issues with the pumps, looks like they will be shut down for the year and look for another solution for the pumps</p> <p>JonAndersen : Hogan is currently working on cementing the rock water feature and preparing to put the steel plates in by the lower playground.</p> <p>JonAndersen : Hogan has completed the cementing of the rock water feature, sprinkler repair and the improvement by the playground d need to be improved/repared</p>
On Track	3.2.1.1	Need to address the warranty issues on landscaping, features, etc. Warranty period should be through June 1, 2022	Jon Andersen	2/28/2022	Hugh Holt	90	
On Track	3.2.2	Complete Phase I & II of Club Heights Park.	Jon Andersen	5/31/2022		93.33	

On Track	3.2.2.1	Monitor drought to see when the sod can be installed	Shane Douglas	5/15/2022	Pine View	90	<p>JonAndersen : Pine View is planning on turning the water off September 1, 2021. Sod install not looking good Weber Basin will turn off September 20, 2021</p> <p>JonAndersen : I talked with Matt Dixon about whether to do the sod with the watering turning off and that the City would have to use culinary water to keep it alive until it goes dormant. Did not come to a conclusion/solution.</p> <p>JonAndersen : Pine View plans to turn water off September 10, 2021</p>
On Track	3.2.2.2	Playgrounds & Pavilions installed fall of 2021	Jon Andersen			90	<p>JonAndersen : Playgrounds & Pavilions have been ordered. Playgrounds are set to arrive and be installed the middle of September. Pavilions should becoming the later part of September</p> <p>JonAndersen : Pavilions are currently being installed, the boulders for the back play area have been delivered and waiting to be installed. Still waiting for the two playgrounds to be delivered.</p> <p>MattDixon : Jon reported that the playgrounds are installed. Large boulders will be installed as soon as conditions permit. Sod will be scheduled for mid to late April 2022.</p>
	3.2.2.3	Working on changing the water feature for improved functionality	Jon Andersen			100	JonAndersen : Change order was signed to move forward with a more solid type water feature. Will update once I have construction timeline
Attention	3.2.3	Prepare a development and funding plan for a Skate Park.	Matt Dixon	6/30/2022	Mayor Porter, Mark Vlasic (Planner), City Council, Grants	43.75	
Completed	3.2.3.1	Identify best locations for Skate Park	Matt Dixon	10/31/2021	Jon Andersen	100	

Attention	3.2.3.2	Gather project options with Skate Park layouts and estimated costs	Jon Andersen	10/31/2021	Matt Dixon, City Council	75	<p>MattDixon : Pics submitted by Steve Liebersbach from Winter Park (see files tab)</p> <p>MattDixon : Pics from Jon Andersen emailed 7.12.21 (see files tab). Option A = 3,500 sq. ft. for \$250k - \$400k. Option B (Bowl Design) = 5,000 sq. ft. for \$300k - \$500k. Option C = 7,500 - 9,000 sq. ft. = \$750k - \$1M.</p> <p>MattDixon : Councilmember Orr emailed a pic of a linear skate park. I added it as an attachment.</p> <p>MattDixon : Council reviewed and discussed the skate park project at the Oct. 19 meeting. They decided that they did not want to have this ready for a RAMP application in January. They agreed to have a plan put together this year (fiscal) with a possible RAMP application January 2023.</p> <p>MattDixon : Meeting with Mayor Porter, Matt Dixon, Ginger McKenzie, Jared McKenzie, Matt Flinton, Mike Howard, Jon Andersen, and Lenny London (Tony Hawke grant), Matt Robertson:</p> <p>Mike likes 40th Street better than</p>
Attention	3.2.3.3	Conduct work session with the Council and decide on location, layout and total project costs for Skate Park	Matt Dixon	12/31/2021	Jon Andersen		<p>MattDixon : Emailed Leesa to schedule the work session in Dec. for council to discuss skate parks</p> <p>MattDixon : Work session scheduled for Oct. 19 so staff can plan for RAMP funding, if council agrees to make this a priority project. Staff seeking direction on location, size, budget, RAMP, etc.</p> <p>MattDixon : Council agreed with the Committee's recommendation that the best location for the skate park will be 40th Street Park in the detention basin.</p>
On Track	3.2.3.4	Incorporate Skate Park project into FY2023 Budget plan	Matt Dixon, Steve Liebersbach	3/1/2022	Jon Andersen		
Attention	3.2.4	Review the Nature Park development and improvement plan (recreation, conservation, education) and discuss next steps	Matt Dixon	9/30/2021	Mark Vlasic (Planner), City Council, Grants	100	MattDixon : work session scheduled for second meeting in Sept. 2021
Completed	3.2.4.1	Find the Nature Park development plans that were originally created	Matt Dixon	8/31/2021	Leesa Kapetanov	100	
Completed	3.2.4.2	Review the development plan, identify what has been completed, what remains and prepare presentation to review with the City Council	Matt Dixon	9/10/2021		100	

Attention	3.2.4.3	Work with USU to see if there is a project they can help us with at the Nature Park.	Matt Dixon	10/31/2021	Mayor Porter	100	<p>MattDixon : Mayor Porter set up meeting with USU rep named Helen. Met with her and councilmember Strate and Jon Andersen at the park. She will put us in touch with others at USU that may be able to help us look at a project.</p> <p>MattDixon : Email from Helen following the park meeting: Hello all,</p> <p>I have been in contact with the Mayor of South Ogden, Russ Porter, in efforts to design an interactive and wildlife-friendly landscaping for the S. Ogden Nature Park. This is a public park that includes a paved trail, dirt trails for mountain biking, hiking, and running. It is located within foothill-type canyon with a riparian area encircled by the paved trail. The nature park also includes a splash pad, playground, grass fields, and amphitheater at the main entry. Our goal is to pull together a committee to improve/restore the park for the purpose of attracting wildlife and local visitors, achieving both environmentally-sound and visitor-friendly space. We have discussed a few ideas so far. Moving forward, I would like to schedule a brainstorming meeting</p>
On Track	3.2.5	Work with Sons of the Utah Pioneers organization for the relocation of the Kit Carson memorial at Friendship Park	Matt Dixon	6/30/2022	Jon Andersen, SOUP Org., City Council	60	
Completed	3.2.5.1	Review plan for Heritage Trail with Jon and determine best location for the monument	Matt Dixon	9/14/2021	Jon Andersen	100	

Completed	3.2.5.2	Meet with SOUP Org. and discuss plans, budget, etc.	Matt Dixon	9/15/2021	Jon Andersen	100	<p>MattDixon : Meeting scheduled for Sept. 14, 2021</p> <p>MattDixon : Meeting scheduled on Sept. 15 at 3:30 p.m. at city hall.</p> <p>MattDixon : Held meeting this week with SUP. They want to know if the city would entertain another RAMP grant for the placement of two signs in Friendship Park. The first would be an American Indian/Trappers monument and the second would be a John C. Fremont/Kit Carson monument. I talked with the council and this will be on the Oct. 5 agenda as a discussion/action item. If the city doesn't want to do this, SUP will try and raise the money on their own for the Kit Carson monument.</p> <p>MattDixon : City council discussed Heritage Trail on Oct. 7 meeting. Decided the city would be willing to contribute money to the project IF SUP was able to raise matching funds for the project. If funds could be raised, consider making RAMP application for 4 monuments with the matching funds from SUP and SOC.</p> <p>MattDixon : SUP and staff met on Oct. 27: discussed city will help put together a flyer</p>
Completed	3.2.5.3	Review the plans with City Council in work session to verify approval of location and project details	Matt Dixon	11/30/2021	Leesa, City Council		
Completed	3.2.5.4	Apply for RAMP funding to help with the project.	Matt Dixon	1/15/2022		100	<p>MattDixon : SUP is donating \$10,000 in cash, Weber County Heritage Foundation \$4,000 of in-kind consulting. City council agreed to match up to \$20k. Asked RAMP for \$50k. RAMP application attached.</p>
	3.2.5.5	Support SOUP Org. with installation of the monument	Matt Dixon	6/30/2022	Jon Andersen		
On Track	3.2.6	Replace playground at Friendship Park (2022)	Jon Andersen	12/31/2022			<p>MattDixon : City Council directed staff at 12/07/21 meeting to pursue RAMP grant for replacement of playground at Friendship Park. Jon will work with vendor on coming up with some design options and will share the concepts with the council.</p>
On Track	3.2.7	Complete a Park Master Plan for Meadows Park (2022)	Jon Andersen	6/30/2023			
Completed	3.2.8	Compare results from 2020 Community Survey to 2021 Survey	Matt Dixon	12/31/2021		100	<p>MattDixon : after declining from 74% to 70% of residents who rate City Parks as either Excellent or Good from 2017 to 2019, resident ratings of Excellent or Good increased to 82% in 2022. From 2020 the rating increased from 72% to 82%. Survey results attached.</p>

On Track	3.3	Ensure adequate staffing and funding to maintain current and new parks.	Shane Douglas	9/15/2021	Doug Gailey, City Council, Budget	33.33	
Overdue	3.3.1	Evaluate the FTE & Seasonal staff for the 2021 season this fall	Shane Douglas	11/30/2021			<p>JonAndersen : Discussion will be held with the Mayor & City Council to possible improve the hiring wage to hopefully get some interest in filling parks vacancy. (11-16-21 meeting)</p> <p>JonAndersen : New wages went into place November 27, 2021. Interviewed two new employees and one will start December 6, 2021</p>
On Track	3.3.2	Budget review to ensure funding is adequate for the new parks and current parks	Jon Andersen	2/15/2022			
On Track	3.3.2.1	Develop a list of trees and planting materials that needs to be replaced	Shane Douglas	4/15/2022	Parks Staff,		
Overdue	3.3.3	Utilize NRPA standards to assist in the evaluation of staff & budget	Shane Douglas	12/15/2021		100	<p>JonAndersen : Shane has a comparison completed, comparing South Ogden City to National Recreation & Parks Association with full time employees, budgets, playgrounds, recreation, and parks space etc.</p>
Attention	3.4	Increase opportunities for resident utilization of sidewalks and trails by identifying gaps and making improvements in areas such as School Safe Routes.	Jon Andersen	6/30/2022		11.11	
On Track	3.4.1	Prepare trails for winter maintenance and use by the public.	Jon Andersen, Shane Douglas	6/30/2022	City Council, FY2022 Budget	33.33	<p>MattDixon : Jon, I'm anticipating the council will be wanting to maintain the trails this winter. We need to talk about expectations and what we need to do IF we are planning on having them open this winter</p>
Completed	3.4.1.1	Conduct walk thru and evaluation of current condition with Granite Construction and get estimates on cost to maintain status quo and cost to improve for winter plowing/maintenance.	Josh Sully, Jon Andersen	8/10/2021	Granite Construction, Wasatch Civil, City Staff	100	<p>MattDixon : Jon provided information that to maintain status quo would cost approx. \$60,000. To upgrade and prepare for winter maintenance would cost approx. \$314,000 unless we removed Burch Creek then it would be \$50,000 less. May not need new equipment, since a 1-ton with a plow may be used on new trails.</p>
Completed	3.4.1.2	Have a discussion with Mayor & City Council to get direction	Jon Andersen	9/7/2021			<p>MattDixon : Council direction was to discuss during the FY2023 budget for prioritization and funding.</p>

On Track	3.4.1.3	Prepare budget estimates & timeline for the 2022 construction season to complete goal	Jon Andersen	5/1/2022	Shane Dougals, Josh Sully		MattDixon : Jon provided information that to maintain status quo would cost approx. \$60,000. To upgrade and prepare for winter maintenance would cost approx. \$314,000 unless we removed Burch Creek then it would be \$50,000 less. May not need new equipment, since a 1-ton with a plow may be used on new trails.
On Track	3.4.2	Improve sidewalk network/connections where there are gaps.	Shane Douglas, Jon Andersen	10/1/2022	City Council, FY2022 Budget		
On Track	3.4.2.1	Complete detailed inventory of areas throughout the city where there are gaps between existing sidewalks	Josh Sully	1/28/2022	Shane Douglas, Jon Andersen, Wasatch Civil Engineering		
On Track	3.4.2.2	Prioritize sections based on safety, pedestrian demand and location	Josh Sully	2/15/2022	Jon Andersen, Shane Douglas, Wasatch Civil Engineering		
On Track	3.4.2.3	Prepare a cost estimate for each section based on dollars per linear foot of sidewalk	Josh Sully	4/15/2022	Jon Andersen, Shane Douglas, Wasatch Civil Engineering		
On Track	3.4.2.4	Present information to City Council for review, discussion and direction	Jon Andersen	5/3/2022	Shane Douglas, Josh Sully, Wasatch Civil Engineering		
On Track	3.4.3	Improve sidewalk networks in Safe Routes for Schools areas.	Josh Sully, Jon Andersen	6/30/2022	City Council, Grants, Budget		JonAndersen : South Ogden City received a grant through UDOOT Safe routes to school for the Crossing located on 850 E. 5600 S. The grant is for approximately \$61,000 to update the school crossing with ADA ramps, new signals and any new sidewalk and striping needed. This s a reimbursement grant and funding is not available until 2023.
On Track	3.4.3.1	Coordinate with Weber School District to identify all Safe routes	Josh Sully	1/28/2022	Shane Douglas		
On Track	3.4.3.2	Evaluate all safe routes for safety and conditions of existing sidewalk	Josh Sully	3/31/2022	Shane Douglas , Jon Andersen		
On Track	3.4.3.3	Evaluate the safe routes for any need for new sidewalks	Josh Sully	2/26/2022	Shane Douglas, Jon Andersen		
On Track	3.4.3.4	Develop a a list of potential projects for budgeting and grant purposes	Josh Sully	6/15/2022	Shane Douglas, Jon Andersen		
Attention	3.5	Complete a plan for the remodel/relocation of the Public Works yard and facilities.	Jon Andersen	6/30/2022		25	
Attention	3.5.1	Meet with School District on land swap plans and at Friendship Park	Jon Andersen	12/31/2021	Matt, City Council	75	JonAndersen : It is not on the current Weber School District bond. It will be out at least five years or longer
Attention	3.5.2	Explore any other options for the relocation of the P.W. shop	Shane Douglas	12/17/2021	Jon Andersen,		
Overdue	3.5.3	Develop a plan to remodel current location	Shane Douglas, Jon Andersen	3/4/2022			
On Track	3.6	Increase resident access to public transit through construction of Ogden BRT Phase II and coordination and planning with UTA	Matt Dixon	6/30/2022	City Council, Mark Vlasic	20	
On Track	3.6.1	Identify steps and planning needed for Ogden BRT Phase II project.	Matt Dixon	6/30/2022	Ogden City partners, UTA		
On Track	3.6.2	Talk with UTA representatives about the steps S. Ogden should be taking now to prepare	Matt Dixon	11/30/2021	Beth Holbrook, UTA		

On Track	3.6.3	Leverage county and city relationships to seek local match funding for Phase II	Matt Dixon	6/30/2022	County Commission, WACOG, Ogden City		
Completed	3.6.4	Review long-range transportation plan with WFRC to see where Phase II fits into their plans	Matt Dixon	10/31/2021	WFRC Reps.	100	<p>MattDixon : WFRC Regional 2023 Transportation Plan reviewed at Oct. 18 workshop. Discussed Phase II BRT with WFRC and neighboring cities as important project that needs to be on the regional plan. Email was sent to CC and PC members asking them to use the WFRC interactive map to add comments, etc. on the Regional Plan. Email from WFRC added as comment below with link to the interactive plan.</p> <p>MattDixon : Dear Elected Officials and Staff in Southern Weber County:</p> <p>Thank you for your attendance and participation at the Wasatch Choice Vision Workshop meeting where we reviewed transportation needs in your area of the County. As mentioned during the meeting, your input is instrumental in determining how your community is represented in the Wasatch Choice Vision and how the 2023 Regional Transportation Plan (RTP) will affect our region's quality of life. If you were not able to attend the meeting you can review comments on the virtual tabletop maps. If you have additional</p>
On Track	3.6.5	Hold meeting with UTA officials to review growth areas in S. Ogden and identify needs for enhanced public transit services	Matt Dixon	11/30/2021	Mayor Porter, Beth Holbrook, UTA		
	3.7	Evaluate and determine interest in providing fiber connectivity for residents and businesses	Matt Dixon				
	3.8	Prepare Phase II of Security Camera Program	Doug Gailey		David, Jason (IT)		
	3.9	Work with Weber Basin Water to improve resiliency of the City's water service	Jon Andersen		Brad Jensen, Jason Brennan, WBWCD		
4.0		ECONOMIC DEVELOPMENT: Foster quality economic development by focusing on new development (i.e. businesses, housing, etc.) opportunities, zoning options, code enforcement, increased leveraging of development resources and effective branding.					

Overdue	4.1	Develop an Economic Development Strategy for South Ogden.	Matt Dixon	12/31/2021	CDRA Board, Consultants	80	<p>MattDixon : Talked with Benj Becker (Zions Bank and CDRA Consultant) about this project. We talked about finding out what the city's focus should be, based on who we are and what we have to offer by way of business/industry opportunities. We also discussed having a section on the value and impacts of multi-family housing has in the city's economic development efforts. Benj will be providing me a draft scope of work and budget to review.</p> <p>MattDixon : Susie mentioned she hopes to have something to me within the next few weeks to wrap this project up.</p>
Completed	4.1.1	Find out what grant funding is available through edcUtah to help pay for this work.	Matt Dixon	7/1/2021		100	<p>MattDixon : Called and left message at edcUtah to learn about available planning grant funds to help pay for creation of a Strategic Plan. Hoping that City can find funding to help pay for the \$7,500 plan quoted by Benj (see 4.2.1.3)</p> <p>MattDixon : Talked with Alan with edcUtah and scheduled a call on 06.22.21 to learn more about the match grant program. Alan mentioned they have money and are easy to work with, simply need to present the project objectives, etc. and they'll support or efforts.</p> <p>MattDixon : Had a meeting with edcUtah. They have money from golf fundraiser. Application will open in the next couple of weeks. Can apply for Professional Dev. grant (\$1,000 match), Special Projects grant (50% up to \$5,000). Online application that stays open for two weeks. Close, prioritize and decide which makes the most sense. Grants are awarded and payment is in reimbursement, after the fact.</p>

Completed	4.1.2	Apply for edcUtah grant funding.	Matt Dixon	7/31/2021	edcUtah	100	<p>MattDixon : Applications for edcUtah's match program opened on 7/6. Application for S. Ogden was submitted electronically today for \$5,000 match. Grants will be awarded Sept. 1, 2021.</p> <p>MattDixon : City received notice that we were awarded the match grant from edcUtah for \$7,500 (email below). Matt Dixon,</p> <p>Thank you for applying for EDCUtah's Special Project Community Match Grant. We are pleased to inform you that your grant has been approved for the amount that you applied for. We will be sending you a formal letter with the grant award information. We would also like to contact you in the coming weeks to further discuss your grant and your project implementation and deadlines. Congratulations on being one of our grant recipients and thank you for your continued partnership with EDCUtah. We look forward to see your special project make a difference in your community.</p>
Completed	4.1.3	Solicit competitive bids from qualified firms to help develop the plan	Matt Dixon	8/30/2021	Zions Bank, LYRB	100	<p>MattDixon : Talked with Benj Becker with Zions Bank. Benj is most familiar with the City's economic development efforts and has consulted the City for several years in creating the City Center CRA plan and budget, vetting development and proforma from developers, etc. Benj submitted a proposal to help the City develop an Economic Development Strategy (attached to this project). The proposal cost is a not to exceed amount of \$7,500.</p>

Overdue	4.1.4	Work with consultants from Zions Bank on Draft Strategy	Matt Dixon	10/31/2021	City Council	100	<p>MattDixon : Benj held an introductory work session to orient the Board on elements of the plan. He is scheduled to return on Sept. 7 to present some preliminary information and get feedback from the Board.</p> <p>MattDixon : Talked with Susie Becker about the scope and approach. She will compile some information and get back with me. She also emailed me a form for the Tax Commission so we can get Zions access to the data for the Plan (attached signed form).</p> <p>MattDixon : Emailed Susie for an update and to see if she wants to put this on the Nov. 16 agenda for review with the CDRA Board.</p> <p>MattDixon : Susie Becker presented data from their analysis and invited city officials to review the data and determine the types of "strategies" they believe should be created, based on the data, that the city should use in our economic development efforts. A copy of the PowerPoint slides (data) has been added to this task.</p> <p>MattDixon : Met with Susie and reviewed</p>
Overdue	4.1.5	CDRA Board and City Council approve the Strategy as policy	Matt Dixon	11/15/2021	CDRA Board, City Council		
On Track	4.2	Increase availability of affordable housing in South Ogden.	Matt Dixon	6/30/2025	City Council	20	<p>MattDixon : Weber County Housing Affordability and Access Plan Initiative held a kick off meeting. Attached are the notes and the slides from the meeting. Melissa Freigang (Exe. Dir. of Weber Prosperity Center of Excellence) provided the information.</p>

On Track	4.2.1	Form a relationship(s) with developers of affordable housing projects and explore options and interest in partnering on a project in S. Ogden.	Matt Dixon	11/30/2021	City Council, CDRA Board	<p>MattDixon : Meeting set up for 5/4/2020 with Preserve Partners (Max Rosendin and Paula Hartig) who owns and manages Villa South to discuss Affordable Housing Projects in S. Ogden</p> <p>MattDixon : Preserve Partners (Max and Paula) agreed to come take time during an upcoming work session to help educate us on what they do and examples of Affordable Housing projects they've done with other cities. I will email Max (650.302.4565), max.rosendin@preservepartners.com and Paula to get something set up within the next few months.</p> <p>MattDixon : Email to Max: Max,</p> <p>I hope this email finds you in good health and doing well. Several months ago, we talked about having you (and possibly Paula) come and provide some education to city leaders related to affordable housing and how the city might be able to be more involved in helping see the development of some additional, truly "affordable" housing units in the city. We also talked about you sharing some</p>
Attention	4.2.1.1	Schedule work session with Preserve Partners (Max and Paula) for education and learning on possible projects.	Matt Dixon	10/31/2021		<p>MattDixon : Emailed Max to see if he can come meet with us in the next few months.</p>
Attention	4.2.1.2	Schedule work session with Peter Lee to learn more about mortgage financing through Zions	Matt Dixon	10/31/2021		
Attention	4.2.1.3	Review information provide by Peter Lee, Mortgage Loans, Zions Bank (801.500.4989), peter.lee@zionsbancorp.com and consider scheduling work session with him and the CDRA Board	Matt Dixon	9/30/2021		<p>MattDixon : there are two other files in Onenote folder for WACOG Affordable Housing file notes related to Pasadena's program.</p>

Completed	4.2.2	Gather information about what kinds of programs are permissible with the Olene Walker funds.	Matt Dixon	10/31/2021		100	<p>MattDixon : Councilmember Howard has helped arrange to have a representative from the Salt Lake Chamber come provide some education on what is considered "affordable" housing, in what ways the city may decide to be more actively involved and other resources available to help the city with this initiative. The person's name is Kaitlyn Pieper (801)205.5965, kpieper@slchamber.com.</p> <p>MattDixon : 02/11/2021 - Met with Jeremy Botelho from Cottages of Hope. We are working to determine if we could establish a partnership with them to screen potential loan applicants.</p> <p>MattDixon : 11/05/20 - Adam Long set out the provisions by which the money can be used. The information was presented to the Council. Staff will put together a policy and bring it back to the Council.</p> <p>MattDixon : Attended Weber County Affordable Housing Committee meeting. Discussed meeting feedback from previous meeting with Senator Andregg and Rep. Waldrup regarding affordable housing initiatives and legislation. Karson with ULCT was present and shared a resource</p>
Attention	4.2.3	Prepare report of possible policies/programs that will aid the City in preserving existing affordable housing in the City.	Matt Dixon	12/31/2021	City Council/CDRA Board		<p>MattDixon : Found some great information related to Inclusionary Zoning https://inclusionaryhousing.org/designing-a-policy/program-structure/. Created a PDF of the information and attached as well.</p>
On Track	4.2.4	Meet with the council to discuss options and get direction on South Ogden's program.	Matt Dixon	3/31/2022	CDRA Board		
On Track	4.2.5	Complete Affordable Housing Project	Matt Dixon	6/30/2024	CDRA Board		
Attention	4.3	Complete a public project(s) within the City Center CRA that will increase the likelihood of drawing redevelopment attention from investors.	Matt Dixon	9/30/2022			
	4.3.1	Generate a list of possible improvement projects within the project area that the Agency may want to consider	Matt Dixon	9/30/2021	Mark Vlasic, Agency Board		
	4.3.1.1	Schedule meeting with key staff to review possible projects within the City Center CRA that would help increase likelihood of attracting new development (i.e. raised medians, street lights, banners, etc.)	Matt Dixon	9/30/2021	Leesa Kapetnov		
	4.3.1.2	Review estimated increment available for debt service within the Project area	Steve Liebersbach	9/30/2021	Matt Dixon		

On Track	4.3.2	Work with UDOT Region 1 Planner, Chris Chesnut to discuss mid-block crossings along Washington Blvd.	Matt Dixon	6/30/2022	Mark Vlasic		<p>MattDixon : UDOT has informed the city that they are moving forward with a design to install a ped-activated crossing at 37th and Washington. They are in the design phase. Staff needs to meet with UDOT to learn more about this project and possible enhancements the city could make to the project.</p> <p>MattDixon : UDOT requested that the city call in a work order from RMP so they can work with RMP on the design. Staff wants meeting to review before we move forward. Matt to call Region I for meeting. Talk with Todd Findlinson (Traffic Eng.) or Chris Chesnut (planner). 801.620.1600 left message with Chris.</p> <p>MattDixon : Left message with Chris Chesnut to set up a meeting to review their plans.</p> <p>MattDixon : Talked with Chris. He was unaware of this project and will talk with Region I reps and get back with me. Chris' number is: 385.301.4045</p> <p>MattDixon : Matt, I'm following up on our conversation about the overhead flashing beacon system at US-89 & 37th Street. Have you</p>
On Track	4.3.3	Identify parcels that, if assembled and prepared, would expedite the City's redevelopment within the City Center CRA.	Matt Dixon	6/30/2022			
	4.3.4	Develop project cost proposals for top 3 project ideas	Matt Dixon	4/30/2022	Steve Liebersbach		
Attention	4.3.5	Work with financial advisor and explore project financing	Matt Dixon	9/30/2022	CDRA Board, Financial Advisor		
On Track	4.4	Complete project with private investment that will drive interest and new investment in the City Center CRA	Matt Dixon	6/30/2023			
	4.4.1	Work with Bennenson Capital on redevelopment of Big Lots/Savers property	Matt Dixon	6/30/2022	Leonard Kreppel, Mark Vlasic, Adam Long		
	4.4.1.1	Work with Cypress Equity Investments (CEI) on possible redevelopment, mixed-use project	Matt Dixon	12/31/2021	Christian Machuca (CEI)		<p>MattDixon : Working with Christian Machuca 818.387.5216 with CEI as an underwriter. Call with his team on 9/14/21 at 2:00 p.m. Asked about zoning and first floor uses along Washington Blvd. Talked about live/work space and residential use, etc. Talked about keeping Big Lots on site in smaller space.</p>
On Track	4.5	Strengthen the City's brand.	Jamie Healy		City Council	4.68	
On Track	4.5.1	Construct Welcome to South Ogden signs at key locations in the City.	Matt Dixon	6/30/2025	Jon Andersen, Brad Jensen (Engineer), CDRA Board/Budget		
On Track	4.5.1.1	Review sign designs and gather cost estimates	Matt Dixon	12/31/2021	Mark Vlasic		
Attention	4.5.1.2	Identify desired locations for Welcome signs	Matt Dixon	12/31/2021	Jon Andersen		
On Track	4.5.1.3	Develop a project timeline that aligns with council desires and budget resources	Matt Dixon	12/31/2021	Steve Liebersbach		

On Track	4.5.1.4	Construct signs at designated locations - according to plans	Matt Dixon	6/30/2025	Jon Andersen		
	4.5.2	Improve way-finding signage throughout the City (parks, city hall, public works, etc.).	Jamie Healy	1/1/2023	Jon Andersen, City Council		
	4.5.2.1	Prepare project report identifying sign locations, types, design and cost estimates		3/30/2022	Mark Vlasic, Jon Andersen		
	4.5.2.2	Present report to City Council for review, discussion and direction		6/30/2022			
	4.5.3	Review and take steps to ensure the City has Brand Consistency	Jamie Healy	6/30/2022	Department Directors, City Council	18.75	
	4.5.3.1	Email Brand Consistency -Design -Approval -Implement	Jamie Healy	3/1/2022		50	JamieHealy : Came up with a new signature line to match our style guide for each department. Next step is to work with department heads on the change over.
	4.5.3.2	Letterhead		3/1/2022		25	
	4.5.3.3	Vehicles		8/1/2022			
	4.5.3.4	Business Cards		3/1/2022			
	4.5.4	Create external/internal brand consistency	Jamie Healy				JamieHealy : Came up with a new signature line to match our style guide for each department. Working on letterhead usage for each department next.
	4.5.4.1	Website update	Jamie Healy				
	4.5.4.2	Social media content protocol	Jamie Healy				
	4.5.4.3	Press release, letterhead, email consistency	Jamie Healy				
	4.5.4.4		Jamie Healy				
Attention	4.6	Strengthen the City's relationship with our business community.	Jamie Healy	6/30/2023	Mayor and City Council,		
	4.6.1	Create social media posts to highlight businesses.	Jamie Healy	7/1/2023	Mayor Porter & City Council		MattDixon : 11/5/20 - Following is up to 2,864 We are currently do 2-4 business visits and giveaways each month. MattDixon : 4/16/20 Started Social Media Giveaway with that has increased our reach with Facebook to 25.5k with GC from Tony's pizza we are giving to a random fan. 4/13/20-fb followers were at 1320. 4/17/20 total moved up to 1719 followers.
	4.6.1.1	Determine which businesses to highlight.	Jamie Healy		Mayor Porter & City Council		MattDixon : 11/5/20 - Mayor Porter and I visit 2-4 businesses a month for highlights. We've expanded to businesses such as hot tubs, special needs schools, etc. MattDixon : 05/26/20 - As businesses have opened back up, we have been able to visit businesses other than restaurants to create highlight videos for social media.
	4.6.1.2	Contact and set up meeting with business to film and create highlight video.	Jamie Healy		Mayor Porter & City Council		

Attention	4.6.2	Re-evaluate and make changes to SOBA.	Jamie Healy	3/1/2022	City Council		MattDixon : 11/05/20 - Covid has slowed progress on SOBA. I will create a facebook page to use a meeting place for businesses to communicate.
5.0		COMMUNITY ENGAGEMENT: Create opportunities for residents and businesses throughout the City to work and serve together while being connected to and valued by the City.					
On Track	5.1	Increase utilization of City facilities (i.e. amphitheater, parks, etc.).	Jamie Healy	4/1/2022	City Council, Grants,	50	MattDixon : 11/05/20 - Received grant money from both Walmart and RAMP for amphitheater MattDixon : 04/17/20 - Filed EZ Grant on 4/10/20 for EZ Grant for Amphitheater Movie Screen and projector. 4/17/20 Working on Walmart Grant for amphitheater also.
	5.1.1	Gather data on utilization of parks and facilities the City may already have	Jamie Healy	4/1/2022	Jon Anderson		
	5.1.1.1	Move park reservations online for easier access to the public.	Jamie Healy	4/1/2022			
	5.1.1.2	Create events based on type facilities. Pickleball tournaments, concerts in the amphitheater, movies in park, etc.	Jamie Healy	4/1/2022			
	5.1.2	Held 4 movie in the park events in 2021.	Jamie Healy	9/1/2021		100	
On Track	5.2	Increase community engagement through service opportunities	Jamie Healy	6/30/2022	Jon Andersen	50	MattDixon : 10/16/19 - Council discussed this goal on 10/15 and decided to do it in the spring, possibly in conjunction with the National Day of Service. Mayor Porter volunteered to lead out on this goal.
	5.2.1	Complete one neighborhood-specific Day of Service with minimum of 100 volunteer/residents.	Jon Andersen	5/15/2022	City Council, Jamie Healy		
	5.2.1.1	Identify the neighbor for day of service		12/15/2021			JonAndersen : Who going to pick the area for this project? How is it determined what neighborhood?
	5.2.1.2	Identify the number off staff to assist with the project and the 100 volunteers					
	5.2.1.3	Identify any materials that are needed for the projects, any costs or any necessary equipment, etc.					
	5.2.1.4	Promote/Advertise to get the 100 volunteers to assist with the neighborhood project	Jamie Healy				

	5.2.2	Complete one city-wide Day of Service event (i.e. public parks, trails, etc.) with a minimum of 100 volunteers/residents.	Jason Brennan	6/30/2022	Jamie Healy, City Council	100	<p>JonAndersen : Mayor Porter is coordinating with his local church group to get volunteers and assist with this project, The date is set for September 11, 2021 at 9:30am. All volunteers will meet at 40th st park for one project area and carpool to Country Club Drive area for the other project.</p> <p>JamieHealy : Promoted Day of Service for 9/11 40th Street Park on social media and on Just Serve.</p>
Completed	5.2.2.1	Identify Projects for City-wide service day event	Jason Brennan	8/2/2021	Jon Andersen, Shane Douglas	100	<p>JasonBrennan : Sat down with Shane Douglas and went through projects that we could do. Picked out 3 projects to have completed on the service day.</p>
Completed	5.2.2.2	identify number of staff needed for project.	Jason Brennan	8/18/2021	Shane Douglas	100	<p>JasonBrennan : recruited staff and come up with a plan for what duties each personal will accomplish on the service event</p>
Completed	5.2.2.3	Purchased materials for service event.	Jason Brennan	8/23/2021		100	<p>JasonBrennan : Have purchased paint supplies and will need to get bark next week for the project.</p> <p>JasonBrennan : Purchased bark for service project</p> <p>JasonBrennan : Purchased additional items for service project</p> <p>JonAndersen : The project completed was along 39th St North side close to Orchard. Debris was removed and landscape bark was installed on 9-11-21. We had approximately 25 - 40 volunteers show to assist with the project. Two other projects were ready but did not have enough volunteers.</p>
On Track	5.3	Improve communications with residents & businesses.	Jamie Healy			10.41	<p>MattDixon : 11/05/20 - Discussed ideas with Doug after 2020 Wind Event about coming up with a communication tree for the community.</p> <p>Church lists School lists Other forms of communication besides social media</p> <p>MattDixon : 04/17/20 - Discussed Facebook plan with Matt and Doug the week of 4/13/20. Started Facebook campaign to highlight #shopsouthogden businesses on 4/16.</p>

	5.3.1	Find a diverse social media platform that can communicate with all types of residents from various backgrounds.	Jamie Healy	3/31/2022		41.66	JamieHealy : We are currently utilizing Facebook, Instagram, YouTube, Nextdoor and our website to reach our residents. Our best platform overall is Facebook and has the furthest reach of all media.
	5.3.1.1	Set up emergency communication tree with local religious organizations	Jamie Healy	2/25/2022			
	5.3.1.2	Find a text message subscription service to help notify residents during emergencies.	Jamie Healy	2/25/2022		25	JamieHealy : We are currently utilizing the Nextdoor platform for the messaging service as of now. Nextdoor can send messages via the app or text for free in an emergency to specific areas.
	5.3.1.3	Set up neighborhood specific social media via next-door that is able to reach areas in case of an emergency.	Jamie Healy	10/31/2021		100	
	5.3.2	Increase social media following to 10,000 and increase overall engagement by 25 percent.	Jamie Healy	6/30/2023			MattDixon : 11/05/20 - Today's update is 2,864 MattDixon : 05/26/20 - As of today we are at 1,999 likes and 2,175 followers. MattDixon : 04/16/20 - 4/16/20 Started Social Media Giveaway with that has increased our reach with Facebook to 25.5k with GC from Tony's pizza we are giving to a random fan. 4/13/20-fb followers were at 1320. 4/17/20 total moved up to 1719 followers. JamieHealy : 1/18/22- 3.6k Followers and engagement is up 200%
	5.3.2.1	Department content creation plan. Work with each department to help educate residents on city events and other engaging content.	Jamie Healy	12/1/2021			
	5.3.2.2	30 day social media plans in place. 3-5 posts per week to up engagement.	Jamie Healy	12/1/2021			
	5.3.3	Complete 2 Town Hall meetings at off-site locations throughout the City.	Leesa Kapetanov	6/30/2022	City Council		LeesaKapetanov : We were only doing 2 per year before. Is this something the council wants to continue based on the number of people who attend?
	5.3.3.1	Town Hall at Burch Creek Park or Elementary School	Leesa Kapetanov	9/30/2021	City Council		
	5.3.3.2	Town Hall at South Jr. High	Leesa Kapetanov	3/31/2022	City Council		
	5.3.4	Improve Emergency Communications					
On Track	5.4	Strengthen inclusion through improved communication and engagement with diverse groups.	Doug Gailey	6/30/2022	City Council, Minority groups, Churches	33.33	
Completed	5.4.1	Offer a printed community survey to gather input from those who are unable to access a computer.	Doug Gailey			100	DougGailey : Information put in the newsletter as well as in the mayors message that printed surveys are available for pickup or to be mailed.
	5.4.2	City leaders meet with diverse group representatives and learn more about ways the City can better communicate with them and be more helpful to them	Doug Gailey	6/30/2022	Mayor Porter, City Council		

	5.4.3	Council review and discuss feedback from the meetings and provide direction on communication/engagement improvements	Doug Gailey	6/30/2022	City Council		
On Track	5.5	Strengthen engagement and sense of Community through Special Events.	Jamie Healy	6/1/2022			
	5.5.1	Evaluate special events to match the desires of the council and needs of the citizens.	Jamie Healy	3/1/2022	City Council		
6.0		COMMUNITY BEAUTIFICATION:					
Attention	6.1	Improve visual appeal of the City by creating a tracking/maintenance system for all City-owned properties and right-of-ways	Shane Douglas, Josh Sully	1/31/2022		66	
Overdue	6.1.1	Identify all City owned properties & right-of-ways	Josh Sully	10/15/2021	Shane Douglas, Jon Andersen	100	
Overdue	6.1.2	Identify types of maintenance needed at the different locations	Josh Sully	11/30/2021	Shane Douglas, Jon Andersen	98	
Attention	6.1.3	Develop a tracking schedule for regular maintenance of the different properties	Shane Douglas	2/18/2022	Jon Andersen		



NOTICE AND AGENDA SOUTH OGDEN CITY COUNCIL MEETING

TUESDAY, FEBRUARY 1, 2022

WORK SESSION – 5 PM

REGULAR COUNCIL MEETING - 6 PM

Notice is hereby given that the South Ogden City Council will hold their regularly scheduled council meeting at 6 pm Tuesday, February 1, 2022. The meeting will be located at City Hall, 3950 Adams Ave., South Ogden, Utah, 84403, in the city council chambers. The meeting is open to the public; however, the city will abide by all COVID-19 restrictions in place at the time of the meeting, including social distancing, wearing of masks, and number of people allowed to gather in one place. Some members of the council may be attending the meeting electronically. The meeting will also be streamed live over www.facebook.com/southogdencity.

CITY COUNCIL MEETING AGENDA

I. OPENING CEREMONY

- A. **Call to Order** – Mayor Russell Porter
- B. **Prayer/Moment of Silence** -
- C. **Pledge of Allegiance** – Council Member Sallee Orr

- II. **PUBLIC COMMENTS** – This is an opportunity to address the mayor and council with any concerns, suggestions, or praise. No action can or will be taken at this meeting on comments made.
Please limit your comments to three minutes.

III. RESPONSE TO PUBLIC COMMENT

IV. CONSENT AGENDA

- A. Approval of January 18, 2022 Council Minutes

V. DISCUSSION ITEMS

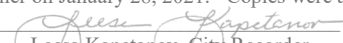
- A.** Discussion on Planning Commission Recommendation to Amend SOC 10-5.1A-5-6 and 10-5.1B-5-6 to Define Setbacks for Interior Row Buildings of Multiple Building Developments
- B.** Discussion on Planning Commission Recommendation to Amend SOC 10-2-1 and 10-19-2, Changing the Number of Children Allowed in a Home Daycare from Five to Eight
- C.** FY2023 Strategic Plan (continued from work session)

VI. REPORTS/DIRECTION TO CITY MANAGER

- A.** City Council Members
- B.** City Manager
- C.** Mayor

VII. ADJOURN

The undersigned, duly appointed City Recorder, does hereby certify that a copy of the above notice and agenda was posted to the State of Utah Public Notice Website, on the City's website (southogdencity.gov) and emailed to the Standard Examiner on January 28, 2021. Copies were also delivered to each member of the governing body.


Leesa Kapetanov, City Recorder

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



MINUTES OF THE SOUTH OGDEN CITY COUNCIL WORK SESSION AND CITY COUNCIL MEETING

TUESDAY, JANUARY 18, 2022

WORK SESSION – 5 PM IN COUNCIL ROOM

COUNCIL MEETING – 6 PM IN COUNCIL ROOM

WORK SESSION MINUTES

COUNCIL MEMBERS PRESENT

Mayor Russell Porter, Council Members Sallee Orr, Brent Strate, Susan Stewart, and Jeanette Smyth

COUNCIL MEMBERS EXCUSED

Mike Howard

STAFF MEMBERS PRESENT

City Manager Matthew Dixon, Assistant City Manager Doug Gailey, Parks and Public Works Director Jon Andersen, Police Chief Darin Parke, Fire Chief Cameron West, Communications and Events Specialist Jamie Healy, and Recorder Leesa Kapetanov

Note: Fire Chief West joined the meeting via the Microsoft Teams App

MEMBERS OF THE PUBLIC PRESENT

No one else attended this meeting in person

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

https://www.southogdencity.com/document_center/Sound%20Files/2022/CC220118_1706.mp3

or by requesting a copy from the office of the South Ogden City Recorder.

I. CALL TO ORDER

- Mayor Porter called the work session to order at 5:08 pm and entertained a motion to open the meeting 00:00:00

Council Member Smyth so moved, followed by a second from Council Member Stewart. Council Members Orr, Strate, Stewart, and Smyth all voted aye.

- The mayor excused Council Member Howard who was out of town 00:00:20

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38 **II. REVIEW OF AGENDA**

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- Council Member Stewart asked questions about the survey

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00:00:25

41

- Council Member Orr had questions about the CDBG public hearing

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00:04:08

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46 **III. DISCUSSION ITEMS**

47

A. Strategic Plan Review

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00:18:32

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52 **IV. ADJOURN**

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- Mayor Porter called for a motion to adjourn the work session

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00:51:41

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Council Member Orr so moved, followed by a second from Council Member Strate. All present voted aye.

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The work session ended at 5:59 pm.

COUNCIL MEETING MINUTES

COUNCIL MEMBERS PRESENT

Mayor Russell L. Porter, Council Members Sallee Orr, Brent Strate, Susan Stewart, and Jeanette Smyth

COUNCIL MEMBERS EXCUSED

Mike Howard

STAFF MEMBERS PRESENT

City Manager Matthew Dixon, Assistant City Manager Doug Gailey, Parks and Public Works Director Jon Andersen, Police Chief Darin Parke, Fire Chief Cameron West, Communications and Events Specialist Jamie Healy, and Recorder Leesa Kapetanov
Note: Fire Chief West attended the meeting via the Microsoft Teams App

MEMBERS OF THE PUBLIC PRESENT

Kent Gardner, Wesley Stewart, Patricia Alatrasta, Rod Layton

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

https://www.southogdencity.com/document_center/Sound%20Files/2022/CC220118_1803.mp3

or by requesting a copy from the office of the South Ogden City Recorder.

I. OPENING CEREMONY

A. Call To Order

- At 6:02 pm, Mayor Porter called the meeting to order and entertained a motion to begin

00:00:00

Council Member Smyth so moved. The motion was seconded by Council Member Strate. In a voice vote, Council Members Orr, Strate, Stewart, and Smyth all voted aye.

B. Prayer/Moment of Silence

The mayor led those present in a moment of silence.

C. Pledge Of Allegiance

- Council Member Smyth led everyone in the Pledge of Allegiance.

103 **II. PUBLIC COMMENTS**

- 104 • Kent Gardner 00:01:11
- 105 • Wes Stewart 00:04:00
- 106
- 107
- 108

109 **III. RESPONSE TO PUBLIC COMMENT**

110 00:08:00

111

112

113 **V. PRESENTATION**

114 Children's Justice Center

- 115 • Patricia Alatrasta and Rod Layton asked the council for monetary support for a new building.
- 116 They gave a handout to the Council; see Attachment A.
- 117 00:08:28
- 118 • Mayor Porter checked to see if there had been any online public comments
- 119 00:38:56
- 120
- 121
- 122

123 **VI. CONSENT AGENDA**

124 **A. Approval of January 4, 2022 Council Minutes**

- 125 • The mayor read the consent agenda and asked if there were any comments; seeing none,
- 126 he called for a motion to approve the consent agenda.
- 127 00:39:10
- 128

129 **Council Member Smyth so moved. Council Member Strate seconded the motion.**

130 **Council Members Orr, Strate, Stewart, and Smyth all voted aye.**

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134 **VII. PUBLIC HEARING**

135 To Receive and Consider Comments on Possible Community Development Block Grant Projects

- 136 • Mayor Porter called for a motion to enter the public hearing
- 137 00:39:23
- 138

138 **Council Member Orr so moved, followed by a second from Council Member Smyth. The vote**

139 **was unanimous in favor of the motion.**

140

- 141 • The mayor gave an overview of what the public hearing was for and explained how those
- 142 online could comment. At this point in the meeting, there was no one beside Council and staff
- 143 in the council room, so the mayor called for a motion to close the public hearing, but leave it
- 144 open until 6:55 pm for anyone online who wished to comment.
- 145 00:40:16

Council Member Strate so moved. Council Member Smyth seconded the motion. The vote to close the public hearing was unanimous.

III. DISCUSSION/ACTION ITEMS

Discussion on Adding Lead Accountant Position

- Staff overview 00:40:31
- Discussion 00:44:39
- Motion 01:00:43

Council Member Strate moved to open a full-time position in the finance department and fund it. The motion was seconded by Council Member Smyth. Mayor Porter called the vote:

Council Member Orr-	Yes
Council Member Strate-	Yes
Council Member Stewart-	Yes
Council Member Smyth-	Yes

The motion stood.

- The mayor reported an online comment had been received, but it did not pertain to the public hearing, so staff would respond to the comment.

01:01:18

III. ANNUAL DEPARTMENT REPORTS

A. Public Works- Director Jon Andersen

01:04:03

- Mr. Andersen used a visual presentation. See Attachment B.

B. Assistant City Manager Doug Gailey- Courts, HR, Special Events

01:52:02

- Mr. Gailey's presentation can be seen in Attachment C

C. Fire Chief Cameron West

- Chief Parke was not able to be present, so his report was scheduled for a different time

190

191 **IX. REPORTS/DIRECTION TO CITY MANAGER**

192

A. City Council Members

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- Council Member Strate - 02:02:05

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- Council Member Orr - 02:03:12

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- Council Member Stewart - 02:05:05

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- Council Member Smyth - 02:08:20

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B. City Manager 02:09:11

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C. Mayor Porter 02:19:16

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203 **X. ADJOURN**

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- At 8:26 pm, the mayor called for a motion to adjourn city council meeting
02:19:47

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**Council Member Smyth so moved. The motion was seconded by Council Member Orr.
Council Members Orr, Strate, Stewart, and Smyth all voted aye.**

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I hereby certify that the foregoing is a true, accurate and complete record of the South Ogden City Pre-Council
Work Session and Council Meeting held Tuesday, January 18, 2022.

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227


Kapetanov, City Recorder

228

Date Approved by the City Council

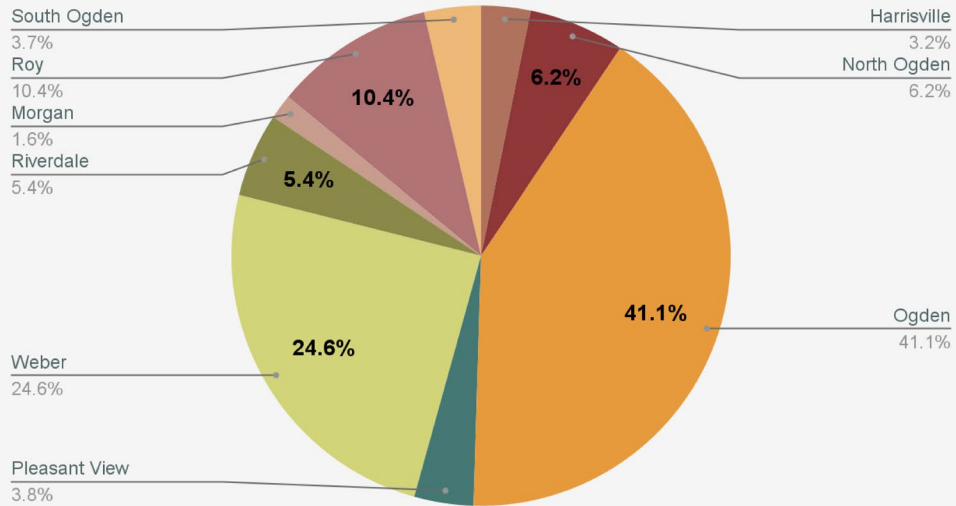
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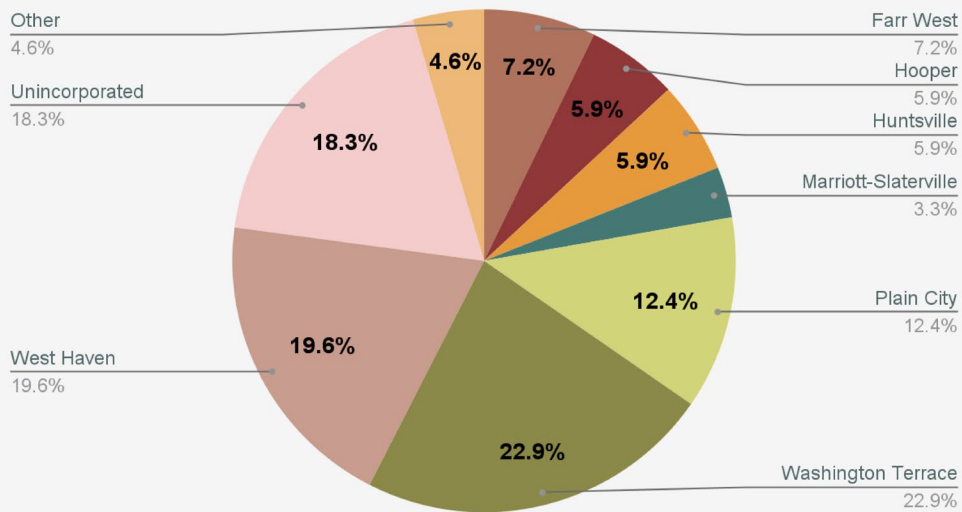
ATTACHMENT A

Handout from Children's Justice Center

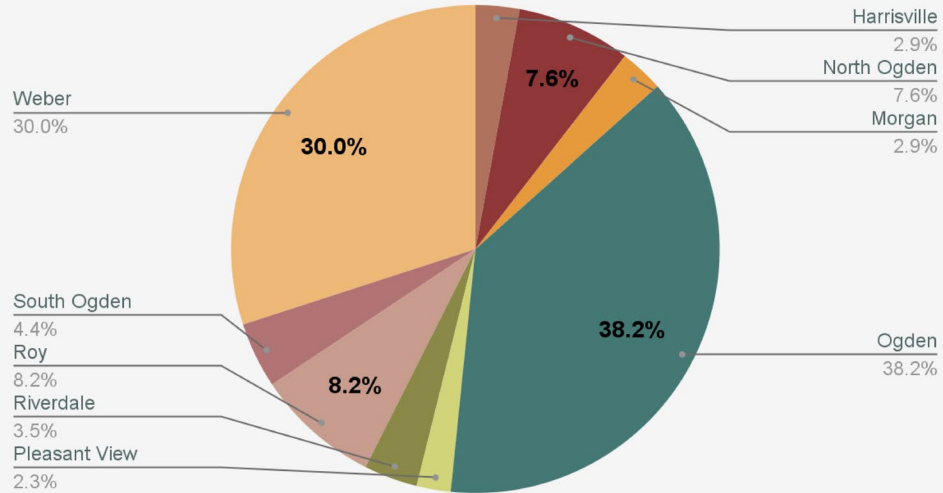
2019 Cases



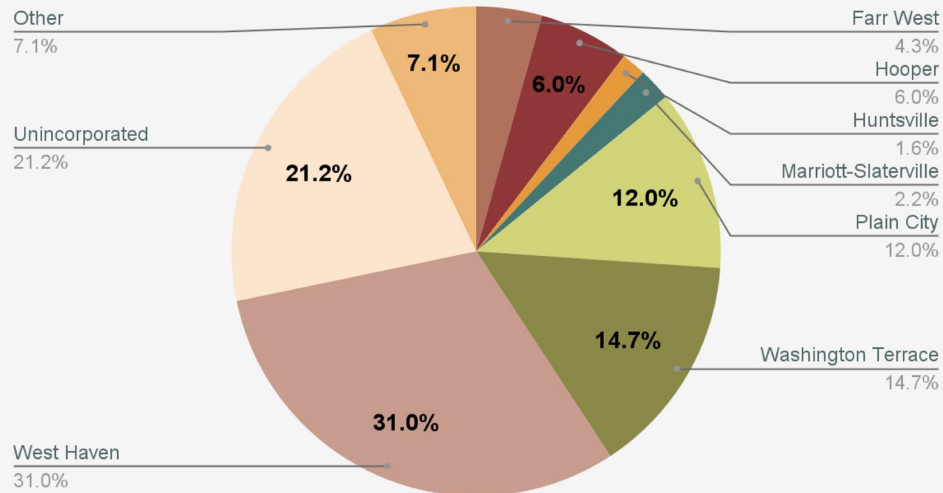
2019 Weber County Cities



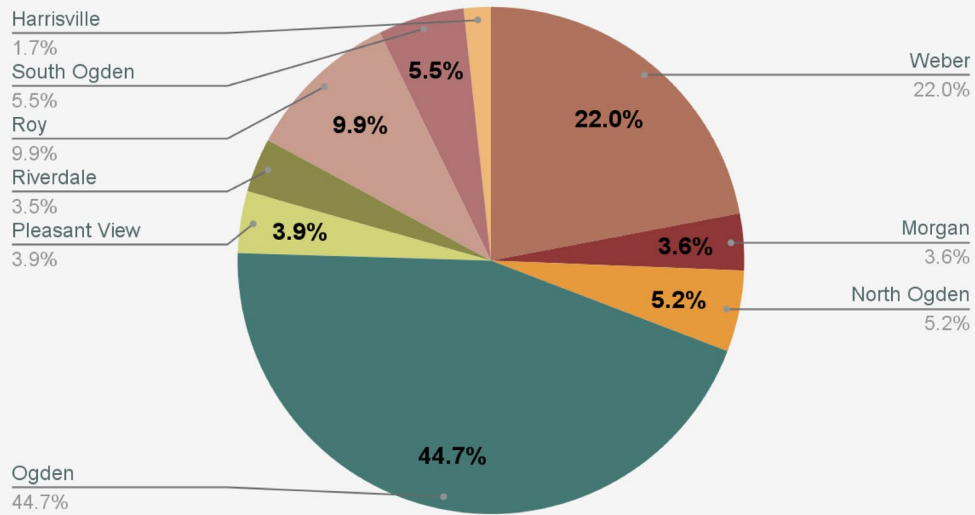
2020 Cases



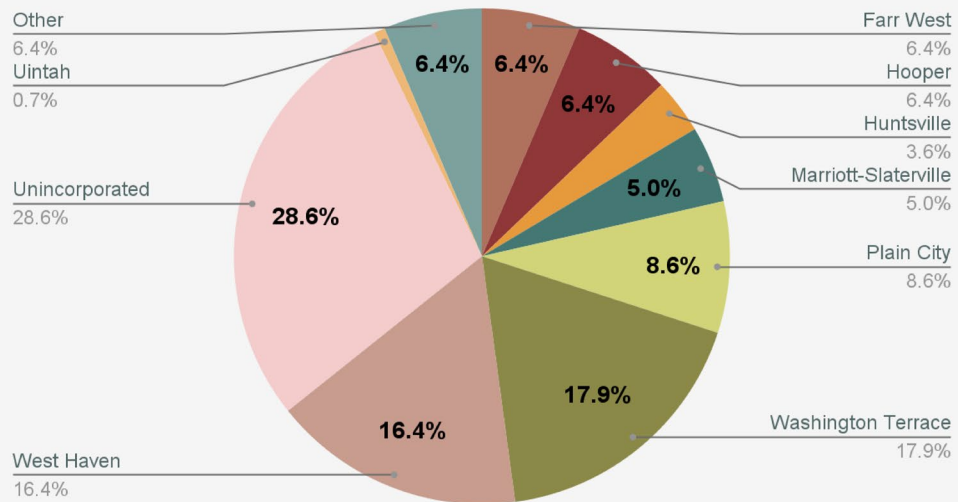
2020 Weber County Cities

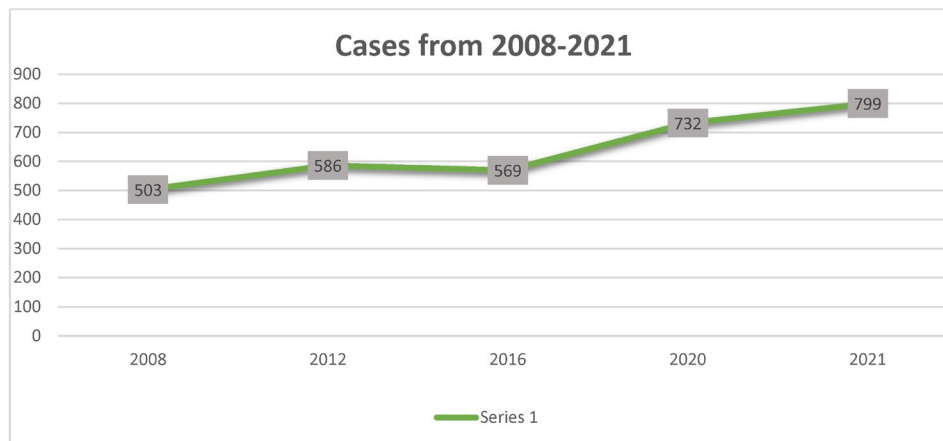
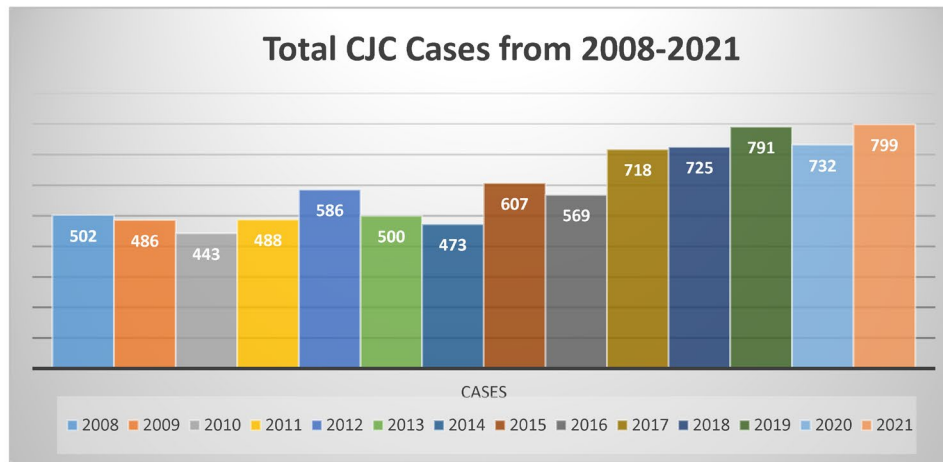


2021 Cases (as of 12/14/2021)



2021 Weber County Cases (as of 12/14/2021)





Disclaimer: During 2019, COVID-19 Pandemic decreased our case load. However, we anticipate that our case load will increase during 2022 and subsequent years as a result of COVID.

The Data shown includes Interviews and Medicals conducted at the Weber Morgan CJC

In addition, starting in 2018 we added mental health assessments which significantly increased the workload of our advocates.

Jurisdiction	2021	2020	2019	3 Year Total	3 Year Average	Percent of 3 Year Total	Percentage of 1.5 Million	Percentage of 2.5 Million
Morgan	23	18	10	51	17.0000	2.7142%	\$40,713.15	\$67,855.24
North Ogden	33	47	39	119	39.6667	6.3332%	\$94,997.34	\$158,328.90
Ogden	284	237	257	778	259.3333	41.4050%	\$621,075.04	\$1,035,125.07
Pleasant View	25	14	24	63	21.0000	3.3528%	\$50,292.71	\$83,821.18
Riverdale	22	22	34	78	26.0000	4.1511%	\$62,267.16	\$103,778.61
Roy	63	51	65	179	59.6667	9.5263%	\$142,895.16	\$238,158.59
South Ogden	35	27	23	85	28.3333	4.5237%	\$67,855.24	\$113,092.07
Harrisville	11	18	20	49	16.3333	2.6078%	\$39,116.55	\$65,194.25
Farr West	9	8	11	28	9.3333	1.4902%	\$22,352.32	\$37,253.86
Hooper	9	11	9	29	9.6667	1.5434%	\$23,150.61	\$38,584.35
Huntsville	5	3	9	17	5.6667	0.5000%	\$7,500.00	\$12,500.00
Marriott-Slaterville	7	4	5	16	5.3333	0.5000%	\$7,500.00	\$12,500.00
Plain City	12	22	19	53	17.6667	2.8206%	\$42,309.74	\$70,516.23
Washington Terrace	25	27	35	87	29.0000	4.6301%	\$69,451.84	\$115,753.06
West Haven	23	57	30	110	36.6667	5.8542%	\$87,812.67	\$146,354.44
WC - Unincorporated Weber County	40	39	28	107	35.6667	5.6945%	\$85,417.78	\$142,362.96
Uintah	1	0	0	1	0.3333	0.5000%	\$7,500.00	\$12,500.00
WC Other - reassigned new jurisdiction	9	13	7	29	9.6667	1.5434%	\$23,150.61	\$38,584.35
	636	618	625	1879	626.3333	100.0000%	#####	\$2,492,263.17
				0	0.0000	0.0000%	\$0.00	\$0.00
				0	0.0000	0.0000%	\$0.00	\$0.00
Weber County Flat Contribution				0	0.0000	0.0000%	#####	\$0.00
				0	0.0000	0.0000%	\$0.00	\$0.00
Weber + contracted cities & Other	140	186	154	480	160.0000	25.5455%	\$383,182.54	\$638,637.57

ATTACHMENT B

Presentation on Public Works by Director Jon Andersen



PUBLIC WORKS 2021-2022

WATER
SEWER
STREETS
STORM WATER
FLEET

WATER ACCOMPLISHMENTS 2021

WATER 2021

REBUILT ALL PRV'S - NEW COMPONENTS & CRD & FITTINGS

EXERCISED & FLUSHED FIRE HYDRANTS THROUGHOUT THE CITY & LUBED CAPS

EXERCISED VALVES THROUGH OUT THE CITY

WATER SAMPLES - 15 BAC. T WATER SAMPLES MONTHLY

180 COMPLETED FOR THE YEAR

16 DBP (DISINFECTION BY PRODUCT) 4 PER QUARTER PER YEAR

(GOING TO 8 PER QUARTER)

IPS (IMPROVEMENT PRIORITY SYSTEM) SCORE DIVISION OF DRINKING WATER 0-200 TOTAL

SOUTH OGDEN SCORE IS 15

VENTS DO NOT MEET REQUIREMENTS (42ND)

NO WATER & LOW PRESSURE CALLS & BLOWN METERS

1 NO WATER & 8 LOW PRESSURE, & 11 BLOWN/LEAKING METERS

CITY MAIN BREAKS 26 (22) REPAIRED

SERVICE LEAKS 16 (13) REPLACED

FIRE HYDRANTS 3 REPAIRED 1 REPLACED

VALVE REPLACEMENT 5 REPAIRED

8 CITY STAFF CERTIFIED TO THE LEVEL 4 DISTRIBUTION

WATER ACCOMPLISHMENTS 2021 & 2022 GOALS

RADIO READ CONVERSION:

REPAIRED/REPLACED METER REGISTERS 71

99% METERS ON RADIO READ

METER REGISTERS NEED TO BE UPDATED TO HANDLE
VF4 ANTENNAS

8 COMMERCIAL METERS NEED TO BE CONVERTED.

CONVERTED 3 OUT OF 11 TO RADIO READS

SCADA PROJECT 2021

5 SCADA SITES - PANELS UPGRADED WITH SUN
SHADES (OVER HEATING)



WATER GOALS 2022

- OAK DRIVE WATERLINE PROJECT \$430,476
 - INSTALL NEW 8" WATER LINE ON OAK DRIVE
- PANARAMA DR. PRV RELOCATE \$239,390
 - MOVING A PRV OUT OF A CITIZEN DRIVE WAY IN TO RIGHT OF WAY
- 42ND STREET RECONNECT(HARRISON BLVD)
 - NEED TO INSTALL PIT, VALVES AND SCADA TO RUN 42ND STREET RESERVOIR (\$813,600)
- DISCONNECT/RELOCATE SERVICE LINES OFF OF FEEDER LINE \$50,000
- CONTINUE GIS OF THE CITY FIRE HYDRANTS & WATER METERS
- VALVE & FIRE HYDRANT EXERCISE REPAIR & REPLACEMENT
- SCADA - IMPROVE THE EFFICIENTLY & USE
 - INSTALL ANTENNAS FOR RADIO READ \$10,000 EACH

VALVE BREAK & MAIN LEAK



WATER LEAKS 2021



SEWER ACCOMPLISHMENTS & GOALS 2021-22

TWIN D SOUTH OGDEN CONTRACTOR FOR SEWER CLEANING

ANNUALLY CONTRACT WITH CONTRACTOR

CITY RESPONDED TO 13 CALLS

4 - CITY'S MAIN ISSUES (BLOCKAGE, SMELLS, NOISE)

9 - HOMEOWNERS SEWER LATERALS & MISC. CALLS

1 - HENRY MILLERS MANHOLES FOUND & RAISED

SEWER LINE CLEANING

CLEANED VARIOUS AREAS IN THE CITY

3RD YEAR OF THE 4 YEAR PROCESS

CONTRACTOR CLEANED 41,500FT. OF SEWER LINE (7.8 MILES)

CAMERA 54,424FT. OF SEWER LINE (10.3 MILES)

REPAIRED/FIXED 1 PROBLEMS FOUND FROM VIDEO

MANHOLE INSPECTIONS

CITY CREWS INSPECTED 1238 SEWER MANHOLES FOR PROBLEMS AND CONDITION. (COMPLETED ANNUALLY FOR INSURANCE)

SEWER GOALS 2022

CONTINUE SEWER CLEANING CONTRACT

2018 WAS THE FIRST YEAR THIS CYCLE

4TH TIME THROUGH THE WHOLE CITY

SEWER PROJECTS 2022

REBUILD SEWER FROM H-GUY CHILD TO 5450 S.

(THROUGH FRIENDSHIP PARK)

MANHOLE INSPECTIONS/REPAIR AS NEEDED

RELIN/REPAIR/RE-ROUTE SEWER MAIN FROM

COUNTRY CLUB TO 40TH STREET

REBUILD SEWER LINE DROP 5250 S.

REPAIR TROUBLE SPOTS AS NEEDED

STREET ACCOMPLISHMENTS 2021

PUBLIC WORKS CREWS USED:

120 GALLONS OF TRAFFIC PAINT

306 TONS OF ASPHALT (\$13,204.00)

64 TONS OF WINTER MIX (\$8,405.63)

618 TONS ROAD SALT (\$17,683.31)

66 TONS ICE SLICER (\$3411.58)

65 SIGNS CHANGED OR REPLACED

THROUGHOUT THE CITY

4 SOLAR, DRIVER FEEDBACK, RADAR SIGNS (\$18,429.72)

73 LANE MILES OF ROADWAY CLEANED

W/ NEW LEAF VAC.

CITY SWEEP 3 TIMES -

752 GALLONS - CONTRACTED THE STRIPING OF THE ROADS

CRACK SEAL BY CITY CREW 20,286 LINEAL FEET -

8.2 LANE MILES - 5 TONS OF MATERIAL

WIND EVENT - FEMA APPLICATIONS COMPLETED FOR REIMBURSEMENT FOR ELIGIBLE EXPENSE'S

STREET ACCOMPLISHMENTS 2021

EDGE-MILL & OVERLAY PROJECTS

RIDGELINE/SKYLINE - \$445,377.00

31,100 SQ YDS - ASPHALT

36TH ST - \$57,781.47

4,660 SQ YDS - ASPHALT

44TH ST - \$56,797.50

2,333 SQ YDS - ASPHALT

ADDITIONAL OVERLAYS- \$304,189.77

25,700 SQ YDS ASPHALT

CHIP SEAL VARIOUS ROADS \$187,721.46

APROXIMATELY 8.2 LANE MILES

STREET LIGHTS UPGRADE

7 LIGHTS REPLACED TO OUTAGES

8 POLE REPLACED DUE TO WIND OR AGE

WARRANTY PERIOD STARTED 10-1-13

ENDS 10-1-23

18 MONTH WARRANTY ON LABOR ENDED 4-1-15

\$140.00 PER HOUR

\$143-\$184 37 WATT OR 64 WATT LEDS
\$300.00

NO LONGER MAKE THE INDUCTION LIGHT -
\$500.00

STREETS 2021



STREETS GOALS 2021

POSSIBLE ROAD PROJECTS

EDGE MILL & OVERLAY

OAK DRIVE 785 & 875 - \$400,000

36TH-37TH PORTER & JEFFERSON

COUNTRY CLUB DRIVE 40TH TO Y

BRIER POINT MAIN LOOP (6100 S.) WATER LEAK AREA

REPAIR SIDEWALK & CURB & GUTTER AS NEED THROUGHOUT THE TO THE CITY

CRACK SEAL & CHIP SEALS

CHIP \$300,000

CRACK \$50,000

SPOT REPAIR \$50,000



STORM WATER ACCOMPLISHMENTS & GOALS 2021-2022

MAINTENANCE PROGRAM – 5TH YEAR OF THE PROGRAM

2ND TIME GOING THROUGH THE CITY

WEBER COUNTY STORM WATER COALITION

8TH YEAR WITH COALITION FEE

PUBLIC OUT REACH COMPLIANCE

- REGISTERED STORM WATER INSPECTORS – 3 ON STAFF
- ILLICIT DISCHARGES/SPILLS - 7

GOALS 2022

RELIN BURCH CREEK HOLLOW

BETWEEN - 4841 AND 4831

ADAMS AVE STORM DRAIN PROJECT (40TH TO 42ND)

- KEEP IN COMPLIANCE WITH THE DWQ
 - STORM WATER MANAGEMENT PLAN

STORM PROJECT 2021

45TH & JEFFERSON – \$46,500.04

REPAIRED DRAIN ISSUE IN RESIDENTS BACK YARD

SPOT REPAIRED DRAIN AND INSTALLED 1-5' MANHOLE

45TH S. EAST OF MONROE - \$172,778.60

COMPLETE PROJECT SPRING 2022

PORTER 36TH-37TH STORM DRAIN - \$ 271,912.27

700' 18" RCP STORM DRAIN PIPE

110 15" RCP STORM DRAIN PIPE

3 MANHOLE

3 NEW CATCH BASINS



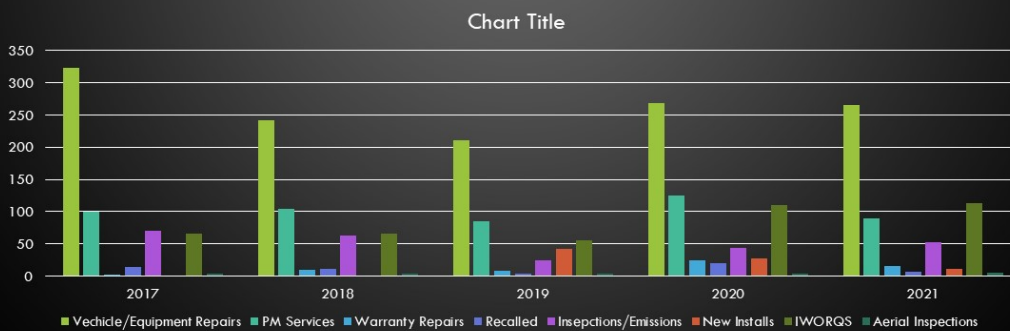
STORM WATER 2021-22



STORM WATER AUDIT & SWPP COMPLIANCE

- DEPARTMENT OF WATER QUALITY COMPLETED AN AUDIT – STORM WATER MANAGEMENT PLAN IN LATE APRIL 2021
- TWO MS4 PERMITS - MUNICIPAL SEPARATE STORM SEWER SYSTEMS
 - 1- GENERAL PERMIT 2- CONSTRUCTION GENERAL PERMIT
- 6 MIN. CONTROL MEASURES REVIEWED
 - 1- PUBLIC EDUCATION & OUT REACH
 - 2-PUBLIC INVOLVEMENT/PARTICIPATION
 - 3-ILLICIT DISCHARGE DETECTION & ELIMINATION
 - 4-CONSTRUCTION SITE STORM WATER CONTROL
 - 5-LONGTERM STORMWATER MANAGEMENT
 - 6-POLLUTION PREVENTION & GOOD HOUSEKEEPING
 - 44 DEFICIENCY'S ITEMS REPORTED TO SOUTH OGDEN CITY LATE AUGUST
 - AS OF DECEMBER 31, 2021 3 DEFICIENCIES WORKING WITH THE STATE TO CLEAR

FLEET 2021



FLEET ACCOMPLISHMENTS 2021 & GOALS 2022

FUEL SITE FOR CITY FLEET

REMOVED THE SITE , COMPLETED CONTAMINATED TESTING AND SITE CLOSED BY THE STATE

LOOKING FOR FUEL SITE OPTIONS FOR THE SHOP

CONTINUE TO IMPROVE THE EFFICIENCY OF THE CITY'S FLEET

LOOKING AT DIFFERENT TYPE OF FUEL OPTIONS
NATURAL GAS VS HYBRIDS

NEW PROGRAM FOR FLEET MANAGEMENT – IWORQS

PROGRAM PURCHASED CURRENTLY WORKING WITH VENDOR TO GET ALL INFORMATION CONVERTED TO NEW PROGRAM

CONTINUE TO IMPROVE AND UPGRADE THE FLEET AS FUNDING BECOMES AVAILABLE

LOOKING INTO THE POSSIBILITY OF LEASING SOME FLEET VEHICLE'S IN HOUSE

- TRUCK SPECS & PRICING NEW LADDER TRUCK (2 YEAR BUILD)
- NEW AMBULANCE
- EQUIPMENT PURCHASING – 6-8 MONTHS
 - NATIONAL SHORTAGE
- KEEP FLEET RUNNING
 - PARTS & FILTERS – BACK ORDER MONTHS
 - LADDER TRUCK BRAKES TO OVER A MONTH TO GET
- GARTH WANTS TO MAKE 18 TO 24 MONTHS FOR HIS RETIREMENT

FLEET EQUIPMENT INSTALL 2021



QUESTIONS ?



Not Approved

ATTACHMENT C

Presentation by Assistant City Manager Doug Gailey

2021 COUNCIL PRESENTATION

DOUG GAILEY ASSISTANT CITY MANAGER



DEPARTMENTS

- Information Services
- Special Events
- Court
- Human Resources
- Planning Commission



COURT

Court Supervisor Tristine Toyn,
Clerk Cydni Gutierrez,
Part-Time Clerks Jody Grose, Tisha Dodgen

Job Overview

- Court Functions
- Passports
- Utility Payments/Applications
- Building Permits
- Phone Calls
- Reservations
- Mail/Supplies



INFORMATION SERVICES

David Martin

- Part-Time
- TecServ Still providing advanced technical support



SPECIAL EVENTS

Communications and Events Specialist Jamie Healy

South Ogden Events

- Social Media Stories
- Branding
- Employee Appreciation Dinner
- Easter Egg Hunt
- South Ogden Days
- Veterans Memorial
- Christmas Traditions



HUMAN RESOURCES

Turnover

- 9 Full-time (12 in 2020)
- 5 retired, 1 Resigned, 3 other job
- (2020) 1 death, 4 retire, 7 other job
- 18 Part-time (26 in 2020)



STAFF REPORT



SUBJECT: Proposed Amendment to SOCC 10-5.1A and SOCC 10-5.1B Regarding Clarification of Internal Row Building Definitions and Yard Requirements
Mark Vlasic

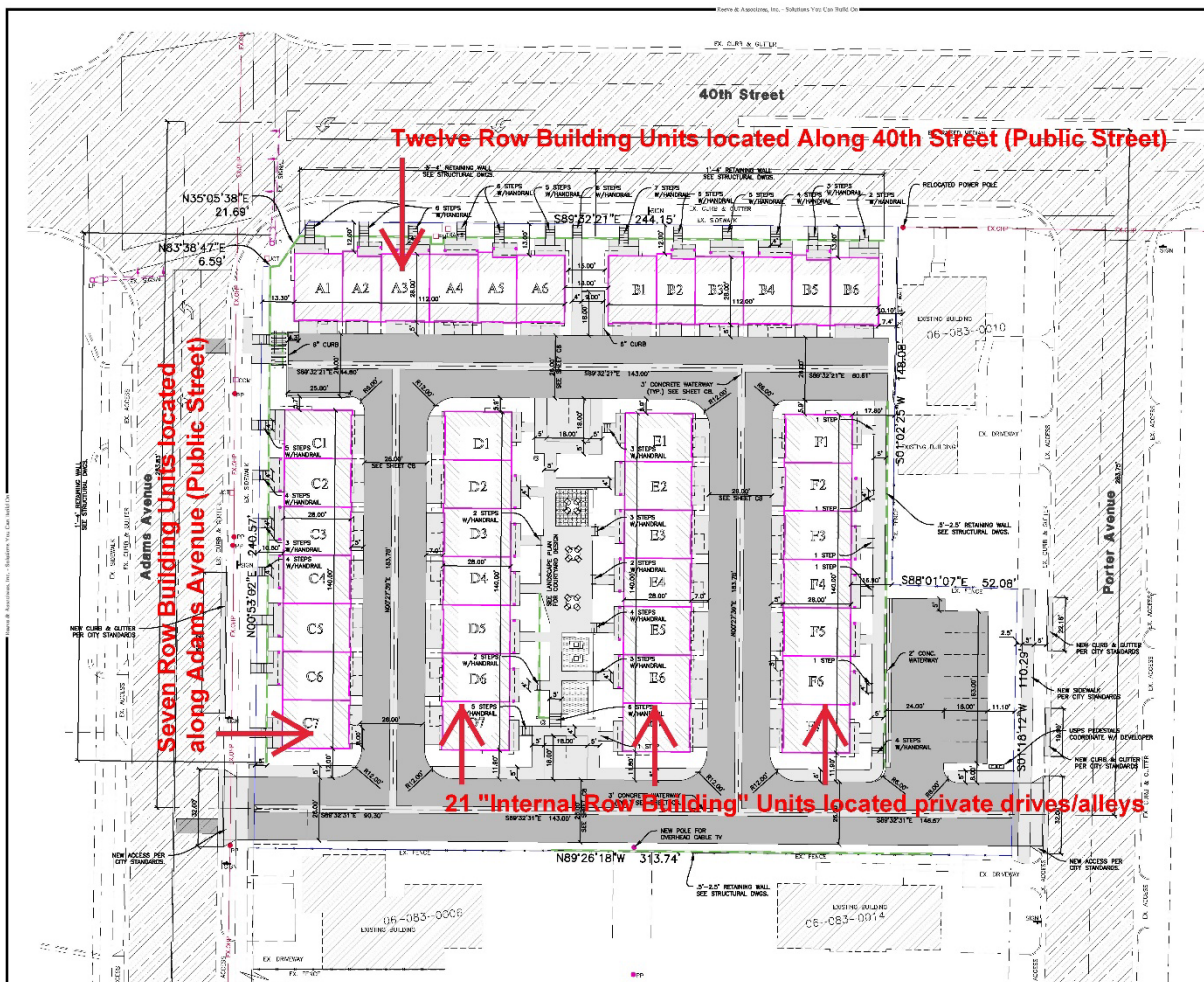
AUTHOR: City Planner

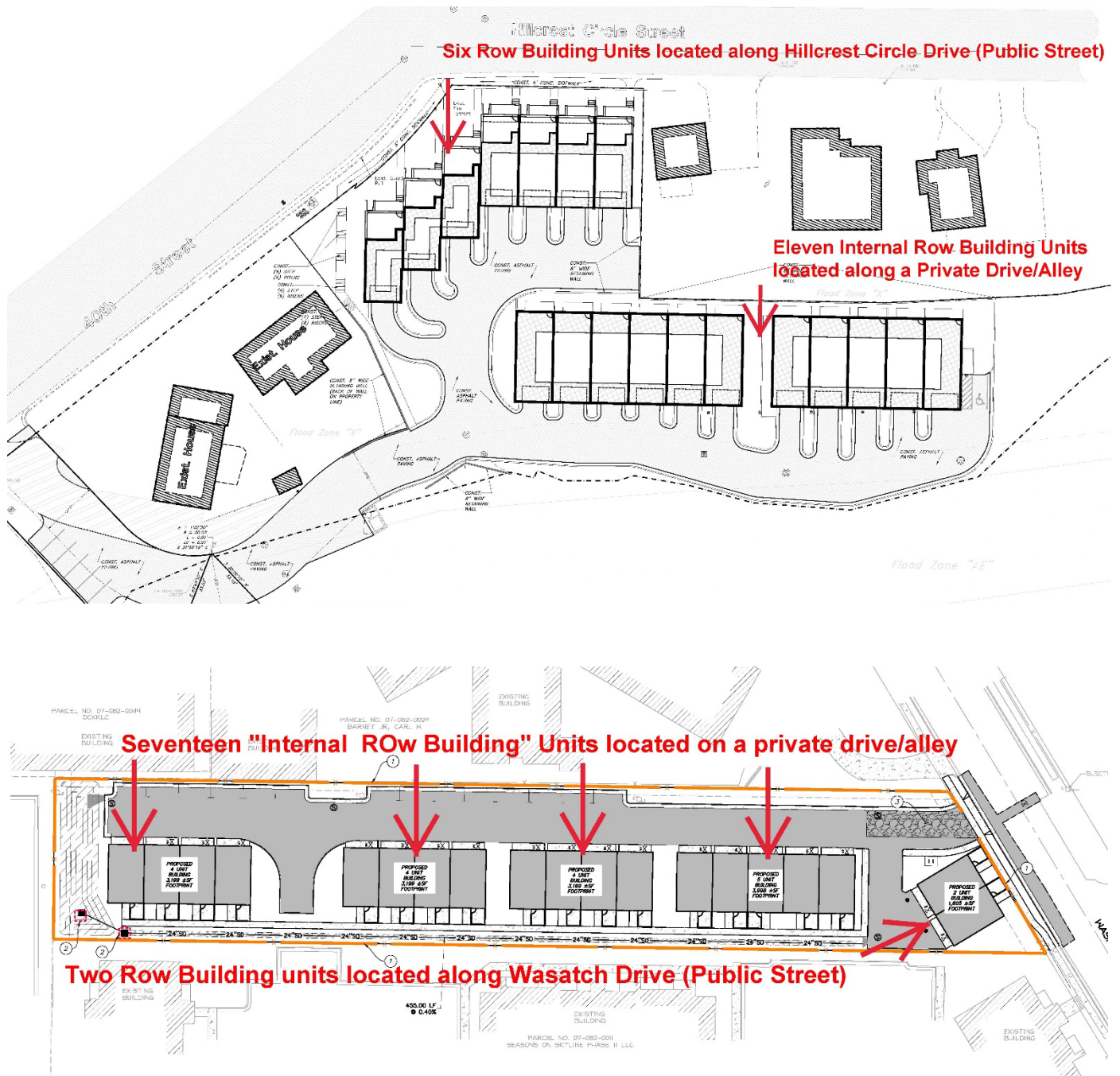
DEPARTMENT: February 1, 2022

DATE:

BACKGROUND

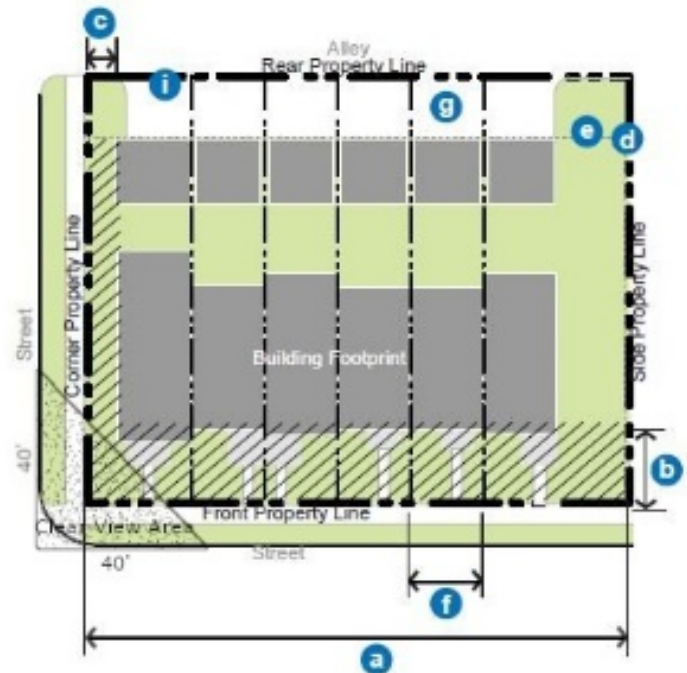
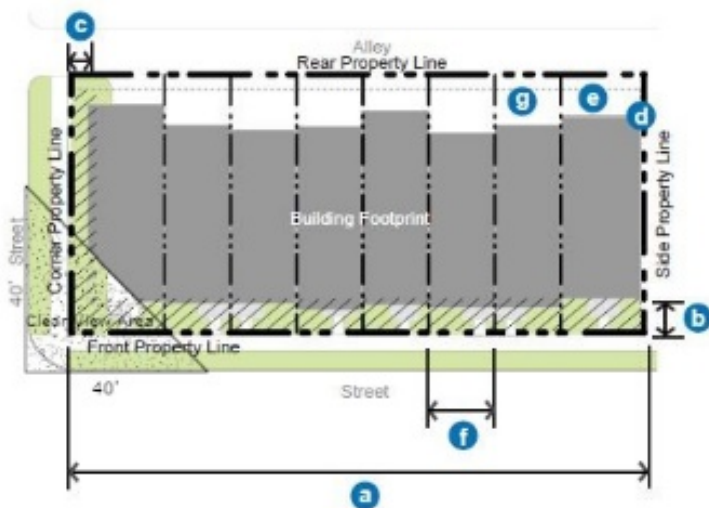
In recent months, the city has received several row home project applications. While the code clearly details the requirements for row homes that front public streets, it does not adequately address row homes that are located within the interior of a site (referred to here as “Interior Row Buildings”). The following drawings illustrate three recent examples of projects that include both types of row buildings, as illustrated:





As illustrated in the following diagrams of Row Buildings from the City Code, it is assumed that row buildings are always located along a public roadway, that the front yard and front facade of the building faces the street, and that parking is located to the rear and accessed by an alley.

The code also permits row buildings to be built flush against side property lines (no side yards required) and requires a minimum of 15' between row home buildings. These standards work well for buildings located along a public street, but do not directly translate to "internal" situations.



Problems Encountered When Applying the Code to Internal Row Buildings

The following are key issues that need to be addressed for projects that include Internal Row Buildings:

1. **The definition of row buildings does not differentiate between street-facing and internal row buildings.**

As indicated below, the current definition for Row Building does not adequately address the difference between a street-facing and Internal Row Building. As indicated in the yellow highlighted text, the definition focuses on row buildings that are located along a public street.

*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 row houses, 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 garage 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. How do you determine front, rear and side yards of Internal Row Buildings?

As illustrated in the three example drawings, private road/alley systems provide vehicular access to Internal Row Buildings and direct access to garages. As such, they provide direct access to the rear yards of the adjacent row buildings.

Internal Row Building front yards are located on the opposite side of the access road/rear yard. Rather than fronting a public street, they typically front a yard that is delineated either by another row building located directly opposite, or by a yard delineated by fence/property line. While the code indicates that individual buildings must be at least 10'-15' apart, it does not specify a minimum front yard requirement for interior buildings. As a result, the de-facto minimum front yard is a 15' space that is shared between the opposite-facing townhome buildings.

A key question to be answered is whether 15' is an adequate front yard for opposite-facing rows of internal row buildings. This is an extremely narrow yard and limited separation between units. Staff believes that a minimum front yard should be established for these "green courtyards".

3. Should Street-facing or Internal Row Buildings be permitted without a minimum side yard?

When the form-based code was first established, it was anticipated that long rows of buildings would be developed along key public roads; this eventually resulted in the removal of minimum side yard requirements. The ordinance was recently changed to limit the number of attached units to eight, which in essence eliminated the long, continuous rows of buildings as originally envisioned.

It is clear after reviewing the code that Internal Row Buildings were not adequately considered when the original code was developed. Staff believes that long, un-interrupted rows of Internal Row Buildings are also not desirable in internal situations and should be avoided. Staff has discovered that also eliminating side yard requirements conflicts with building code requirements, and believes that allowing Internal Row Buildings to be developed without minimum side yards adjacent to property lines may have unanticipated impacts on adjacent properties.

A key question to be answered is whether any row building should be permitted to be constructed without a minimum side yard.

4. Do minimum/maximum build-to lines apply to Internal Row Buildings?

The existing code utilizes a front build-to-zone model, which permits street-side row buildings to be located anywhere from 0'-20' from the front property line, depending on the subdistrict in which it is located. This works well for row buildings located along public streets, but is challenging for Internal Row Building situations.

A key question to be answered is whether separate requirements should be established for Internal Row Buildings, requiring minimum front yard setbacks rather than front build-to-lines.

Suggested Changes by Staff

The following are suggested changes for clarifying the specific requirements of Internal Row Buildings, and for improving the design and function for row house developments in general.

1. Proposed Row Building Definition Changes

The row building is a building typically comprised of multiple vertical units, each with its own entrance to a public street or a private front yard when located internally. This building type may be organized as townhouses or row houses, 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 garage 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/front facade is active.

2. Proposed Changes to 10-5.1A-5-6 and 10-5.1B-5-6 Row Building tables to clarify front, rear and side yards locations and requirements (see Row Building Table on page 7 of this report to see where the following changes would be applied):

1(a) Front sidewalk coverage – Provide a note that it does not apply to Internal Row Buildings

Occupation of corner – Provide a note that it does not apply to Internal Row Buildings

1(b) Front build-to-zone – Provide a note that it does not apply to Internal Row Buildings - see 1(x) for Front Yard Requirements for same:

1(c) Front build-to-zone – Provide a note that it does not apply to Internal Row Buildings

1(d) Minimum side yard setback – Change requirements for each subdistrict as follows: 0’ per unit; 15’ minimum between buildings, 10’ minimum between property line boundaries

Note 3: Change as follows: [Minimum rear yard setback on internal access roads or alleys is 5 feet.](#)

3. Proposed Changes to 10-5.1A-5-6 and 10-5.1B-5-6 (tables) to clarify minimum front yard requirements for Internal Row Buildings?

Apply the maximum build-to-zone dimensions for each subdistrict as the minimum front yard dimension for Internal Row Buildings, as follows:

SUBDISTRICT	MINIMUM FRONT YARD DEPTH
City Center General	10’
Riverdale Road General	10’
40th Street General	15’
Edge	20’
Gateway General	15’
Gateway Edge	20’

REPORT OF ACTION

South Ogden City Planning Commission



MEETING DATE: January 13, 2021
ITEMS: Amend SOC 10-5.1A-5-6 and 10-5.1B-5-6 to Define Setbacks for Interior Row Buildings of Multiple Building Developments

LINK: [January 13, 2022 PC Meeting](#)
Time stamps in blue (00:00:00) correspond to the audio recording

BACKGROUND

See Staff Report

ACTION OF PLANNING COMMISSION

The planning commission recommended the proposed changes be forwarded to the City Council.

CONCERNS RAISED AT PUBLIC HEARING

There were no comments for the public hearing, either in person or online.

PLANNING COMMISSION DISCUSSION

November 17 meeting	01:22:55
December 9 meeting	00:42:21

MOTION 00:22:23 (January 13 meeting)

Commissioner Howe moved to recommend the proposed amendment changes to SOC 10-5.1A-5-6 and 10-5.1B-5-6 to define setbacks for interior row buildings. The motion was seconded by Commissioner Bradley. Chair Amos made a roll call vote:

Commissioner Bradley-	Yes
Commissioner Bruderer-	Yes
Commissioner Howe-	Yes

Commissioner Layton-	Yes
Commissioner Pruess-	Yes
Commissioner Snowden-	Yes

The motion stood.

10-5.1A-5-6: ROW BUILDING:

A. Description And 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 row houses, 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 garage 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.

B. Regulations: Regulations for the row building type are defined in the table in this section.



			Permitted Subdistricts		
			City Center "General" And Riverdale Road "General"	40th Street "General"	Edge
1.	Building Siting ¹ : Refer to figure 5.6(1) of this section				
		Multiple principal buildings.	Permitted ¹	Permitted ¹	Permitted ¹
	(a)	Front sidewalk coverage. Not applicable to interior buildings of multiple building developments	65% ²	65% ²	65% ²
		Occupation of corner. Not applicable to interior buildings of multiple building developments	Required ⁸	Required ⁸	Required ⁸

	(b)	Front build-to zone. Not applicable to interior buildings of multiple building developments	0' to 10'	5' to 15'	10' to 20'
	(b)(1)	Front yard⁹ depth for interior principal building	10'	15'	20'
	(c)	Corner build-to zone. Not applicable to interior buildings of multiple building developments	0' to 10' ⁸	5' to 10' ⁸	5' to 10' ⁸
	(d)	Minimum side yard setback	0' per unit; 10' between buildings; for interior buildings, min. 10' from property line.	0' per unit; 15' between buildings; for interior buildings, min. 15' from property line.	0' per unit; 15' between buildings; for interior buildings, min. 20' from property line.
	(e)	Minimum rear yard setback	10' ³	10' ³	15' ³
	(f)	Minimum unit width	18' per unit	20' per unit	22' per unit
		Maximum building width	Maximum of 180' per building	Maximum of 180' per building	Maximum of 110' 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) of this section				
	(j)	Minimum overall height	2 story	2 story	2 story
	(k)	Maximum overall height	3 stories	3 stories	3.5 stories
	(l)	All stories:			
		Minimum height	9'	9'	9'
		Maximum height	14'	14'	14'
3.	Uses: Refer to figure 5.6(2) of this section. Refer to section 10-5.1A-4 , "Uses", of this article 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) of this section				
	(r)	Minimum transparency per each story	15% ⁴	15%	15%
		Blank wall limitations	Required, see subsection 10-5.1A-5-2D2 of this section 10-5.1A-5		
	(t)	Front facade permitted entrance type	Stoop, porch, limited storefront ^{5,6,7}	Stoop, porch, limited storefront ^{5,6,7}	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) of this section				
	(v)	Permitted roof types	Parapet, pitched, flat	Parapet, pitched, flat	Parapet, pitched, flat
		Tower	Permitted	Permitted	Permitted

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 1 of every 5 units may front a courtyard with a minimum width of 30 feet. The courtyard shall be defined on 3 sides by units.
3. Rear yard setback on alleys [or internal access roads](#) is 5 feet.
4. When the storefront entrance type is utilized, the maximum ground story transparency for the unit is 55 percent as measured between 2 feet and 8 feet above grade.

5. The storefront entrance type is permitted only on corners or buildings that are designated for live/work units.
6. Commercial uses only allowed when fronting on 40th Street or Washington Boulevard.
7. Uses limited to residential on lots lacking frontage on 40th Street or Ogden Avenue.
8. At any uncontrolled intersection, the buildings will be modified to afford automobile drivers a clear view of approaching vehicles or pedestrians. Buildings, trees, or any obstruction shall be prohibited within a triangular area formed by the street curb lines and a line connecting them at points 40 feet from the point of intersection of the back of the curbs (clear view area).

[9. See definition of 'Yard, Front –Interior Building' in 10-5.1A-10-5.](#)

10-5.1A-10-5: DEFINITIONS:

[YARD, FRONT -INTERIOR BUILDING: A yard extending the full length along the facade opposite the garage\(s\)/parking side of an interior building or as approved by the City Manager.](#)

10-5.1B-5-7: ROW BUILDING:

A. Description And 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 garage 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.

B. Regulations: Regulations for the row building type are defined in the table in this section.



			Permitted Subdistricts	
			Gateway General	Gateway Edge
1.	Building Siting: Refer to figure 5.7(1) of this section			
		Multiple principal buildings	Permitted ¹	Permitted ¹
	(a)	Front sidewalk coverage. Not applicable to interior buildings of multiple building developments	65% ²	65% ²
		Occupation of corner. Not applicable to interior buildings of multiple building developments	Required ⁶	Required ⁶

	(b)	Front build to zone. Not applicable to interior buildings of multiple building developments	5' to 15'	5' to 20'
	(b)(1)	Front yard ⁹ depth for interior principal building	15'	20'
	(c)	Corner build to zone. Not applicable to interior buildings of multiple building developments	5' to 10' ⁶	5' to 10' ⁶
	(d)	Minimum side yard setback	0' per unit; 15' between buildings; for interior buildings, min. 15' from property line.	0' per unit; 15' between buildings; for interior buildings, min. 20' from property line.
	(e)	Minimum rear yard setback	10' ³	15' ³
	(f)	Minimum unit width	20' per unit	22' per unit
		Maximum building width	Maximum of 8 units per building	Maximum of 6 units per building
	(g)	Parking	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 any primary street	
2.	Height: Refer to figure 5.7(2) of this section			
	(j)	Minimum overall height	2 story	2 story
	(k)	Maximum overall height	3.5 stories	3.5 stories
	(l)	All stories:		
		Minimum height	9'	9'
		Maximum height	14'	14'
3.	Uses: Refer to figure 5.7(2) of this section. Refer to section 10-5.1B-4 , "Uses", of this article for permitted uses			
	(n)	Ground story	Residential, service, office, limited craftsman industrial	Residential only
	(o)	Upper story	Residential only	
	(p)	Parking within building	Permitted fully in basement and 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 5.7(3) of this section			

	(r)	Minimum transparency per each story	15% ⁴	15% ⁴
		Blank wall limitations	Required, see subsection 10-5.1B-5-2D2 of this section 10-5.1B-5	
	(t)	Front facade permitted entrance type	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	Not required	
5.	Roof Type Requirements: Refer to figure 5.7(3) of this section			
	(v)	Permitted roof types	Parapet, pitched, flat	Parapet, pitched, flat
		Tower	Permitted	Permitted

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 1 of every 5 units may front a courtyard with a minimum width of 30 feet. The courtyard shall be defined on 3 sides by units.
3. Rear yard setback on alleys [or internal access roads](#) is 5 feet.
4. When the storefront entrance type is utilized, the maximum ground story transparency for the unit is 55 percent as measured between 2 feet and 8 feet above grade.
5. The storefront entrance type is permitted only on corners or buildings that are designated for live/work units.
6. At any uncontrolled intersection, the buildings will be modified to afford automobile drivers a clear view of approaching vehicles or pedestrians. Buildings, trees, or any obstruction shall be prohibited within a triangular area formed by the street curb lines and a line connecting them at points 40 feet from the point of intersection of the back of the curbs (clear view area).

[7. See definition of 'Yard, Front –Interior Building' in 10-5.1B-10-5.](#)

10-5.1A-10-5: DEFINITIONS:

[YARD, FRONT -INTERIOR BUILDING: A yard extending the full length along the facade opposite the garage\(s\)/parking side of an interior building.](#)

STAFF REPORT

SUBJECT: Proposed Zoning Change to Increase
Maximum Maximum Number of Home
Daycare and Home Preschool Children

AUTHOR: Mark Vlasic

DEPARTMENT: City Planner

DATE: February 1, 2022



SUMMARY OF APPLICATION

This is a continuation to an application received in November to amend the zoning ordinance to increase the maximum number of children permitted at a home daycare/preschools from the current maximum of five children to a new maximum of eight children. The application was submitted by a local resident, and was first considered by the Planning Commission in November 2021 and followed by a Public Hearing in December 2021. Based in part on the input received during the Public Hearing, the Planning Commission tabled a decision until additional information of what is required by the State of Utah regarding the operation of home childcare as follow:

- What is the difference between a home daycare and home preschool?
- What is the maximum number of children that can be accommodated home daycare and home preschool?
- What are the caretaker/child staffing requirements?

BACKGROUND

Staff contacted Lisa Roundtree, a Process Specialist with the Utah Department of Health - Child Care Licensing Program. Staff indicated that the Planning Commission desires to understand state licensing requirements related to Home Daycare and Home Preschool operations in order to ensure potential zoning adjustments are aligned.

To summarize, it was noted that home daycare and preschools are covered under Utah Code, Chapter 39 - Utah Child Care Licensing Act (attached).

What is the difference between a home daycare and home preschool?

According to the Child Care Licensing and state code, there is no distinction between a home daycare and a home preschool. Operators are allowed to use either term, and both require appropriate licensing certificates in order to operate.

What is the maximum number of children that can be accommodated home daycare and home preschool?

There are two types of home daycare/preschool licenses available – **Residential Certificate** and **Licensed Family**. As indicated in the attached comparison chart, a Residential Certificate allows providers to care for up to eight children, including the provider's/caregivers own children under age 4; a Licensed Family Certificate allows providers to care for up to 16 children, including the provider's/caregivers own children under age 4. Discussions with Ms. Roundtree indicate that the Residential Certificate is typically requested for apartments or small homes with limited interior space and/or that lack access to a dedicated outdoor play area, and Licensed Family Certificates are usually requested for larger homes that have access to a dedicated outdoor play area, as required. State investigators will determine the maximum number of children permitted based on a review the home, yard and other factors.

It was noted that the maximum thresholds of eight children and 16 children for each type of reflect the maximum numbers permitted by the state, and that South Ogden has the prerogative to establish lesser caps and thresholds.

What are the caretaker/child staffing requirements?

As illustrated in the attached Ratio Compliance handout, the number of caretakers depends on the number of children to be cared for and their ages.

For a daycare/preschool with up to eight children, a single caretaker is permitted if they are caring for no more than one infant (0-17 months) and two toddlers (18-23 months). However, two or more additional caretakers may be required if additional infants and toddlers are in the mix.

A daycare/preschool for eight to 16 children requires a minimum of two caretakers regardless of the age of the children, and will require additional caretakers depending on the number of infants and toddlers to be cared for.

DISCUSSION

According to State code, there is no distinction between a home daycare and a home preschool; caretakers can use either term. The licensing process addresses the standards and requirements for the care of children in a home daycare or preschool setting.

There is increasing need for affordable daycare/preschool options in South Ogden and elsewhere in the region. The two key issues to be addressed from a planning perspective concern the maximum number of children to be permitted at home daycare/preschool facilities, and the maximum number of caretakers permitted to care for them. The current code permits home daycare/preschools for up to five children and limits the number of caretakers to two (2) people who actually reside in the dwelling.

The planning commission does not need to meet state maximum thresholds, and may place geographic limits and requirements such as placing limits on the number per street or block segments, although Ms. Roundtree has not heard of such limits being applied in other communities.

Comparison of Requirements for Licensed Family and Residential Certificate

Licensed Family	Residential Certificate
Capacity <ul style="list-style-type: none"> May care for up to 16 children including provider's & caregiver's own children under age 4. 	Capacity <ul style="list-style-type: none"> May care for up to 8 children including provider's & caregiver's own children under age 4.
Ratios <ul style="list-style-type: none"> All children under age 4 count in ratios including the provider and employee's own children 1 caregiver for up to 8 children, including no more than 3 children under age 2, when at least one of the toddlers is at least 18 months old; OR 2 caregivers for 9-16 children including no more than 6 children under age 2, when at least two of the toddlers are at least 18 months old. 	Ratios <ul style="list-style-type: none"> All children under age 4 count in ratios including provider's own children 1 caregiver for up to 8 children including no more than 2 children under age 2.
Records & Documents <ul style="list-style-type: none"> Fire & disaster drills must be documented in writing. Daily schedule of activities must be posted. 	Records & Documents <ul style="list-style-type: none"> It is not required to document fire & disaster drills. A posted daily schedule is not required.
Training <ul style="list-style-type: none"> 20 hours of training are required annually for the provider & each caregiver. 10 of the 20 hours must be interactive training. 	Training <ul style="list-style-type: none"> 10 hours of training are required annually for the provider. 5 of the 10 hours must be interactive training.
Outdoor Play Area <ul style="list-style-type: none"> Must have an outdoor play area that is safely accessible & meets licensing rules. Children must have a daily opportunity for outdoor play, weather permitting. 	Outdoor Play Area <ul style="list-style-type: none"> Children may not play outside on premises unless the outdoor play area meets licensing rules. A daily opportunity for outdoor play is encouraged, but not required.
From the Department of Workforce Services <ul style="list-style-type: none"> State-funded child care reimbursements are paid at a higher rate. Eligible for a \$400 start up grant from CAC 	From the Department of Workforce Services <ul style="list-style-type: none"> State-funded child care reimbursements are paid at a lower rate. Not eligible for a start up grant from CAC

Ratio Compliance: Licensed Family and Residential Certificate

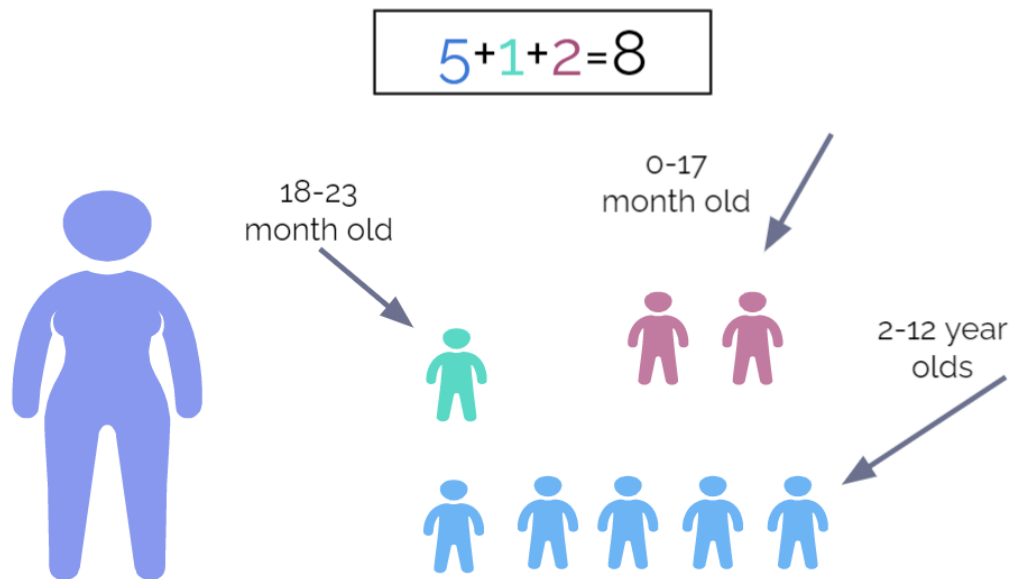
The provider shall maintain at least:

- a) one caregiver for up to eight children in care; and
- b) two caregivers for nine to 16 children in care.

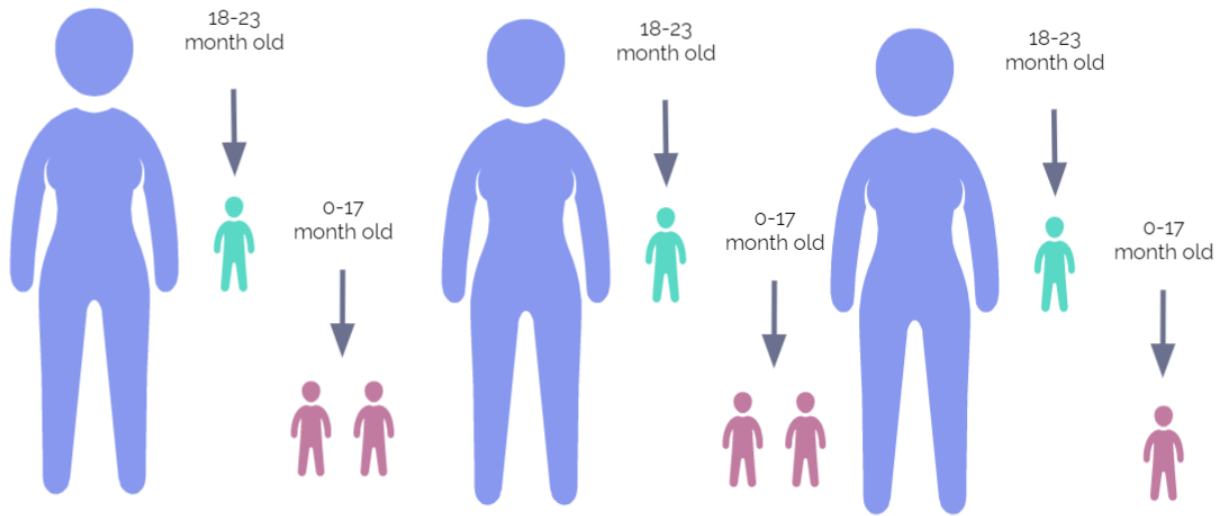
When caring for children younger than two years old, the provider shall ensure that:

- a) there is at least one caregiver for up to 8 children in the group and there are not more than 2 children under 18 months old in the group, and no more than 3 children under the age of two.
- b) once the group has exceeded 3 under the age of two, there is an additional caregiver for every 2 children under 18 months old in the group, or 3 children under the age of two.

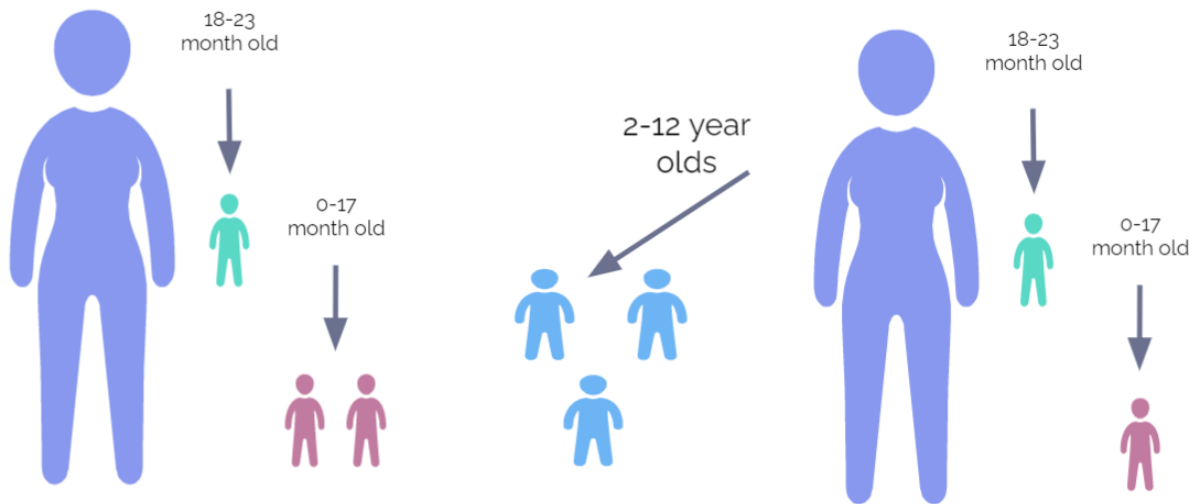
Examples of Ratio Possibilities for a Facility with a Capacity of 8

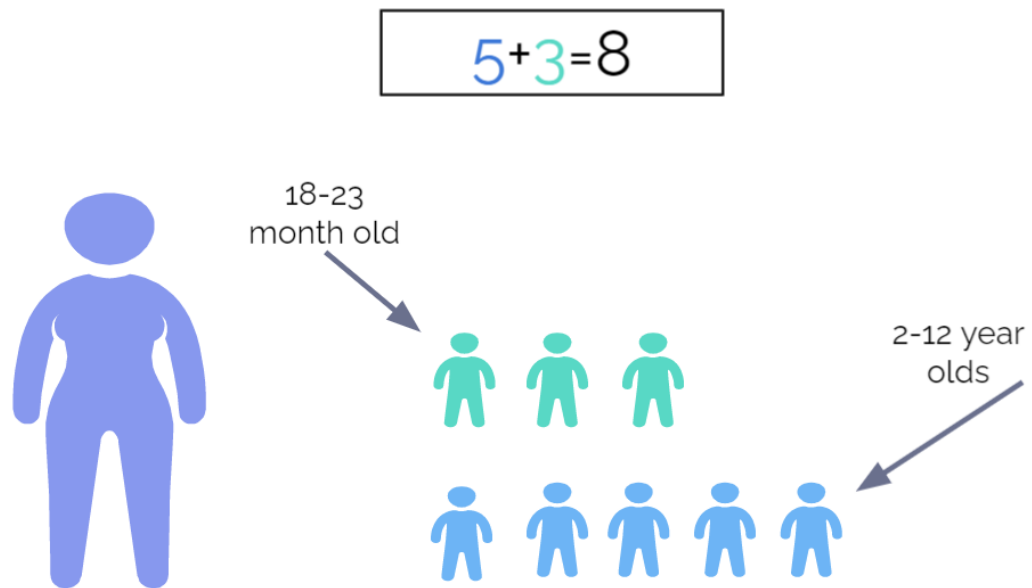
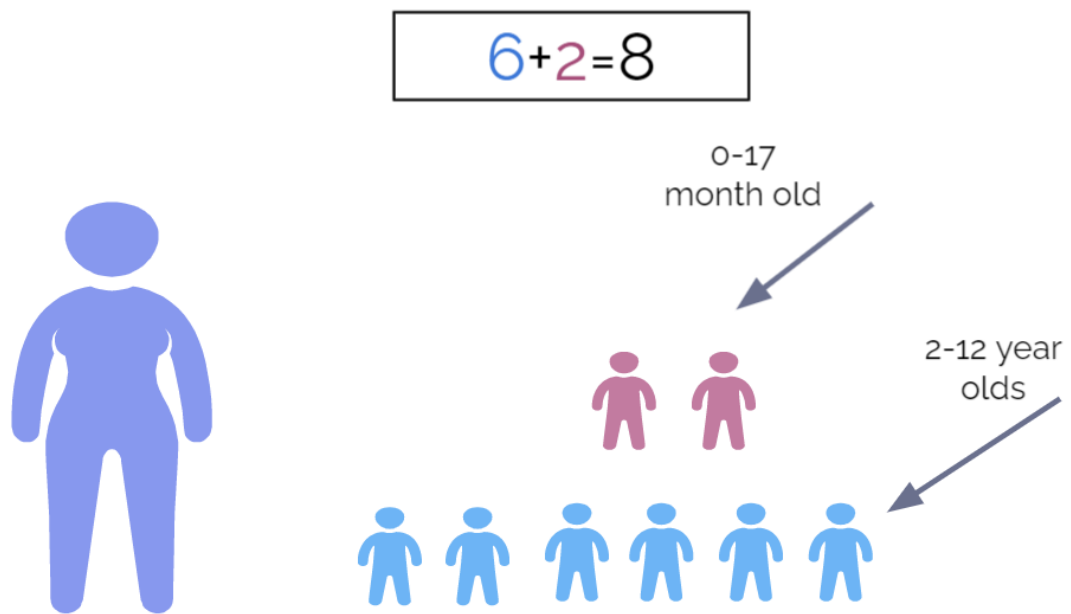


$$3+5=8$$

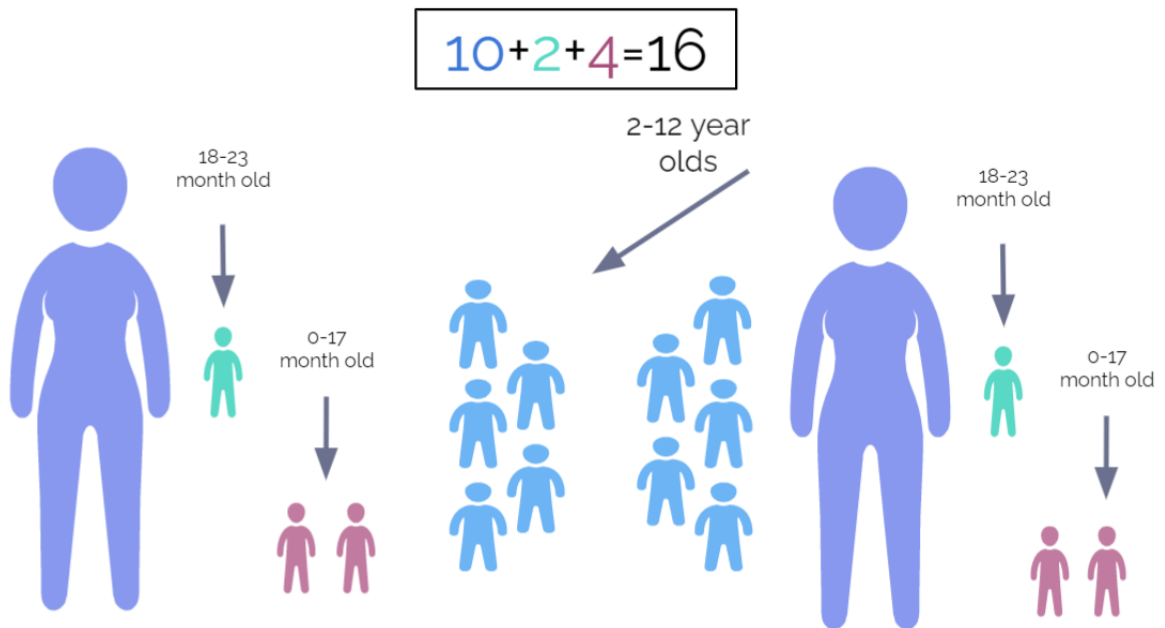
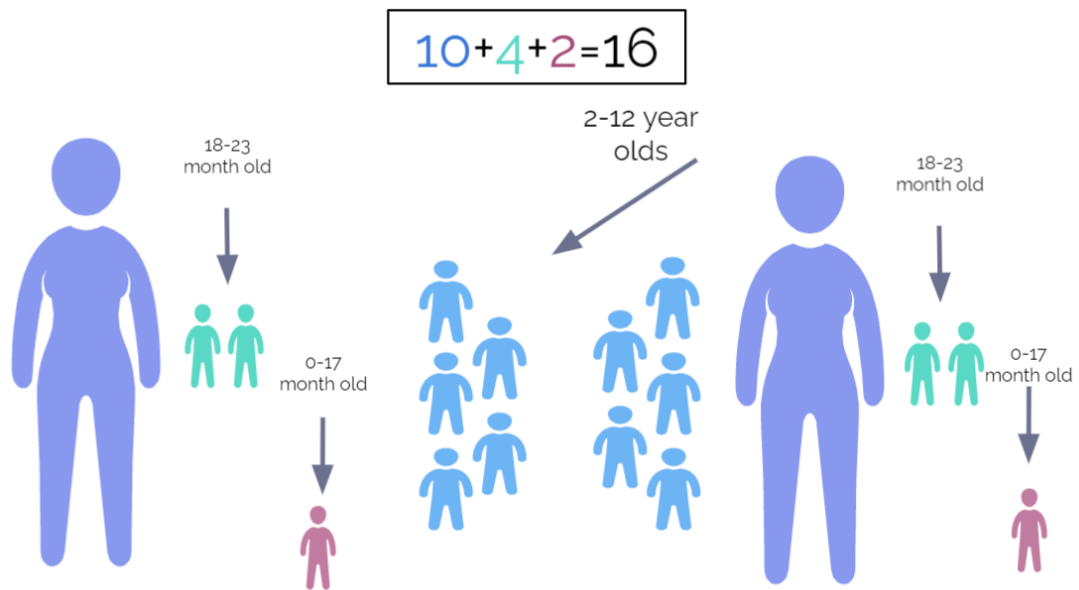


$$3+2+3=8$$

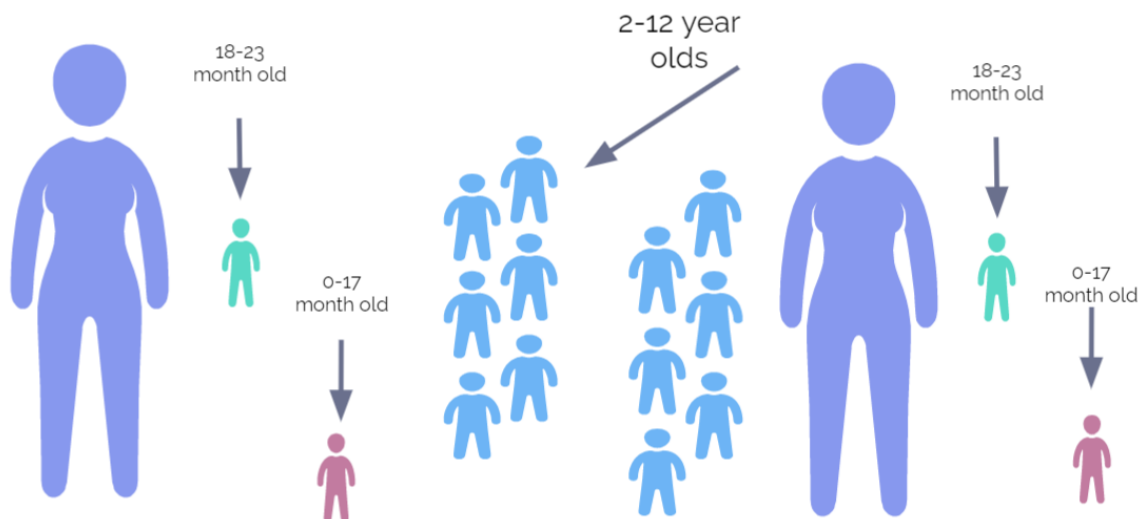




Examples of Ratio Possibilities for a Facility with a Capacity of 16



$12+2+2=16$



Chapter 39

Utah Child Care Licensing Act

Part 1

General Provisions

26-39-101 Title.

This chapter is known as the "Utah Child Care Licensing Act."

Enacted by Chapter 196, 1997 General Session

26-39-102 Definitions.

As used in this chapter:

- (1) "Advisory committee" means the Residential Child Care Licensing Advisory Committee, created in Section 26-1-7.
- (2)
 - (a) "Center based child care" means, except as provided in Subsection (2)(b), a child care program licensed under this chapter.
 - (b) "Center based child care" does not include:
 - (i) a residential child care provider certified under Section 26-39-402; or
 - (ii) a facility or program exempt under Section 26-39-403.
- (3) "Child care" means continuous care and supervision of five or more qualifying children, that is:
 - (a) in lieu of care ordinarily provided by a parent in the parent's home;
 - (b) for less than 24 hours a day; and
 - (c) for direct or indirect compensation.
- (4) "Child care program" means a child care facility or program operated by a person who holds a license or certificate issued in accordance with this chapter.
- (5) "Exempt provider" means a person who provides care described in Subsection 26-39-403(2).
- (6) "Licensing committee" means the Child Care Center Licensing Committee created in Section 26-1-7.
- (7) "Public school" means:
 - (a) a school, including a charter school, that:
 - (i) is directly funded at public expense; and
 - (ii) provides education to qualifying children for any grade from first grade through twelfth grade;or
 - (b) a school, including a charter school, that provides:
 - (i) preschool or kindergarten to qualifying children, regardless of whether the preschool or kindergarten is funded at public expense; and
 - (ii) education to qualifying children for any grade from first grade through twelfth grade, if each grade, from first grade to twelfth grade, that is provided at the school, is directly funded at public expense.
- (8) "Qualifying child" means an individual who is:
 - (a)
 - (i) under the age of 13; or
 - (ii) under the age of 18, if the person has a disability; and
 - (b) a child of:
 - (i) a person other than the person providing care to the child;

- (ii) a licensed or certified residential child care provider, if the child is under the age of four; or
 - (iii) an employee or owner of a licensed child care center, if the child is under the age of four.
- (9) "Residential child care" means child care provided in the home of a provider.

Amended by Chapter 220, 2015 General Session

Part 2

Child Care Licensing Committees

26-39-200 Child Care Center Licensing Committee.

- (1)
- (a) The Child Care Center Licensing Committee created in Section 26-1-7 shall be comprised of seven members appointed by the governor and approved by the Senate in accordance with this subsection.
 - (b) The governor shall appoint three members who:
 - (i) have at least five years of experience as an owner in or director of a for profit or not-for-profit center based child care; and
 - (ii) hold an active license as a child care center from the department to provide center based child care.
 - (c)
 - (i) The governor shall appoint one member to represent each of the following:
 - (A) a parent with a child in center based child care;
 - (B) a child development expert from the state system of higher education;
 - (C) except as provided in Subsection (1)(e), a pediatrician licensed in the state; and
 - (D) an architect licensed in the state.
 - (ii) Except as provided in Subsection (1)(c)(i)(B), a member appointed under Subsection (1)(c)(i) may not be an employee of the state or a political subdivision of the state.
 - (d) At least one member described in Subsection (1)(b) shall at the time of appointment reside in a county that is not a county of the first class.
 - (e) For the appointment described in Subsection (1)(c)(i)(C), the governor may appoint a health care professional who specializes in pediatric health if:
 - (i) the health care professional is licensed under:
 - (A) Title 58, Chapter 31b, Nurse Practice Act, as an advanced practice nurse practitioner; or
 - (B) Title 58, Chapter 70a, Utah Physician Assistant Act; and
 - (ii) before appointing a health care professional under this Subsection (1)(e), the governor:
 - (A) sends a notice to a professional physician organization in the state regarding the opening for the appointment described in Subsection (1)(c)(i)(C); and
 - (B) receives no applications from a pediatrician who is licensed in the state for the appointment described in Subsection (1)(c)(i)(C) within 90 days after the day on which the governor sends the notice described in Subsection (1)(e)(ii)(A).
- (2)
- (a) Except as required by Subsection (2)(b), as terms of current members expire, the governor shall appoint each new member or reappointed member to a four-year term ending June 30.
 - (b) Notwithstanding the requirements of Subsection (2)(a), the governor shall, at the time of appointment or reappointment, adjust the length of terms to ensure that the terms of members

are staggered so that approximately half of the licensing committee is appointed every two years.

- (c) Upon the expiration of the term of a member of the licensing committee, the member shall continue to hold office until a successor is appointed and qualified.
- (d) A member may not serve more than two consecutive terms.
- (e) Members of the licensing committee shall annually select one member to serve as chair who shall establish the agenda for licensing committee meetings.
- (3) When a vacancy occurs in the membership for any reason, the governor, with the consent of the Senate, shall appoint a replacement for the unexpired term.
- (4)
 - (a) The licensing committee shall meet at least every two months.
 - (b) The director may call additional meetings:
 - (i) at the director's discretion;
 - (ii) upon the request of the chair; or
 - (iii) upon the written request of three or more members.
- (5) Three members of the licensing committee constitute a quorum for the transaction of business.

Amended by Chapter 111, 2019 General Session

26-39-201 Residential Child Care Licensing Advisory Committee.

- (1)
 - (a) The Residential Child Care Licensing Advisory Committee created in Section 26-1-7 shall advise the department on rules made by the department under this chapter for residential child care.
 - (b) The advisory committee shall be composed of the following nine members who shall be appointed by the executive director:
 - (i) two child care consumers;
 - (ii) three licensed residential child care providers;
 - (iii) one certified residential child care provider;
 - (iv) one individual with expertise in early childhood development; and
 - (v) two health care providers.
- (2)
 - (a) Members of the advisory committee shall be appointed for four-year terms, except for those members who have been appointed to complete an unexpired term.
 - (b) Appointments and reappointments may be staggered so that 1/4 of the advisory committee changes each year.
 - (c) The advisory committee shall annually elect a chairman from its membership.
- (3) The advisory committee shall meet at least quarterly, or more frequently as determined by the executive director, the chairman, or three or more members of the committee.
- (4) Five members constitute a quorum and a vote of the majority of the members present constitutes an action of the advisory committee.

Amended by Chapter 322, 2014 General Session

26-39-202 Members serve without pay -- Reimbursement for expenses.

A member of the Residential Child Care Licensing Advisory Committee and the Child Care Center Licensing Committee may not receive compensation or benefits for the member's service, but may receive per diem and travel expenses as allowed in:

- (1) Section 63A-3-106;
- (2) Section 63A-3-107; and
- (3) rules made by the Division of Finance according to Sections 63A-3-106 and 63A-3-107.

Amended by Chapter 322, 2014 General Session

26-39-203 Duties of the Child Care Center Licensing Committee.

- (1) The licensing committee shall:
 - (a) in concurrence with the department and in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, make rules that govern center based child care as necessary to protect qualifying children's common needs for a safe and healthy environment, to provide for:
 - (i) adequate facilities and equipment; and
 - (ii) competent caregivers considering the age of the children and the type of program offered by the licensee;
 - (b) in concurrence with the department and in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act, make rules necessary to carry out the purposes of this chapter that govern center based child care, in the following areas:
 - (i) requirements for applications, the application process, and compliance with other applicable statutes and rules;
 - (ii) documentation and policies and procedures that providers shall have in place in order to be licensed, in accordance with Subsection (1);
 - (iii) categories, classifications, and duration of initial and ongoing licenses;
 - (iv) changes of ownership or name, changes in licensure status, and changes in operational status;
 - (v) license expiration and renewal, contents, and posting requirements;
 - (vi) procedures for inspections, complaint resolution, disciplinary actions, and other procedural measures to encourage and assure compliance with statute and rule; and
 - (vii) guidelines necessary to assure consistency and appropriateness in the regulation and discipline of licensees;
 - (c) advise the department on the administration of a matter affecting center based child care;
 - (d) advise and assist the department in conducting center based child care provider seminars; and
 - (e) perform other duties as provided under Section 26-39-301.
- (2)
 - (a) The licensing committee may not enforce the rules adopted under this section.
 - (b) The department shall enforce the rules adopted under this section in accordance with Section 26-39-301.

Amended by Chapter 74, 2016 General Session

Part 3
Department Duties

26-39-301 Duties of the department -- Enforcement of chapter -- Licensing committee requirements.

- (1) With regard to residential child care licensed or certified under this chapter, the department may:
 - (a) make and enforce rules to implement this chapter and, as necessary to protect qualifying children's common needs for a safe and healthy environment, to provide for:
 - (i) adequate facilities and equipment; and
 - (ii) competent caregivers, considering the age of the children and the type of program offered by the licensee; and
 - (b) make and enforce rules necessary to carry out the purposes of this chapter, in the following areas:
 - (i) requirements for applications, the application process, and compliance with other applicable statutes and rules;
 - (ii) documentation and policies and procedures that providers shall have in place in order to be licensed, in accordance with Subsection (1)(a);
 - (iii) categories, classifications, and duration of initial and ongoing licenses;
 - (iv) changes of ownership or name, changes in licensure status, and changes in operational status;
 - (v) license expiration and renewal, contents, and posting requirements;
 - (vi) procedures for inspections, complaint resolution, disciplinary actions, and other procedural measures to encourage and assure compliance with statute and rule; and
 - (vii) guidelines necessary to assure consistency and appropriateness in the regulation and discipline of licensees.
- (2) The department shall enforce the rules established by the licensing committee, with the concurrence of the department, for center based child care.
- (3) Rules made under this chapter by the department, or the licensing committee with the concurrence of the department, shall be made in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act.
- (4)
 - (a) The licensing committee and the department may not regulate educational curricula, academic methods, or the educational philosophy or approach of the provider.
 - (b) The licensing committee and the department shall allow for a broad range of educational training and academic background in certification or qualification of child day care directors.
- (5) In licensing and regulating child care programs, the licensing committee and the department shall reasonably balance the benefits and burdens of each regulation and, by rule, provide for a range of licensure, depending upon the needs and different levels and types of child care provided.
- (6) Notwithstanding the definition of "qualifying child" in Section 26-39-102, the licensing committee and the department shall count children through age 12 and children with disabilities through age 18 toward the minimum square footage requirement for indoor and outdoor areas, including the child of:
 - (a) a licensed residential child care provider; or
 - (b) an owner or employee of a licensed child care center.
- (7) Notwithstanding Subsection (1)(a)(i), the licensing committee and the department may not exclude floor space used for furniture, fixtures, or equipment from the minimum square footage requirement for indoor and outdoor areas if the furniture, fixture, or equipment is used:
 - (a) by qualifying children;
 - (b) for the care of qualifying children; or
 - (c) to store classroom materials.
- (8)

- (a) A child care center constructed prior to January 1, 2004, and licensed and operated as a child care center continuously since January 1, 2004, is exempt from the licensing committee's and the department's group size restrictions, if the child to caregiver ratios are maintained, and adequate square footage is maintained for specific classrooms.
- (b) An exemption granted under Subsection (7)(a) is transferrable to subsequent licensed operators at the center if a licensed child care center is continuously maintained at the center.
- (9) The licensing committee, with the concurrence of the department, shall develop, by rule, a five-year phased-in compliance schedule for playground equipment safety standards.
- (10) The department shall set and collect licensing and other fees in accordance with Section 26-1-6.
- (11) Nothing in this chapter may be interpreted to grant a municipality or county the authority to license or certify a child care program.

Amended by Chapter 58, 2018 General Session

Part 4 Licensing

26-39-401 Licensure requirements -- Expiration -- Renewal.

- (1) Except as provided in Section 26-39-403, a person shall be licensed or certified in accordance with this chapter if the person:
 - (a) provides or offers child care; or
 - (b) provides care to qualifying children and requests to be licensed.
- (2) The department may issue licenses for a period not exceeding 24 months to child care providers who meet the requirements of:
 - (a) this chapter; and
 - (b) the department's rules governing child care programs.
- (3) A license issued under this chapter is not assignable or transferable.

Renumbered and Amended by Chapter 111, 2008 General Session

26-39-402 Residential child care certificate.

- (1) A residential child care provider of five to eight qualifying children shall obtain a Residential Child Care Certificate from the department, unless Section 26-39-403 applies.
- (2) The minimum qualifications for a Residential Child Care Certificate are:
 - (a) the submission of:
 - (i) an application in the form prescribed by the department;
 - (ii) a certification and criminal background fee established in accordance with Section 26-1-6; and
 - (iii) in accordance with Section 26-39-404, identifying information for each adult person and each juvenile age 12 through 17 years of age who resides in the provider's home:
 - (A) for processing by the Department of Public Safety to determine whether any such person has been convicted of a crime;
 - (B) to screen for a substantiated finding of child abuse or neglect by a juvenile court; and
 - (C) to discover whether the person is listed in the Licensing Information System described in Section 62A-4a-1006;

- (b) an initial and annual inspection of the provider's home within 90 days of sending an intent to inspect notice to:
 - (i) check the immunization record, as defined in Section 53G-9-301, of each qualifying child who receives child care in the provider's home;
 - (ii) identify serious sanitation, fire, and health hazards to qualifying children; and
 - (iii) make appropriate recommendations; and
- (c) annual training consisting of 10 hours of department-approved training as specified by the department by administrative rule, including a current department-approved CPR and first aid course.
- (3) If a serious sanitation, fire, or health hazard has been found during an inspection conducted pursuant to Subsection (2)(b), the department shall require corrective action for the serious hazards found and make an unannounced follow up inspection to determine compliance.
- (4) In addition to an inspection conducted pursuant to Subsection (2)(b), the department may inspect the home of a residential care provider of five to eight qualifying children in response to a complaint of:
 - (a) child abuse or neglect;
 - (b) serious health hazards in or around the provider's home; or
 - (c) providing residential child care without the appropriate certificate or license.
- (5) Notwithstanding this section:
 - (a) a license under Section 26-39-401 is required of a residential child care provider who cares for nine or more qualifying children;
 - (b) a certified residential child care provider may not provide care to more than two qualifying children under the age of two; and
 - (c) an inspection may be required of a residential child care provider in connection with a federal child care program.
- (6) With respect to residential child care, the department may only make and enforce rules necessary to implement this section.

Amended by Chapter 415, 2018 General Session

Amended by Chapter 344, 2017 General Session

26-39-403 Exclusions from chapter -- Criminal background checks by an excluded person.

- (1) The provisions and requirements of this chapter do not apply to:
 - (a) a facility or program owned or operated by an agency of the United States government;
 - (b) group counseling provided by a mental health therapist, as defined in Section 58-60-102, who is licensed to practice in this state;
 - (c) a health care facility licensed pursuant to Title 26, Chapter 21, Health Care Facility Licensing and Inspection Act;
 - (d) care provided to a qualifying child by or in the home of a parent, legal guardian, grandparent, brother, sister, uncle, or aunt;
 - (e) care provided to a qualifying child, in the home of the provider, for less than four hours a day or on a sporadic basis, unless that child care directly affects or is related to a business licensed in this state; or
 - (f) care provided at a residential support program that is licensed by the Department of Human Services.
- (2) The licensing and certification requirements of this chapter do not apply to:
 - (a) care provided to a qualifying child as part of a course of study at or a program administered by an educational institution that is regulated by the boards of education of this state, a

- private education institution that provides education in lieu of that provided by the public education system, or by a parochial education institution;
- (b) care provided to a qualifying child by a public or private institution of higher education, if the care is provided in connection with a course of study or program, relating to the education or study of children, that is provided to students of the institution of higher education;
 - (c) care provided to a qualifying child at a public school by an organization other than the public school, if:
 - (i) the care is provided under contract with the public school or on school property; or
 - (ii) the public school accepts responsibility and oversight for the care provided by the organization;
 - (d) care provided to a qualifying child as part of a summer camp that operates on federal land pursuant to a federal permit;
 - (e) care provided by an organization that:
 - (i) qualifies for tax exempt status under Section 501(c)(3) of the Internal Revenue Code;
 - (ii) provides care pursuant to a written agreement with:
 - (A) a municipality, as defined in Section 10-1-104, that provides oversight for the program; or
 - (B) a county that provides oversight for the program; and
 - (iii) provides care to a child who is over the age of four and under the age of 13; or
 - (f) care provided to a qualifying child at a facility where:
 - (i) the parent or guardian of the qualifying child is at all times physically present in the building where the care is provided and the parent or guardian is near enough to reach the child within five minutes if needed;
 - (ii) the duration of the care is less than four hours for an individual qualifying child in any one day;
 - (iii) the care is provided on a sporadic basis;
 - (iv) the care does not include diapering a qualifying child; and
 - (v) the care does not include preparing or serving meals to a qualifying child.
- (3) An exempt provider shall submit to the department:
- (a) the information required under Subsections 26-39-404(1) and (2); and
 - (b) of the children receiving care from the exempt provider:
 - (i) the number of children who are less than two years old;
 - (ii) the number of children who are at least two years old and less than five years old; and
 - (iii) the number of children who are five years old or older.
- (4) An exempt provider shall post, in a conspicuous location near the entrance of the exempt provider's facility, a notice prepared by the department that:
- (a) states that the facility is exempt from licensure and certification; and
 - (b) provides the department's contact information for submitting a complaint.
- (5) The department may not release the information it collects under Subsection (3) except in an aggregate count of children receiving care from exempt providers, without identifying a specific provider.

Amended by Chapter 366, 2017 General Session

26-39-404 Disqualified individuals -- Criminal history checks -- Payment of costs.

- (1)
- (a) Each exempt provider, except as provided in Subsection (1)(c), and each person requesting a residential certificate or to be licensed or to renew a license under this chapter shall submit to

the department the name and other identifying information, which shall include fingerprints, of existing, new, and proposed:

- (i) owners;
 - (ii) directors;
 - (iii) members of the governing body;
 - (iv) employees;
 - (v) providers of care;
 - (vi) volunteers, except parents of children enrolled in the programs; and
 - (vii) all adults residing in a residence where child care is provided.
- (b)
- (i) The Utah Division of Criminal Investigation and Technical Services within the Department of Public Safety shall process the information required under Subsection (1)(a) to determine whether the individual has been convicted of any crime.
 - (ii) The Utah Division of Criminal Investigation and Technical Services shall submit fingerprints required under Subsection (1)(a) to the FBI for a national criminal history record check.
 - (iii) A person required to submit information to the department under Subsection (1) shall pay the cost of conducting the record check described in this Subsection (1)(b).
- (c) An exempt provider who provides care to a qualifying child as part of a program administered by an educational institution that is regulated by the State Board of Education is not subject to this Subsection (1), unless required by the Child Care and Development Block Grant, 42 U.S.C. Secs. 9857-9858r.
- (2)
- (a) Each person requesting a residential certificate or to be licensed or to renew a license under this chapter shall submit to the department the name and other identifying information of any person age 12 through 17 who resides in the residence where the child care is provided. The identifying information required for a person age 12 through 17 does not include fingerprints.
 - (b) The department shall access the juvenile court records to determine whether a person described in Subsection (1) or (2)(a) has been adjudicated in juvenile court of committing an act which if committed by an adult would be a felony or misdemeanor if:
 - (i) the person described in Subsection (1) is under the age of 28; or
 - (ii) the person described in Subsection (1) is:
 - (A) over the age of 28; and
 - (B) has been convicted, has pleaded no contest, or is currently subject to a plea in abeyance or diversion agreement for a felony or misdemeanor.
- (3) Except as provided in Subsections (4) and (5), a licensee under this chapter or an exempt provider may not permit a person who has been convicted, has pleaded no contest, or is currently subject to a plea in abeyance or diversion agreement for any felony or misdemeanor, or if the provisions of Subsection (2)(b) apply, who has been adjudicated in juvenile court of committing an act which if committed by an adult would be a felony or a misdemeanor, to:
- (a) provide child care;
 - (b) provide volunteer services for a child care program or an exempt provider;
 - (c) reside at the premises where child care is provided; or
 - (d) function as an owner, director, or member of the governing body of a child care program or an exempt provider.
- (4)
- (a) The department may, by rule, exempt the following from the restrictions of Subsection (3):
 - (i) specific misdemeanors; and

- (ii) specific acts adjudicated in juvenile court, which if committed by an adult would be misdemeanors.
- (b) In accordance with criteria established by rule, the executive director may consider and exempt individual cases not otherwise exempt under Subsection (4)(a) from the restrictions of Subsection (3).
- (5) The restrictions of Subsection (3) do not apply to the following:
 - (a) a conviction or plea of no contest to any nonviolent drug offense that occurred on a date 10 years or more before the date of the criminal history check described in this section; or
 - (b) if the provisions of Subsection (2)(b) apply, any nonviolent drug offense adjudicated in juvenile court on a date 10 years or more before the date of the criminal history check described in this section.

Amended by Chapter 160, 2019 General Session

Part 5

Investigations and Records

26-39-501 Investigations -- Records.

- (1) The department may conduct investigations necessary to enforce the provisions of this chapter.
- (2) For purposes of this section:
 - (a) "Anonymous complainant" means a complainant for whom the department does not have the minimum personal identifying information necessary, including the complainant's full name, to attempt to communicate with the complainant after a complaint has been made.
 - (b) "Confidential complainant" means a complainant for whom the department has the minimum personal identifying information necessary, including the complainant's full name, to attempt to communicate with the complainant after a complaint has been made, but who elects under Subsection (3)(c) not to be identified to the subject of the complaint.
 - (c) "Subject of the complaint" means the licensee or certificate holder about whom the complainant is informing the department.
- (3)
 - (a) If the department receives a complaint about a child care program or an exempt provider, the department shall:
 - (i) solicit information from the complainant to determine whether the complaint suggests actions or conditions that could pose a serious risk to the safety or well-being of a qualifying child;
 - (ii) as necessary:
 - (A) encourage the complainant to disclose the minimum personal identifying information necessary, including the complainant's full name, for the department to attempt to subsequently communicate with the complainant;
 - (B) inform the complainant that the department may not investigate an anonymous complaint;
 - (C) inform the complainant that the identity of a confidential complainant may be withheld from the subject of a complaint only as provided in Subsection (3)(c)(ii); and
 - (D) inform the complainant that the department may be limited in its use of information provided by a confidential complainant, as provided in Subsection (3)(c)(ii)(B); and
 - (iii) inform the complainant that a person is guilty of a class B misdemeanor under Section 76-8-506 if the person gives false information to the department with the purpose of inducing a change in that person's or another person's licensing or certification status.

- (b) If the complainant elects to be an anonymous complainant, or if the complaint concerns events which occurred more than six weeks before the complainant contacted the department:
 - (i) shall refer the information in the complaint to the Division of Child and Family Services within the Department of Human Services, law enforcement, or any other appropriate agency, if the complaint suggests actions or conditions which could pose a serious risk to the safety or well-being of a child;
 - (ii) may not investigate or substantiate the complaint; and
 - (iii) may, during a regularly scheduled annual survey, inform the exempt provider, licensee, or certificate holder that is the subject of the complaint of allegations or concerns raised by:
 - (A) the anonymous complainant; or
 - (B) the complainant who reported events more than six weeks after the events occurred.
- (c)
 - (i) If the complainant elects to be a confidential complainant, the department shall determine whether the complainant wishes to remain confidential:
 - (A) only until the investigation of the complaint has been completed; or
 - (B) indefinitely.
 - (ii)
 - (A) If the complainant elects to remain confidential only until the investigation of the complaint has been completed, the department shall disclose the name of the complainant to the subject of the complaint at the completion of the investigation, but no sooner.
 - (B) If the complainant elects to remain confidential indefinitely, the department:
 - (I) notwithstanding Subsection 63G-2-201(5)(b), may not disclose the name of the complainant, including to the subject of the complaint; and
 - (II) may not use information provided by the complainant to substantiate an alleged violation of state law or department rule unless the department independently corroborates the information.
- (4)
 - (a) Prior to conducting an investigation of a child care program or an exempt provider in response to a complaint, a department investigator shall review the complaint with the investigator's supervisor.
 - (b) The investigator may proceed with the investigation only if:
 - (i) the supervisor determines the complaint is credible;
 - (ii) the complaint is not from an anonymous complainant; and
 - (iii) prior to the investigation, the investigator informs the subject of the complaint of:
 - (A) except as provided in Subsection (3)(c), the name of the complainant; and
 - (B) except as provided in Subsection (4)(c), the substance of the complaint.
 - (c) An investigator is not required to inform the subject of a complaint of the substance of the complaint prior to an investigation if doing so would jeopardize the investigation. However, the investigator shall inform the subject of the complaint of the substance of the complaint as soon as doing so will no longer jeopardize the investigation.
- (5) If the department is unable to substantiate a complaint, any record related to the complaint or the investigation of the complaint:
 - (a) shall be classified under Title 63G, Chapter 2, Government Records Access and Management Act, as:
 - (i) a private or controlled record if appropriate under Section 63G-2-302 or 63G-2-304; or
 - (ii) a protected record under Section 63G-2-305; and

- (b) if disclosed in accordance with Subsection 63G-2-201(5)(b), may not identify an individual child care program, exempt provider, licensee, certificate holder, or complainant.
- (6) Any record of the department related to a complaint by an anonymous complainant is a protected record under Title 63G, Chapter 2, Government Records Access and Management Act, and, notwithstanding Subsection 63G-2-201(5)(b), may not be disclosed in a manner that identifies an individual child care program, exempt provider, licensee, certificate holder, or complainant.

Amended by Chapter 220, 2015 General Session

Part 6 Penalties

26-39-601 License violations -- Penalties.

- (1) The department may deny or revoke a license and otherwise invoke disciplinary penalties if it finds:
 - (a) evidence of committing or of aiding, abetting, or permitting the commission of any illegal act on the premises of the child care facility;
 - (b) a failure to meet the qualifications for licensure; or
 - (c) conduct adverse to the public health, morals, welfare, and safety of children under its care.
- (2) The department may also place a department representative as a monitor in a facility, and may assess the cost of that monitoring to the facility, until the licensee has remedied the deficiencies that brought about the department action.
- (3) The department may impose civil monetary penalties in accordance with Title 63G, Chapter 4, Administrative Procedures Act, if there has been a failure to comply with the provisions of this chapter, or rules made pursuant to this chapter, as follows:
 - (a) if significant problems exist that are likely to lead to the harm of a qualifying child, the department may impose a civil penalty of \$50 to \$1,000 per day; and
 - (b) if significant problems exist that result in actual harm to a qualifying child, the department may impose a civil penalty of \$1,050 to \$5,000 per day.

Renumbered and Amended by Chapter 111, 2008 General Session

Amended by Chapter 382, 2008 General Session

26-39-602 Offering or providing care in violation of chapter -- Misdemeanor.

Notwithstanding the provisions of Title 26, Chapter 23, Enforcement Provisions and Penalties, a person who provides or offers child care except as provided by this chapter is guilty of a class A misdemeanor.

Renumbered and Amended by Chapter 111, 2008 General Session

REPORT OF ACTION

South Ogden City Planning Commission



MEETING DATE: January 13, 2021
ITEMS: Amend SOC 10-2-1 and 10-19-2, Changing the Number of Children Allowed in a Home Daycare from Five to Eight
LINK: [January 13, 2022 PC Meeting](#)
Time stamps in blue (00:00:00) correspond to the audio recording

BACKGROUND

This amendment to the code was initiated by a resident. She filled out the application, paid the fee, and the amendment went through the process of a public hearing and discussion and recommendation by the Planning Commission. Please see the staff report for detailed information concerning the amendment.

ACTION OF PLANNING COMMISSION

The planning commission recommended the proposed changes be forwarded to the City Council.

CONCERNS RAISED AT PUBLIC HEARING

The public hearing was held at the [December 9, 2021 PC meeting](#). All those who commented spoke in favor of increasing the allowed number of children from five to eight.

Frances Loos	00:08:12
Jodi Cannon	00:09:30
Kathy Ulrich	00:11:39
Ashley Frey	00:16:23

PLANNING COMMISSION DISCUSSION

December 9 meeting	00:19:35
January 13 meeting	00:15:45

MOTION 00:18:02 (January 13 meeting)

Commissioner Bradley moved to adopt the recommendation of staff and forward the recommendation to the City Council to set the limit of children in a home daycare/preschool to eight. Commissioner Pruess seconded the motion. The chair called the vote:

Commissioner Bradley-	Yes
Commissioner Bruderer-	Yes
Commissioner Howe-	Yes
Commissioner Layton-	Yes
Commissioner Pruess-	Yes
Commissioner Snowden-	Yes

The vote to forward the staff recommendation to the City Council was unanimous.

10-2-1: DEFINITIONS:

DAYCARE CENTER: Any building or structure other than an occupied residence furnishing care, supervision and guidance for ~~five-nine~~ (95) or more children unaccompanied by parent or guardian for periods of less than twenty four (24) hours per day; ~~or as provided in chapter 19 of this title, an occupied residence which furnishes care, supervision and guidance for not more than five (5) children unaccompanied by parent or guardian for periods of less than twenty four (24) hours per day. Occupied residence shall refer to being used as a residence by a family.~~ The term "daycare center" is inclusive of kindergartens, preschools, nursery schools and all other similar facilities specializing in the education and/or care of children prior to their entrance into the first grade, other than facilities owned and/or operated by the public school system.

DAYCARE, HOME: Any occupied residence furnishing care, supervision and guidance for not more than eight (8) children unaccompanied by parent or guardian for periods less than twenty four (24) hours per day. An occupied residence shall refer to a structure being used as a residence by a family. The term "home daycare" is inclusive of kindergartens, preschools, nursery schools and all other similar facilities operating within a residential setting and specializing in the education and/or care of children prior to their entrance into the first grade, other than facilities owned and/or operated by the public school system.

KINDERGARTEN: See definition of 'Daycare Center' and 'Daycare, Home'.

PRESCHOOL: See definitions for 'Daycare Center' and 'Daycare, Home'.

CHAPTER 19

HOME OCCUPATIONS

10-19-2: USES:

- A. Permitted Uses: Home occupations shall be allowed as permitted uses in residential districts of the city as listed in the use regulations of the various districts and in accordance with the regulations and restrictions of this chapter.
- B. Allowable Uses Specified: The following uses are examples of allowable home occupations:
 1. Group instruction or motivational meetings as a forum for sales presentations not more than once every three (3) months.
 2. Musical instruction.
 3. Phone order or mail order services.

4. Barber or beautician services with not more than two (2) customers on the premises at any time. (Ord. 901, 2-18-1997)
- ~~5. Child daycare of not more than five (5) children unaccompanied by parent or guardian for periods less than twenty four (24) hours per day. (Ord. 901, 2-18-1997; amd. Ord. 15-06, 2-17-2015, eff. 2-17-2015)~~
5. Home Daycare or Preschool, which is a type of home occupation that provides care for children including the caregiver's own children. A "home daycare" must follow all rules and regulations established by the State of Utah regarding licensing requirements for home child-care providers, including that the provider must maintain at least one caregiver for up to eight children in care and two caregivers for nine to 16 children in care, including the caregiver's own children under the age of four. All children under 13 years old count toward this limit. A home day care must meet the following standards:
 - a. There may be a maximum of eight to 16 (applicant is requesting eight) children on premises at any time, including the caregiver's own children under the age of six and not yet in full day school.
 - b. Employees shall be limited to not more than two (2) people who actually reside in the dwelling (no non-resident employees permitted).
 - c. The home day care/preschool caregiver shall comply with all applicable licensing requirements.
 - d. The use shall comply with all applicable traffic, parking, drop-off and noise regulations.
 - e. No signs shall be allowed on the dwelling or lot except a nameplate sign.
 - f. The use shall comply with all local, state and federal laws and regulations.
6. Computer information services.
7. Garage sales held not more than once every three (3) months.