

ORDINANCE NO. 13-20

AN ORDINANCE OF SOUTH OGDEN CITY, UTAH, REVISING AND AMENDING VARIOUS SECTIONS OF THE CITY CODE OF SOUTH OGDEN CREATING NEW ZONE R-5zc(F) FOR SENIOR HOUSING; MAKING NECESSARY LANGUAGE CHANGES TO THE CITY CODE TO EFFECT THOSE CHANGES; AND REZONING CERTAIN PROPERTY WITHIN THE CITY FROM R-5-zc(AB) TO R-5zc(F) ESTABLISHING AN EFFECTIVE DATE FOR THOSE CHANGES.

Section 1 - Recitals:

WHEREAS, SOUTH OGDEN City (“City”) is a municipal corporation duly organized and existing under the laws of Utah; and,

WHEREAS, the City Council finds that in conformance with Utah Code (“UC”) §10-3-717, and UC §10-3-701, the governing body of the city may exercise all administrative and legislative powers by resolution or ordinance; and,

WHEREAS, the City Council finds that in conformance with UC §10-3-717, and UC §10-3-701, the governing body of the city has previously adopted a City Code which deals with zoning and related issues; and,

WHEREAS, the City Council finds that South Ogden City Code, is based on and adopted in conformance with the authority granted to the City by UC Title 10; and,

WHEREAS, the City Council finds it is in the public interest to manage and regulate zoning matters and related issues; and,

WHEREAS, the City Council finds that South Ogden City Code, should be amended by adding new language related to zoning matters and related issues; establish a new Senior Housing Zone for the city and rezone certain property within the city to the new Senior Housing Zone; and,

WHEREAS, the City Council finds that the requirements should be effective upon passage of this Ordinance; and,

WHEREAS, the City Council finds that the public safety, health and welfare is at issue and requires action by the City as noted above;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF SOUTH OGDEN CITY, UTAH that the City Code be changed and amended to as follows:

Amended Section(s):

Upon the adoption of this Ordinance, the following sections are amended and adopted to read as follows:

Title 10, Chapter 7 of the City Code is amended in the following particulars.

Section "10-5-1: Establishment of Zones" is amended to add:

Multiple-family Residential Zone, Senior Housing. R-5zc(F),

There is **created a new "Article I. Multiple-family Residential Zone, Senior Housing (R-5zc(F))"** for Title 10 Chapter 7 of the City Code

There is **created as part of Article I, Title 10 Chapter 7** of the City Code **"Section 10-7I-0: Requirements"** to read:

The requirements of the R-5 zone are applicable except for the following zc amendments:

The following is a conditional use in the R-5zc(F) zone:

Senior Housing at a maximum density of 38 units per acre.

Land Rezoned:

The following described land is rezoned from R-5zc (AB) to R5zc (F) Senior Housing as a Conditional Use to permit a maximum density of 38 units per acre:

The parcel located at and commonly known as 6086 Ridgeline Drive and otherwise known as:

Parcel #07-745-0002. Legal Description: All Of Lot 9, Granite Point Phase 1, Lot 2, 1st Amendment, South Ogden City, Weber County, Utah

Section 2 - Repealer of Conflicting Enactments:

All orders, ordinances and resolutions regarding the changes enacted and adopted which have been adopted by the City, or parts, which are in conflict with this Ordinance, are, to the extent of such conflict, repealed, except this repeal shall not be construed to revive any act, order or resolution, or part, repealed.

Section 3 - Prior Ordinances and Resolutions:

The body and substance of any and all prior Ordinances and Resolutions, with their specific provisions, where not otherwise in conflict with this Ordinance, are reaffirmed and readopted.

Section 4 - Savings Clause:

If any provision of this Ordinance shall be held or deemed or shall be invalid, inoperative or unenforceable such reason shall not have the effect of rendering any other provision or provisions invalid, inoperative or unenforceable to any extent whatever, this Ordinance and this Ordinance being deemed the separate independent and severable act of the City Council of South Ogden City.

Section 5 - Date of Effect

This Ordinance shall be effective on the 1st day of October, 2013, and after publication or posting as required by law.

DATED this 1st day of October, 2013

SOUTH OGDEN, a municipal corporation

by: _____
Mayor James F. Minster

Attested and recorded

Leesa Kapetanov
City Recorder