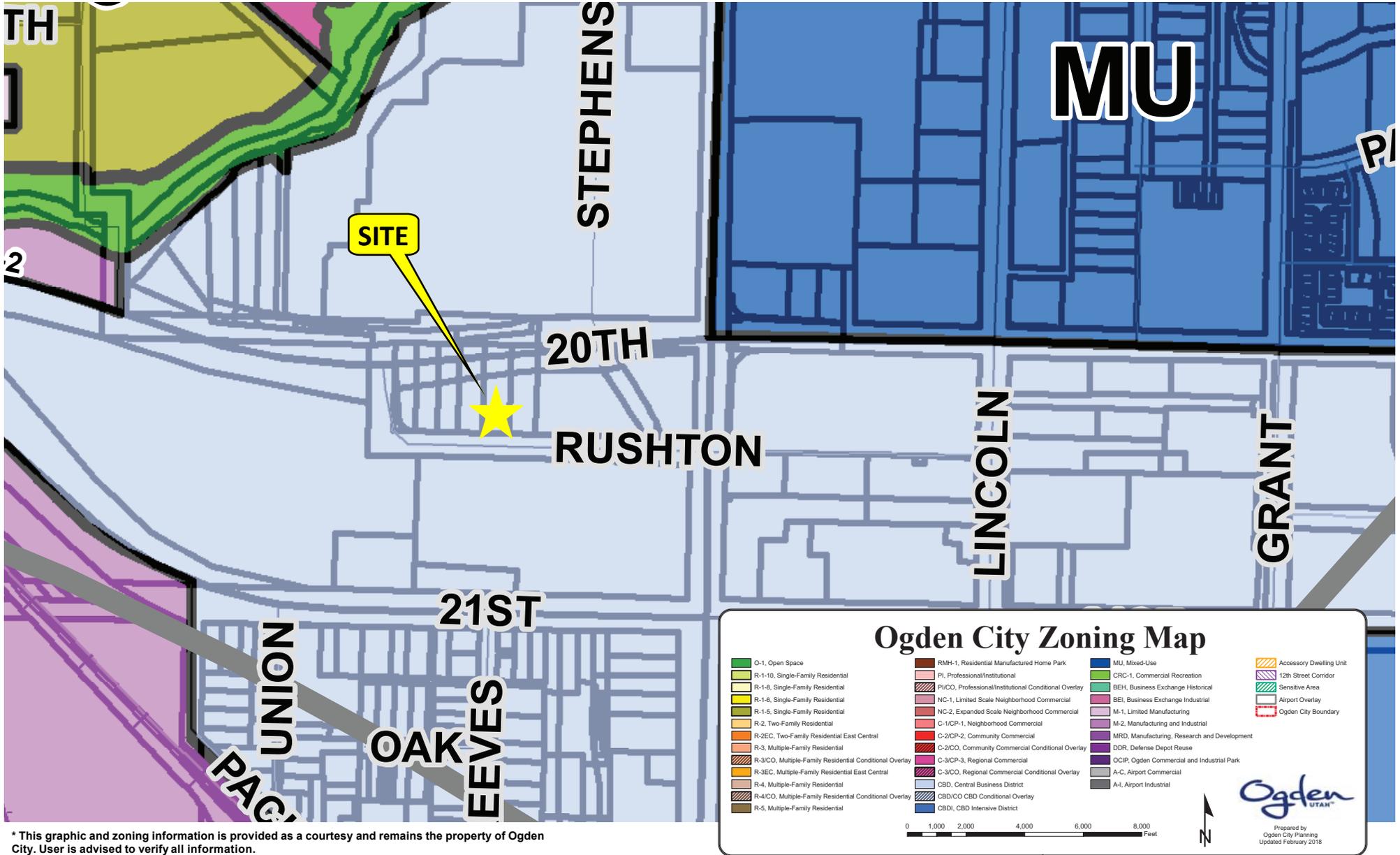


# Ogden City Zoning

164 W Rushton St, Ogden UT 84401

Tax # 03-015-0011



\* This graphic and zoning information is provided as a courtesy and remains the property of Ogden City. User is advised to verify all information.

**15-34-1: PURPOSES:**

- A. To recognize the existence of areas with unique development needs or opportunities requiring special development standards;
- B. To foster orderly growth and redevelopment of the CBD;
- C. To provide for a mixture of land uses in the CBD;
- D. To promote a CBD which attracts and supports a vigorous business community;
- E. To promote a human scale streetscape which is inviting to pedestrians, to promote quality landscape and open space development; and
- F. To promote architectural compatibility and protect important architectural qualities.

(Ord. 89-28, 11-9-1989)

**15-34-2: USES:**

In the following list of possible uses, those designated in any district as "P" will be a permitted use. Uses designated as "C" will be allowed only when authorized by a conditional use permit obtained as provided in [chapter 7](#) of this title. Uses designated as "N" will not be allowed in that district.

		Intensive District	CBD
A.	Sales:		
	A sales establishment classified as retail tobacco specialty business.	N	N
	A sales establishment classified as sexually oriented business (see section <a href="#">15-13-13</a> of this title for applicable conditions), including:	N	N
	Adult bookstores or adult video stores.		
	A sales establishment doing business in an enclosed permanent structure engaged in selling goods or merchandise to the general public for personal, household, or business use (excluding retail tobacco specialty business) and rendering services incidental to the sale of such goods, e.g., grocery, clothing, supplies, office products, jewelry, toys, home furnishings.		
	1. With no on site outdoor display.	P	P
	2. With accessory outdoor on site display of plants and assembled outdoor yard furnishings or amenities or tires; provided display area is maintained in a clean and litter free condition, with no broken merchandise; display does not occupy or obstruct required parking, pedestrian and vehicle accessways, or public right of way; and subject to the following minimum requirements for each type of outdoor display.	C/N	C
	a. Outdoor display of plants and unpacked and assembled outdoor yard furnishings or amenities:	C	C
	(1) Display is located only on an improved landscaped area;		
	(2) Display is in scale with surrounding uses;		
	(3) Outdoor display area cannot exceed the square footage of the ground level of the main building.		
	b. Outdoor tire displays:	N	C
	(1) Limited to establishments fronting Wall Avenue, south of 2550 South;		

		(2) Display size regulated by being calculated as on site signage;		
		(3) Display is not located on landscaping;		
		(4) Tires are stacked on paved ground;		
		(5) Site is upgraded to comply with present site development standards as approved by the city.		
		An establishment engaged in preparing, serving and selling food and drink for human consumption on or off premises; provided that such use shall not include drive-in restaurants, e.g., restaurants, cafes, etc.	P	P
		Mobile food truck, except that operation is not allowed in The Junction (the area from the west side of Washington to the east side of Grant and from the south side of 22nd to the north side of 24th), or the 25th Street historic district.	P	P
		Restaurant with cabaret: In addition to the requirements of the conditional use process, the planning commission shall consider the potential effects of the type of proposed cabaret operations on adjacent uses, including, but not limited to, any residential dwellings in the vicinity, considering hours of operation, noise, parking and traffic conflicts, and possible activities of patrons on and around the site.	C	C
		Sales establishments engaging in the sale of building materials as a principal use within a completely enclosed building.	C	C
		Sales establishments which engage in the sale of motorized vehicles, e.g., automobile sales, boat sales, motorcycle sales.	N	P
		Sales establishments which engage mainly in selling alcoholic beverages, e.g., taverns, liquor stores, private clubs. In addition to the requirements of the conditional use process, the following conditions shall apply to taverns and private clubs:	C	C
	1.	Maximum Number: No more than 2 private clubs or taverns per linear block;		
	2.	Parking: Parking shall be conveniently located to the entrance of the building. In determining conveniently located parking, the planning commission shall consider:		
		a. The visibility of the parking area from the building;		
		b. The lighting, existing physical development, and types of uses adjacent to the parking lot and between the parking lot and tavern or private club;		
		c. The potential for parking conflicts with the parking lots of adjacent uses;		
		d. The potential for customer usage of on street parking in front of residential uses.		
	3.	Operational Hours: Operational hours shall be considered to assure compatibility with the surrounding uses.		
	4.	Private Club Or Tavern With Cabaret: In addition to the requirements applicable generally to private clubs or taverns, the planning commission shall consider the potential effects of cabaret operations on adjacent uses, including, but not limited to, any residential dwellings in the vicinity, considering hours of operation, noise, parking and traffic conflicts, and possible activities of patrons on and around the site.		
		Sales establishments which utilize outdoor storage of materials, e.g., lumber, plumbing and heating supplies, garden supplies.	N	C
		Seasonal sale of produce subject to the following:	P	P
	1.	Although listed as a permitted use, seasonal sale of produce will be allowed only within the area described as being between the 2300 and 2700 blocks of Wall Avenue, and the 100 and 200 blocks of 25th Street;		
	2.	All stands or trucks and displayed produce must be located on private property;		
	3.	Such stands or displays shall be set back at least 20 feet from adjoining street right of way lines;		
	4.	Off street parking must be available on site or within 500 feet of the site;		
	5.	No portable, flashing, or banner signs shall be permitted; and		
	6.	Such use shall either locate in a temporary building under 400 square feet for a period not to exceed 6 months in 1 calendar year, or in a permanent building year round.		
		Seasonal sales in conjunction with a holiday market subject to the following:	P	N

	1.	Shall be located only in the Union Station plaza area;		
	2.	Shall be for crafts, food and beverages;		
	3.	Shall be allowed from the day after Thanksgiving through the month of December;		
	4.	Structures shall be a unified design.		
		Seasonal sales of Christmas trees and fireworks. Temporary buildings incidental to sales of these items permitted only for length of sales.	N	P
		Service station, drive-in restaurant, gas pumps, convenience stores.	N	P
		Sidewalk vendor: Sales conducted as a sidewalk vendor only in such locations set forth in the approved vendor location map referenced in <a href="#">title 5, chapter 13, article B</a> of this code.	P	P
		Swap meet, subject to the following condition:	N	C
		Must be operated within a completely enclosed building, except for incidental outdoor displays, and accessory fenced areas for storage of such things as living plant materials or items which, because of fire code regulations, may not be stored inside of a building, e.g., gas lawn mowers, rototillers, compressors, or other machinery producing fumes or exhaust.		
	B.	Services:		
		Service businesses located in a permanent building which provide health and grooming services to household pets, but not boarding, provided business is conducted completely within an enclosed building and keeping of pets is limited to hours between 7:00 A.M. and 7:00 P.M., e.g., veterinary, pet grooming.	P	P
		Service businesses located in a permanent building which provide storage for individuals or businesses, e.g., warehousing, personal storage units, refrigerated storage.	N	P
		Service businesses located within a permanent building, and requiring outside storage on site, e.g., general contractors, roofing, plumbing, heating contractors.	N	N
		Service businesses located within a permanent building primarily engaged in providing rental of equipment for individuals, businesses, or agencies with outdoor display of equipment for rent, e.g., equipment rental business, trailer rental, car and truck rental. Outdoor storage of items to be repaired and repair areas shall be screened from public view.	N	P
		Service businesses located within a permanent building primarily engaged in providing services for individuals, businesses, or agencies. Personal, professional, retail, financial, and business services, but not including short term loan businesses, e.g., beauty and barber shops, laundry, dry cleaning, funeral homes, architects, doctors, hotels, banking, insurance, real estate, advertising, employment agencies, daycare.	P	P
		Service businesses primarily engaged in automotive repair services, provided work is done completely within an enclosed building, e.g., brake, muffler, painting, bodywork, transmission, washing. Outdoor storage of vehicles shall be screened from public view.	N	P
		Short term loan businesses.	N	N
	C.	Institutional:		
		Educational/post-high school educational institution with housing	P	P
		Halfway houses, prisons.	N	N
		Institutional uses which are public, religious or educational and used for instruction, education or worship, e.g., daycare, schools, libraries, government buildings, courts, plazas, churches.	P	P
		Jails.	C	C
		Post-high school educational institution	P	P
		Soup kitchens, shelters for the homeless, missions.	N	N
		Transitional housing, assisted living facilities.	N	C
	D.	Residential:		

	1 or more dwelling units, provided they are located above first floor commercial uses and 1 additional on site parking space is provided for each unit.	P	P
	3 or more dwelling units used for the purpose of providing living quarters for families, e.g., apartments, condominiums, retirement homes.	P	P
	Lodging houses, boarding houses, single room occupancies.	N	N
	Single- or two-family dwelling units only.	N	N
E.	Cultural, entertainment and recreation:		
	Activities which require the use of motorized vehicles or which are conducted outside a building such as miniature golf, driving ranges, batting cages, go-carts, racetracks.	N	N
	Cabarets (see main use categories applicable to restaurants, private clubs or taverns).		
	Cultural, entertainment and recreation uses and businesses which provide as a main use activities for patrons by means of performance, film, or action, e.g., movie theaters, live theater, dance halls, sporting events, but not including sexually oriented businesses or cabarets. Arcades are permitted under the following conditions:	P	P
	1. That no arcade be located within 600 feet of any public elementary or secondary school, measured linearly between closest property lines.		
	2. That no 2 arcades shall be closer than 600 feet apart, measured linearly between closest property lines.		
	Indoor or outdoor public events or civic activities.	P	P
	Sexually oriented businesses (see section <a href="#">15-13-13</a> of this title for applicable conditions).		
	Adult businesses and adult live entertainment businesses.	N	N
	Outcall services and adult entertainment dancing agencies.	P	P
	Spook alleys, haunted houses.	N	N
F.	Transportation, utilities, communications:		
	Businesses and/or land uses which are primarily engaged in furnishing land for uses incidental to transportation, e.g., parking lots, parking terraces, bus terminals.	C	P
	Utility and communication uses which are primarily engaged in furnishing the delivery of utility or communication services, e.g., substations, relay towers.	C	C
G.	Manufacturing:		
	Manufacturing establishments solely engaged in the assembly of already processed materials or the substances into new products, provided the activity is conducted and all materials are stored within a completely enclosed building. Manufacturing in this chapter is limited only to food products for human consumption, clothing, textiles, printing, and publishing, and plastic consumer products, e.g., bakery, beverage, dairy products, apparel, textiles, newspaper publishing, book publishing, toys, cases, helmets.	N	C
	Manufacturing of food products for human consumption as an accessory use to an allowed sales use; provided, that not more than 15 percent of the floor area is used for the manufacturing process, the street frontage is used for permitted sales uses, and no deliveries of the produced product by delivery truck are allowed.	C	C
	Manufacturing which involves the processing, collecting or storage of raw materials or scrap, e.g., junkyard, metal salvage, metal collection.	N	N
	Manufacturing which involves the processing or collecting of raw materials, animals, or animal byproducts or plants, e.g., meat packaging, poultry processing, grain and cereal mills, pharmaceuticals.	N	N
H.	Temporary buildings:		
	Temporary buildings for uses incidental to construction work. Such buildings shall be removed upon completion or abandonment of construction work.	P	P

(Ord. 2015-13, 4-7-2015; amd. Ord. 2015-47, 10-20-2015)

## **15-34-8: REVIEW AND APPROVAL PROCESS:**

- A. Activity Initiating The Review Process: Any person, persons, groups, agencies, partnership or corporations who propose to remodel, alter or otherwise change the exterior of an existing building, or construct a new building or alter an existing site for parking or landscaping in the intensive or CBD zones, must submit development plans to the planning commission for review.
- B. Planning Commission Approval: The planning commission shall recommend approval or denial of the development plan to the mayor. The recommendation of the planning commission may contain conditions, limitations or amendments to the development plan to ensure that the development meets the purpose, intent, and requirements of this chapter. The planning commission may also recommend a reasonable amount to be provided by the developer by cash deposit or bond, to ensure the completion of the landscaping and public improvements for the entire plan or phase thereof.
- C. Administrative Action: The mayor may approve or disapprove the development plan, the amount required to ensure completion of the landscaping together with whatever amendments, conditions, or requirements as it may deem necessary to secure the purpose of this chapter.
- D. Development Agreement: After mayoral approval of the site plans and/or building design, five (5) copies of the final site plans reflecting all conditions of approval must be submitted to the department. Plans will be stamped "final" and a development agreement must be signed by the owner and appropriate city departments. Approved final site plans will be forwarded to the building official for issuance of building permits.
- E. Building Permit Issuance: The building official shall not issue any permit for the proposed building or use within the project unless such building or use is in accordance with the approved development plan and any conditions imposed, including the posting of any bond required by the planning commission, mayor or this code. Approved development plans shall be filed with the department, engineering division and building official.

(Ord. 89-28, 11-9-1989; amd. Ord. 91-51, 12-19-1991; Ord. 2001-32, 6-5-2001)