



NORTH OGDEN CITY

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MEMORANDUM

TO: North Ogden City Council and
Redevelopment Agency Board
Mayor Richard G. Harris
Ed Dickie, Manager

FROM: Dave Carlson, City Attorney/
Dir. Community & Economic Development

DATE: February 3, 2012

RE: RDA Amendment

Before you for consideration is a proposal to amend the City's existing redevelopment area, to remove from it the public rights of way bordering the proposed Boyer development project at the Southwest corner of Washington Blvd and 2700 N. The rights of way, proposed to be removed, are the entire 2700 N right of way adjacent to the Boyer project to the north, the entire 2550 N right of way adjacent to the project to the south and the one-half of the Washington Blvd right of way, from its center line, west to the adjacent to the project.

To accomplish this amendment, the RDA Board must vote to approve by resolution amendment to the RDA map, the RDA legal description and the RDA plan. City staff has prepared the resolution and the amendments necessary to remove the described rights of way. The City Engineer has prepared and approved the changes to the map and legal description.

After approval by the RDA Board of the amendments, the City Council must adopt an ordinance incorporating the changes. The amendments will then be recorded with the County and sent to various other county and state agencies as required by law. There will be a thirty-day public comment period "after" the changes are adopted.

It is proposed that a community development area or "CDA" be created to include the Boyer project area and the surrounding right of ways. Removal of the right of ways from the redevelopment area is necessary for their inclusion in the CDA. Creation of the CDA will allow the City to use future revenue from the increased property tax to be generated by the completed project, or "increment," to be used to pay certain costs of development. Inclusion of the rights of way in the proposed CDA will allow increment to be used to pay for public infrastructure, including streetscape improvements.

The City has only one opportunity assure that the development of this key location at the hub of the City's commercial district is done right. Streetscape enhancements around the project will create a

sense of “place,” define the area as the City’s “downtown,” enhance the attractiveness and appeal of this “catalyst” development and establish a pattern for future development of the City’s commercial district.

The Boyer project is still in its early stages and no definite configuration or design has yet been established. It is conceivable that tax increment may also be necessary to finance other “public space” improvements within the development or to help pay for infrastructure costs, to the extent they become a challenge to the success of the project.

State law limits the places and purposes for which tax increment may be utilized. To use increment for the envisioned streetscape enhancements, the rights of way need to be included in the CDA.

Approving the proposed amendments to the RDA map, RDA legal description and RDA plan is the first step towards establishment of the CDA.

Included for your review are the following documents: (1) proposed RDA map amendment; (2) proposed RDA legal description amendment; (3) proposed “First Amendment North Ogden City Central Business District Development Plan (dated September 18, 1990); and (4) original North Ogden City Central Business District Development Plan (dated September 18, 1990).

I look forward to answering your questions.

Sincerely,

Dave Carlson