

ORDINANCE NO. 22-17

AN ORDINANCE OF SOUTH OGDEN CITY, UTAH, REVISING AND AMENDING SOUTH OGDEN CITY CODE 10-7, REVISING LANGUAGE CONCERNING RESIDENTIAL SETBACKS AND AMENDING MAXIMUM BUILDING HEIGHTS; MAKING NECESSARY LANGUAGE CHANGES TO THE CITY CODE TO EFFECT THOSE CHANGES; AND ESTABLISHING AN EFFECTIVE DATE FOR THOSE CHANGES.

SECTION I - 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, in conformance with the provisions of UCA §10-9a-501 the governing body of the city may enact a zoning ordinance establishing regulations for land use and development within the city; and,

WHEREAS, South Ogden City has previously adopted and promulgated a city zoning ordinance; and,

WHEREAS, the City Council finds that the Planning Commission has recommended certain changes to the city zoning ordinance as it pertains to Setbacks and Maximum Building Heights; and,

WHEREAS, the City Council finds that South Ogden City Code, Title 10, Chapter 7 and various of its subsections should be amended by adding new language governing these changes and related regulations for the city; and,

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

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

AMENDED SECTION:

Upon the adoption of this Ordinance, Title 10, Chapter 7 of the South Ogden City Code is readopted with the changes set out in **Attachment "A"**, which is incorporated herein, to read as indicated.

The foregoing recitals are incorporated herein.

SECTION II - 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and adopted which have been adopted by the City, or parts, which conflict with this Ordinance, are, for such conflict, repealed, except this repeal shall not be construed to revive any act, order or resolution, or part, repealed.

SECTION III - PRIOR ORDINANCES AND RESOLUTIONS:

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

SECTION IV - SAVINGS CLAUSE:

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

SECTION V - DATE OF EFFECT

This Ordinance shall be effective on the 4th day of October, 2022, and after publication or posting as required by law.

DATED this 4th day of October, 2022.



SOUTH OGDEN CITY

Russell L. Porter, Mayor

ATTEST:

Leesa Kapetanov, CMC City Recorder

ATTACHMENT "A"

ORDINANCE NO. 22-17

An Ordinance Of South Ogden City, Utah, Revising And Amending South Ogden City Code 10-7, Revising Language Concerning Residential Setbacks And Amending Maximum Building Heights; Making Necessary Language Changes To The City Code To Effect Those Changes; And Establishing An Effective Date For Those Changes.

04 Oct 22

10-7A-4: Site Development Standards

- A. Minimum lot area:
 - 1. R-1-10 zone: Ten thousand (10,000) square feet.
 - 2. R-1-8 zone: Eight thousand (8,000) square feet.
 - 3. R-1-6 zone: Six thousand (6,000) square feet for dwelling and eight thousand five hundred (8,500) square feet for other main building.
- B. Minimum lot width:
 - 1. R-1-10 zone: Eighty feet (80').
 - 2. R-1-8 zone: Sixty five feet (65').
 - 3. R-1-6 zone: Sixty feet (60').
- C. Minimum yard setbacks:
 - 1. Front:
 - a. R-1-10 and R-1-8 zones: Thirty feet (30'), ~~except average where fifty percent (50%) frontage is developed, but not less than twenty feet (20').~~
 - b. R-1-6 zone: Twenty five feet (25'), ~~except average where fifty percent (50%) frontage is developed, but not less than twenty feet (20').~~
 - 2. Side:
 - a. Dwelling:
 - 1) R-1-10 zone: Ten feet (10') with total width of two (2) side yards not less than twenty four feet (24').
 - 2) R-1-8 and R-1-6 zones: Eight feet (8') with total width of two (2) side yards not less than eighteen feet (18').
 - b. Other main building: Twenty feet (20').
 - c. Accessory building:
 - 1) R-1-10 zone: Ten feet (10'), in side yard if located at least six feet (6') from main building except one foot (1') in minimum rear yard if located at least six feet (6') from main building, but not closer than ten feet (10') to dwelling on adjacent lot.
 - 2) R-1-8 and R-1-6 zones: Eight feet (8'), in side yard if located at least six feet (6') from main building except one foot (1') in minimum rear yard if located at least six feet (6') from main building, but not closer than ten feet (10') to dwelling on adjacent lot.
 - 3. Side facing street on corner lot: Twenty feet (20'), ~~except average where fifty percent (50%) frontage is developed, but not less than fifteen feet (15').~~
 - 4. Rear:
 - a. Main building: Thirty feet (30').
 - b. Accessory building:
 - 1) R-1-10 zone: One foot (1'), except ten feet (10') where accessory building rears on side yard of adjacent corner lot.
 - 2) R-1-8 and R-1-6 zones: One foot (1'), except eight feet (8') where accessory building rears on side yard of adjacent corner lot.
- D. Building height:
 - 1. Minimum: One story.
 - 2. Maximum: Two and one-half (2 1/2) stories or thirty-five feet (35').

10-7B-4: Site Development Standards

- A. Minimum lot area:
 - 1. Single-family dwelling: Six thousand (6,000) square feet.
 - 2. Single-family dwelling with Interior Accessory Dwelling Unit: Six thousand (6,000) square feet.
 - 3. Two-family dwelling: Ten thousand eight hundred ninety (10,890) square feet.
 - 4. Other main building: Eight thousand five hundred (8,500) square feet.
- B. Minimum lot width: Seventy five feet (75').
- C. Minimum yard setbacks:
 - 1. Front: Fifteen feet (15').
 - 2. Side:
 - a. Main building: Eight feet (8'), with total width of two (2) sides of not less than eighteen feet (18') for single-family dwelling or two-family dwelling and twenty feet (20') each side for other main building.
 - b. Accessory building: Eight feet (8'), in side yard if located at least six feet (6') from main building, except one foot (1') in minimum rear yard if located at least six feet (6') from main building; but not closer than ten feet (10') to dwelling on adjacent lot.
 - 3. Side, facing street or corner lot: Fifteen feet (15').
 - 4. Rear:
 - a. Main building: Thirty feet (30').
 - b. Accessory building: One foot (1'), except eight feet (8') where accessory building rears on side yard of adjacent corner lot.
- D. Building height:
 - 1. Minimum: One story.
 - 2. Maximum: Two and one-half (2 1/2) stories or ~~twenty seven feet (27')~~ thirty-five feet (35').

10-7C-4: Site Development Standards

- A. Minimum Lot Area:
 - 1. One-building dwelling:
 - a. For single-family: Six thousand (6,000) square feet.
 - b. For two-family: Eight thousand five hundred (8,500) square feet.
 - c. For multiple-family: Eight thousand five hundred (8,500) square feet, plus two thousand (2,000) square feet for each dwelling unit in excess of two (2) in each building.
 - 2.
 - a. Multiple buildings on a single lot: Eight thousand five hundred (8,500) square feet for each building, plus two thousand (2,000) square feet for each dwelling unit in excess of two (2) in each building.

3.
 - a. Other main building: Eight thousand five hundred (8,500) square feet.
 - ~~b. For nursing home: An additional seven hundred fifty (750) square feet for guest or patient accommodation in excess of four (4).~~
- B. Minimum Lot Width: Sixty feet (60').
- C. Minimum Yard Setbacks:
 1. Front: Twenty five feet (25'), ~~except average where fifty percent (50%) frontage is developed, but not less than twenty feet (20').~~
 2. Side:
 - a. Main building:
 1. One-building dwelling and multiple buildings on a single lot: Eight feet (8') with total width of two (2) required yards of not less than eighteen feet (18'), plus one foot (1') each side for each one foot (1') main building is over thirty five feet (35') high.
 2. Other main building: Twenty feet (20') each side, plus one foot (1') each side for each one foot (1') main building is over thirty five feet (35') high.
 - b. Accessory building: Eight feet (8'), in side yard if located at least six feet (6') from main building except one foot (1') in minimum rear yard if located at least six feet (6') from main building, but not closer than ten feet (10') to dwelling on adjacent lot.
 3. Side facing street on corner lot: Twenty feet (20'), ~~except average where fifty percent (50%) frontage is developed, but not less than fifteen feet (15').~~
 4. Rear:
 - a. Main building: Thirty feet (30').
 - b. Accessory building: One foot (1'), except eight feet (8') where accessory building rears on side yard of adjacent corner lot.
- D. Building Height:
 1. Minimum: One story.
 2. Maximum: ~~Nursing home, Two and one-half (2 1/2) stories or thirty-five feet (35'), none for other buildings.~~
- E. Lot Coverage: No building or group of buildings with their accessory buildings shall cover more than forty percent (40%) of the lot area.
- F. Open Green Space: At least forty percent (40%) of the lot area shall be left in open green space.
- G. Special Regulations: In no case shall the ratio of total floor area in the building to the lot area exceed one to one (1:1). (Ord. 15-06, 2-17-2015, eff. 2-17-2015)

This portion removed thru motion at Oct. 4, 2022 meeting.

Commented [LK1]: Nursing Homes were removed as a permitted use in this zone when the city included it in a use known as 'Group Living Arrangements'.