

**ORDINANCE NO. 22-01**

**AN ORDINANCE OF SOUTH OGDEN CITY, UTAH, REVISING AND AMENDING SOUTH OGDEN CITY CODE 10-5.1A-6 AND 10-5.1B-6 DEFINING INTERIOR SETBACKS FOR ROW BUILDINGS; 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 in regards to interior setbacks for Row Buildings; and,

**WHEREAS**, the City Council finds that South Ogden City Code, Title 10 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,

**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:

**Amended Section:**

Upon the adoption of this Ordinance, Title 10 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and adopted which have been adopted by the City, or parts, which conflict with this Ordinance, are, for such conflict, repealed, except this repeal shall not be construed to revive any act, order or resolution, or part, repealed.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 15<sup>th</sup> day of February 2022, and after publication or posting as required by law.

DATED this 15<sup>th</sup> day of February, 2022.

SOUTH OGDEN CITY, a municipal corporation

by: \_\_\_\_\_  
Mayor Russell Porter

Attested and recorded

\_\_\_\_\_  
Leesa Kapetanov, CMC  
City Recorder

# **ATTACHMENT "A"**

## **ORDINANCE NO. 21-05**

An Ordinance Of South Ogden City, Utah, Revising And Amending South Ogden City Code 10-5.1a-6 And 10-5.1b-6 Defining Interior Setbacks For Row Buildings; Making Necessary Language Changes To The City Code To Effect Those Changes; And Establishing An Effective Date For Those Changes.

15 Feb 22

**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 <del>1</del> : Refer to figure 5.6(1) of this section			
	Multiple principal buildings.	Permitted <sup>1</sup>	Permitted <sup>1</sup>	Permitted <sup>1</sup>
(a)	Front sidewalk coverage. <a href="#">Not applicable to interior buildings of multiple building developments</a>	65% <sup>2</sup>	65% <sup>2</sup>	65% <sup>2</sup>
	Occupation of corner. <a href="#">Not applicable to interior buildings of multiple building developments</a>	Required <sup>8</sup>	Required <sup>8</sup>	Required <sup>8</sup>

	(b)	Front build-to zone. <a href="#">Not applicable to interior buildings of multiple building developments</a>	0' to 10'	5' to 15'	10' to 20'
	<a href="#">(b)(1)</a>	<a href="#">Front yard<sup>9</sup> depth for interior principal building</a>	<a href="#">10'</a>	<a href="#">15'</a>	<a href="#">20'</a>
	(c)	Corner build-to zone. <a href="#">Not applicable to interior buildings of multiple building developments</a>	0' to 10' <sup>8</sup>	5' to 10' <sup>8</sup>	5' to 10' <sup>8</sup>
	(d)	Minimum side yard setback	0' per unit; 10' between buildings; <a href="#">for interior buildings, min. 10' from property line.</a>	0' per unit; 15' between buildings; <a href="#">for interior buildings, min. 15' from property line.</a>	0' per unit; 15' between buildings; <a href="#">for interior buildings, min. 20' from property line.</a>
	(e)	Minimum rear yard setback	10' <sup>13</sup>	10' <sup>13</sup>	15' <sup>13</sup>
	(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 <a href="#">10-5.1A-4</a> , "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% <sup>4</sup>	15%	15%
		Blank wall limitations	Required, see subsection <a href="#">10-5.1A-5-2D2</a> of this section <a href="#">10-5.1A-5</a>		
	(t)	Front facade permitted entrance type	Stoop, porch, limited storefront <sup>5,6,7</sup>	Stoop, porch, limited storefront <sup>5,6,7</sup>	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 <sup>1</sup>	Permitted <sup>1</sup>
(a)	Front sidewalk coverage. <a href="#">Not applicable to interior buildings of multiple building developments</a>	65% <sup>2</sup>	65% <sup>2</sup>
	Occupation of corner. <a href="#">Not applicable to interior buildings of multiple building developments</a>	Required <sup>6</sup>	Required <sup>6</sup>



	(b)	Front build to zone. <a href="#">Not applicable to interior buildings of multiple building developments</a>	5' to 15'	5' to 20'
	(b)(1)	Front yard <sup>9</sup> depth for interior principal building	15'	20'
	(c)	Corner build to zone. <a href="#">Not applicable to interior buildings of multiple building developments</a>	5' to 10' <sup>6</sup>	5' to 10' <sup>6</sup>
	(d)	Minimum side yard setback	0' per unit; 15' between buildings; <a href="#">for interior buildings, min. 15' from property line.</a>	0' per unit; 15' between buildings; <a href="#">for interior buildings, min. 20' from property line.</a>
	(e)	Minimum rear yard setback	10' <sup>3</sup>	15' <sup>3</sup>
	(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 <a href="#">10-5.1B-4</a> , "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% <sup>4</sup>	15% <sup>4</sup>
		Blank wall limitations	Required, see subsection <a href="#">10-5.1B-5-2D2</a> of this section <a href="#">10-5.1B-5</a>	
	(t)	Front facade permitted entrance type	Stoop, porch, limited storefront <sup>5</sup>	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.](#)

**10-5.1B-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.](#)

Added by CC on Feb. 15 during meeting to make same as 10-5.1A-10-5.