

## ORDINANCE 2025-05

### AN ORDINANCE OF NORTH OGDEN CITY AMENDING THE ZONING ORDINANCE OF NORTH OGDEN CITY TITLE 11, LAND USE CODE, ACROSS MULTIPLE CHAPTERS AND SECTIONS TO ADDRESS CODE CORRECTIONS, MIS-LABELED SECTIONS, AND MINOR SPELLING ERRORS

**WHEREAS;** The current City ordinance Title 11, Land Use Code, guides land uses and development within the community; and

**WHEREAS;** Title 11, Land Use Code, was overhauled and adopted in 2022; and

**WHEREAS;** This request amends in a reasonable manner multiple Chapters and Sections to correct mis-labeled sections and minor spelling errors; and

**WHEREAS;** This amendment seeks to amend Title 11, Land Use Code, to increase clarity of language, correct the mis-labeled sections and Code references, and ensure the Code leads to correct Land Use decisions and administration of development rights; and

**WHEREAS;** Updating these Code references seeks to maintain the rights and the reasonable interests of residents, developers, and the City, and does not make any material changes in Land Uses, development rights, or administration of the Code;

**NOW THEREFORE, BE IT ORDAINED** by the North Ogden City Council that the North Ogden City Code Title 11, Land Use Code, across multiple Chapters and Sections be amended as follows:

- 11-2-15: Minor Subdivisions
  - A. See NOCC 11-25 MINOR SUBDIVISIONS development standards.
  - B. Steps Outlined. The preparation, submission and review of all minor subdivision plats located inside the corporate limits of the City shall consist of four (4) basic review steps as follows:
    1. Step 1: Optional pre-application meeting with Planning Department.
    2. Step 2: Application submission and review by the Planning Department.
    3. Step 3: If determined by the Planning Director to be necessary the application will be circulated to members of the Technical Review Committee for review, comment, and any recommended conditions.
    4. Step 4: The Planning Director will write a notice of decision.

- 11-7: Definitions
  - Definitions: Building, Height Of:
    - Identify the top back of curb on the drawing for an uphill lot to correct the images to match their definition explanation. (ADD IMAGE)
  - DRIVEWAY, SECONDARY: An improved point of access connecting internal to a site which does may not have direct access to a public right-of-way.
  - 11-7: Dwelling: The term "dwelling" includes manufactured and modular homes when the requirements of CCNO 11-13 11-15 are met.
  
- 11-8-1: Establishment of Zones
  - 11-8-1, A, 14. Planned Manufacturing zone M-1, MP-1 (11-10, Article B & Article E)
  
- 11-9A-2 L. Home Occupation
  - 11-9A-2: E. Attached Dwelling Units. See CCNO 11-12, 11-13
  - 11-9A-2: L. Home Occupations. CCNO 11-13 11-14
  
- 11-9B-2: Permitted Uses
  - 11-9B-2: E. Attached Dwelling Units. See CCNO 11-12, 11-13
  - 11-9B-2: H. Home occupations. See CCNO 11-13, 11-14
  - 11-9B-2: K. Planned Unit Development. See CCNO 11-12, 11-13
  
- 11-9D-2: Permitted Uses
  - 11-9D-2: A, 4. Daycare. See CCNO 11-9M-14, 11-9M-13
  - 11-9D-2: A, 11. Public buildings, public parks, recreation grounds, and associated buildings. See CCNO 11-9M-18 and 11-26-12
  
- 11-9E-2: Permitted Uses
  - 11-9E-2: A, 11. Public utility substation. See CCNO 11-9M-20, 11-9M-19
  
- 11-9G-3: Site Development Standards
  - 11-9G-3: B. Minimum lot width measured 20 feet back from the front property line
  
- 11-9 Article H: Quail Ponds Planned Unit Development Zone (PUD)
  - 11-9H-2: A, 6. Public buildings, public or private parks, recreation grounds, and associated buildings. See CCNO 11-9M-17, 11-9M-18, 11-9M-19, and 11-26-12

- 11-9H-2: A, 9. Accessory buildings (See 11NOCC 11-9M-8 for accessory building standards.), See CCNO 11-9M-8
  - 11-9H-3: B. Minimum lot width measured 30 feet back from the front property line 55' square feet
  
- 11-9I-2: Permitted Uses
  - 11-9I-2: A, 6. Accessory buildings (See 11NOCC 11-9M-8 for accessory building standards.), See CCNO 11-9M-8
  
- 11-9J-2: Permitted Uses
  - 11-9J-2: A, 15. Public buildings, public parks, recreation grounds, and associated buildings. See CCNO 11-9M-18 and 11-26-12
  
- 11-9 Article L: Civic Zone C
  - 11-9L-2: A, 5 Public parks, recreation grounds, and associated buildings. See CCNO 11-9M-18 and 11-26-12
  - 11-9L-9: TRASH ENCLOSURES Uses within the Civic zone are subject to CCNO 11-11-9, 11-11-10 (Trash Enclosure)
  - 11-9L-10: PARKING Uses within the Civic zone are subject to CCNO 11-18, 11-19
  
- 11-9M-7: Special Provisions for Side Yard Reduction
  - 11-9M-7: B. 1. 1. The side yard reduction must be on the garage or carport side of the dwelling and no living space will be allowed in connection with the addition.
  - 11-9M-7: B. 2. 2. The combined total of the side yards of the dwelling requesting the change is not less than eighteen feet (18') in zones RE-20, R-1-12.5, R-1-10; and twelve feet (12') in zones R-1-8, R-1-8(A), R-1-8(AG), R-2, R-3 and R-
  
- 11-9M-13: In-Home Daycare and Preschools
  - 11-9M-13: A 2. h. Fence height shall be in accordance with CCNO 11-9M-13 11-9M-15.
  
- 11-9M-15: Residential Fence Regulations
  - 11-9M-15: B. Except as otherwise stated in subsections, D, E, and F of this section, no fence, hedge or other similar structure shall be erected in any required front yard of a lot to a height in excess of three and one-half feet (3 1/2')

- 11-9M-15: D. 2. (in addition to and separate from the 40' triangular area specified in subsection C of this section) (in addition and separate from the Typical Sight Triangle as referenced in the City's Public Works Standards)
- 11-9M-15: F. 1. All retaining walls and grading for the area surrounding the location of those retaining walls must comply with CCNO 11-21, 11-22
- 11-9M-15: F. 3. a. Retaining Wall Height shall be determined using the same standard used in 11-25 CCNO 11-22 I.
  
- 11-10A-3: Site Development Standards
  - 11-10A-3: D Building Height 2.b. CC zone: Thirty-five feet 38' 35' for CC-ST and 50' for CC-DT.
  - 11-10A-3: H, 3 Trash Enclosures Trash receptacles must comply with 11-10-26 11-11-10.
  - 11-10A-3: H, 6 Building materials. 7. Utility Meters. All utilities meters shall be directly attached to the main building or other location as approved by Planning Commission but shall not be located between the main building and public right of way.
  
- 11-10C-2: Scope
  - 11-10C-2: A, 1. b. It is the intent of the City that every development subject to this article be designed in conformity to the purpose and requirements of this article. However, the City also recognizes that it cannot anticipate all possible circumstances, nor the best means for dealing with them, in the preparation and adoption of these regulations. For example, criteria established herein may be more germane to larger projects than to smaller ones, depending on the individual characteristics of the site, such as size, configuration, topography and location.

Therefore, the approval authority, unless expressly stated to the contrary in this article, shall have reasonable discretion in implementing the purpose of this article by modifying both mandatory and recommended criteria as individual circumstances may merit. In deviating from the adopted standards, it shall be the responsibility of the applicant to show why the requirements would be an unreasonable burden, and how the project would still meet the purpose and intent of this article. In the same vein, the approval authority may also require that certain provisions of this article, which are not mandatory, be included in a project based on individual circumstances.

- 11-10C-3: Architecture
  - 11-10C-3, C, 1. Font correction for the following text “unless required in franchise agreement contingency for franchise branding.”
  
- 11-10D-5: Short Term Loan Businesses
  - 11-10D-5, C. Zoning. Short term loan businesses shall only be allowed in C-2 or CP-2 CC-DT or CC-ST zones. When allowed within a zoning district, a short-term loan business may only be located on the following street: Washington Boulevard.
  
- 11-11-14: Streetscape Standards
  - 11-11-14, B. The North Ogden Streetscape design standards are located in the North Ogden City Public Works Standards in section 20 Roadway Section RD-07 and RD-08. Streetscape designs are required for properties going through site plan review and shall be approved by the Planning Commission, upon the recommendation of the City Engineer.
  
- 11-12: Hillside Protection Zones HP-1, HP-2, HP-31
  - 11-12-2: Permitted Uses
    - A. Accessory buildings. See 11-9M-7 CCNO 11-9M-8.
    - G. Daycare. See CCNO 11-9M-13.
    - M. Preschool. See CCNO 11-9M-13.
  - 11-12-3: Grading and Drainage Standards  
The regulations for Grading and Drainage are found in 11-21 CCNO 11-22.
  - 11-12-4: Development Constraints  
The regulations for Development Constraints are found in 11-21 CCNO 11-22-3 and 11-24.
  
- 11-14-3: Development Standard of all Home Occupations
  - 11-14-3, A, 4. Conducted Within Living Quarters, Exception. Home occupations may be permitted in the garage as long as the provisions of chapter 11-16 of this title are complied with. Any home occupation approved for a garage shall have minimal environmental impact on the character of the neighborhood as described in CCNO 11-16-5 11-14-5 related to public nuisances, and other relevant provisions of the municipal code. Existing prohibited home occupations with garages will be given a 6-month amortization time period to continue to operate from February 28, 2015.

- 11-19-7: Off Street Loading Spaces
  - 11-19-7, C. Screening. Screen of off-site loading spaces shall follow the requirements of parking lots in CCNO 11-19-9A-3 11-19-9, A, 3.
- 11-20-2: General Requirements
  - 11-20-2 A, CN, CC (DT & ST) 20% 10%
- 11-20-3: Landscaping and Site Design Standards
  - 11-20-3, B, 1, d. Landscape plans shall preserve and incorporate natural land features such as streams, washes, springs, etc., into the overall site plan. See sensitive lands ordinance 11-22-3: DEVELOPMENT CONSTRAINTS.
- 11-21-3: General Provisions
  - 11-21-3 General Provisions (J). Sign Not to Constitute a Traffic Hazard. No sign or other structure in excess of two feet (2') in height, as measured from the top of the curb or edge of the hard road surface, shall be placed on any corner lot within a triangular area formed by the street property lines and a line connecting them at points forty feet (40') from the intersection of the street lines within the Typical Sight Triangle as referenced in the City's Public Works Standards, in such a manner as to obstruct free and clear vision to automobile drivers.
  - 11-21-3: General Provisions (S). Sign on Public Property. Except as authorized in CCNO 11-22-8D 11-21-7, it shall be unlawful for any person to fasten, attach, paint or place any sign, handbill, poster, advertisement or notice of any kind or sort, whether commercial or noncommercial, or to cause the same to be done in or upon any public curb, lamp post, telephone pole, electric light, power pole, hydrant, bridge, tree, easement, right of way, sidewalk, street, building or other property of the city. No sign shall be erected or project over such public properties.
- 11-21-6: Signs Permitted For Nonresidential Uses in Specific Districts
  - 11-21-6, A, 2, c, (1) Sign area for electronic message display signs shall be calculated by the same standards as illuminated signs in CCNO 11-21-3(A)(3) 11-21-5, with any portion of the electronic message display sign which is able to emit light considered as the illuminated surface. The number of sign faces contributing to total sign area shall be determined by the same standard as used in CCNO 11-21-3(A)(4) 11-21-5 for other signs.

- 11-21-6, B. CP-1 and C-1 Zoning Districts. B. CP-1 and C-1CN, CC-DT, CC-ST Zoning Districts.
  - 11-21-6, C. C. CP-1 and C-1 Zoning Districts. CP-2 and C-2CN, CC-DT, CC-ST, and MP-1 Zoning Districts.
- 11-21-7: Temporary Signs
  - 11-21-7, B, 4. At intersections, they must be placed to not obstruct free and clear vision CCNO 11-21-3 K I and shall not constitute a traffic hazard within the site distance triangle and provide a clear view of intersecting streets CCNO 11-21-3 L J.
  - 11-21-7, C, 2. Temporary signs that are permitted that are placed on private property must have the permission of the property owner CCNO 11-21-3-T 11-21-3R.
  - 11-21-7, C, 3. Except as otherwise permitted in this title, no such sign or portion of the sign may be located in or project into a public right of way or an adjoining property CCNO 11-21-3-V 11-21-3I and 11-21-3T.
- 11-26-3: Site Development Standards
  - 11-26-3, 1. All R lots shall be developed in accordance with CCNO 11-19 11-22-2.
- 11-26-12: Public Uses
  - a. 11-26-12, A, 1. Recreation Sites. Land reserved for public recreation purposes shall be of a character and location suitable for use as a playground, or for other recreation purposes, and shall be relatively level and dry; and shall be improved by the developer to the standards required by a development agreement, which improvements shall be included in the performance bond or escrow. The Parks and Recreation Department should make recommendations for dedicated parks within subdivisions during the Technical Review Process, CCNO 11-2-4 prior to the Planning Commission reviewing a subdivision plat. The Planning Commission may refer any subdivision proposed to contain a dedicated park to the Parks and Recreation Department for a recommendation. All land to be reserved for dedication to the city for park purposes shall have prior approval of the City Council through a Development Agreement and shall be shown marked on the plat "reserved for park and/or recreation purposes"
- 11-26-14: Preservation of Natural Features and Amenities
  - 11-26-14, B. B. Sensitive Lands Ordinance requires the identification of existing water features, steep slopes, rock outcroppings, etc. of the site.

Subdivision design should avoid the sensitive lands features, clustering is encouraged. Subdivision design should avoid the sensitive lands features per 11-22-3: DEVELOPMENT CONSTRAINTS, clustering is encouraged.

**PASSED and ADOPTED this 23rd day of April 2025.**

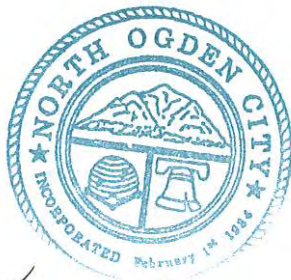
**North Ogden City:**

  
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**S. Neal Berube**  
**North Ogden City Mayor**

**CITY COUNCIL VOTE AS RECORDED:**

	<b>Aye</b>	<b>Nay</b>
<b>Council Member Barker:</b>	<u>  X  </u>	_____
<b>Council Member Covering:</b>	<u>  X  </u>	_____
<b>Council Member Dalpiaz:</b>	<u>  X  </u>	_____
<b>Council Member Pulver:</b>	<u>  X  </u>	_____
<b>Council Member Watson:</b>	<u>  X  </u>	_____
<b>(In event of a tie vote of the Council):</b>		
<b>Mayor Berube</b>	_____	_____

**ATTEST:**



  
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**Rian Santoro**  
**City Recorder**