



## NOTICE AND AGENDA

### SOUTH OGDEN CITY PLANNING COMMISSION MEETING

Thursday, February 13, 2025

Notice is hereby given that the South Ogden City Planning Commission will hold a meeting on Thursday, February 13, 2025, beginning at 6:45 p.m. The meeting will be located at City Hall, 3950 Adams Ave., South Ogden, Utah, 84403, in the city council chambers. The meeting is open to the public; anyone interested is welcome to attend. Some members of the commission may be attending the meeting electronically. The meeting will also be streamed live over [www.youtube.com/@southogdencity](http://www.youtube.com/@southogdencity).

#### I. CALL TO ORDER AND OVERVIEW OF MEETING PROCEDURES - Chair Nic Mills

#### II. PUBLIC HEARING

To Receive and Consider Comments on Proposed Amendments to Section 10-14-22 - Standards for Accessory Buildings in Residential Zones

#### III. ZONING ITEMS

- A. Discussion/Recommendation on Proposed Amendments to Section 10-14-22 - Standards for Accessory Buildings in Residential Zones
- B. Discussion on Proposed Short-term Rental Ordinance

#### IV. APPROVAL OF MINUTES OF PREVIOUS MEETING

Approval of January 9, 2025 Planning Commission Minutes

#### V. STAFF REPORTS

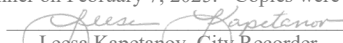
- A. City Council Updates
- B. Joint Session on February 18, 2025, 6 pm

#### VI. OTHER BUSINESS

#### VII. PUBLIC COMMENTS

#### VIII. ADJOURN

The undersigned, duly appointed City Recorder, does hereby certify that a copy of the above notice and agenda was posted to the State of Utah Public Notice Website, on the City's website ([southogdencity.gov](http://southogdencity.gov)) and emailed to the Standard Examiner on February 7, 2025. Copies were also delivered to each member of the Planning Commission.

  
Leesa Kapetanov, City Recorder

In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during the meeting should notify the City Recorder at 801-622-2709 at least 48 hours in advance.

# STAFF REPORT



**SUBJECT:** Code Change Discussion - Accessory Buildings  
**AUTHOR:** Alika Murphy  
**DEPARTMENT:** Planning Administration  
**DATE:** February 13, 2025

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## BACKGROUND

As current planning staff gets to know the city's current code, a review and assessment of the code is also done. One of the latest sections of code that staff has interacted with has been the accessory building ordinance, particularly section 10-14-22. This section talks about location, size, design, and materials. This initial discussion took place at the January 9th Planning Commission meeting where the commission directed staff to go ahead with the change in the code. The current code reads as follows:

### 10-14-22: Standards For Accessory Buildings In Residential Zones

1. Design and Materials: The original design of the building must have been to function as a typical accessory residential structure, such as a patio cover, pergola, storage shed, garage or carport, and not for some other use. Reuse of a metal structure originally designed or used for other purposes, such as shipping or cargo containers, is not allowed unless the exterior of the metal structure is made to be integrated into the design of the main residential building, with a similar residential exterior wall treatment and roofing material as the main building.
  1. Metal accessory buildings two hundred (200) square feet or less are allowed in all residential zones. Accessory buildings over 200 square feet are allowed with exterior finished walls constructed of up to 50% painted metal, with the remainder of the building covered in horizontal lap or vertical (board and batten) siding, brick, stucco, wood, or similar material as the main building, etc.
  2. All accessory buildings larger than 200 square feet must be integrated into the design of the residential building, with a similar residential exterior wall color.
    1. Roofing materials including metal roofs shall have a similar color as the main building.
    2. An eave proportionate to the main building is required with a minimum of 12 inches. Aluminum fascia and soffits are allowed.
  3. Roof pitches shall be a minimum of a 4/12.

Links to code: <https://southogden.municipalcodeonline.com/book?type=ordinances#name=10-14-22: Standards For Accessory Buildings In Residential Zones>

## ANALYSIS

Staff wants to keep an open mind and be as flexible as possible when it comes to accessory buildings that residents put up. They already have requirements for building height and percentage that they are allowed to take up for the backyard which is in line with other city codes, but the percentage of certain materials and colors may limit residents from building a structure that they want. Also, prices can be a driving force when residents decide on accessory buildings to purchase or build.

As mentioned, staff is aware that the city does not want unattractive accessory buildings, but having a higher percentage of metal does not necessarily make a building unattractive. Different wording would help portray what the city wants to see.

Things to think about:

- What are we trying to say in the ordinance?
- How much should the city mitigate the look of accessory buildings?
- What do we like about the existing accessory building requirements and what do we want to change?
- Are there other issues that need to be addressed for accessory buildings?

Attached is the updated accessory building ordinance taking out the 50% requirement.

## RECOMMENDATION

Staff recommends a positive recommendation of excluding the part of code that limits building up to 50% of painted metal to the City Council.

## POTENTIAL MOTIONS

Approval:

I move to recommend approval to City Council for the amendment of 10-14-22 to eliminate the maximum allowance of 50% painted metal.

Table:

I move to table the amendment of Section 10-14-22.

Denial:

I move to recommend denial to City Council for the amendment of 10-14-22 to eliminate the maximum allowance of 50% painted metal.

## **10-14-22: Standards For Accessory Buildings In Residential Zones**

1. Design and Materials: The original design of the building must have been to function as a typical accessory residential structure, such as a patio cover, pergola, storage shed, garage or carport, and not for some other use. Reuse of a metal structure originally designed or used for other purposes, such as shipping or cargo containers, is not allowed unless the exterior of the metal structure is made to be integrated into the design of the main residential building, with a similar residential exterior wall treatment and roofing material as the main building.
  1. Metal accessory buildings, two hundred (200) square feet or less are allowed in all residential zones. ~~Accessory buildings over 200 square feet are allowed with exterior finished walls constructed of up to 50% painted metal, with the remainder of the building covered in horizontal lap or vertical (board and batten) siding, brick, stucco, wood, or similar material as the main building, etc.~~

All accessory buildings may use metal, horizontal lap or vertical (board and batten) siding, brick, stucco, wood, that is a similar material or appears as a similar material as that of the main building, as long as all materials are in good condition.
  2. All accessory buildings larger than 200 square feet must be integrated into the design of the residential building, with a similar residential exterior wall color.
    1. Roofing materials including metal roofs shall have a similar color as the main building.
    2. An eave proportionate to the main building is required with a minimum of 12 inches. Aluminum fascia and soffits are allowed.
  3. Roof pitches shall be a minimum of a 4/12.
2. Location and Size:
  1. No detached accessory building, other than trellises, shall be allowed in the front yard between the main residential building and the street.
  2. A garage or carport attached to the main residential building is allowed between the front of the main residential building and the street if the front yard setback requirement for the zone is maintained and the garage or carport is integrated into the design of the residential building, with a similar residential exterior wall treatment, roof slope, and roofing material as the main building to which it is attached.
  3. A detached garage or carport may be located in the side yard so long as it meets the side and front yard setbacks, is a minimum of 6 feet from the main building, is integrated into the design of the residential building, with a similar residential exterior wall treatment and roofing material as the main building.
  4. Accessory buildings may be located in a rear yard provided they meet the required setbacks of the zone.
3. Height: The building shall not exceed the maximum height allowed by other sections of the Zoning Ordinance (See 10-14-5: Additional Height Regulations).
4. Prohibited Use: Accessory buildings shall not be used as living quarters. Accessory Dwelling Units are not considered accessory buildings.

# STAFF REPORT



**SUBJECT:** Code Change Discussion - Short-Term Rentals  
**AUTHOR:** Aliko Murphy  
**DEPARTMENT:** Planning Administration  
**DATE:** February 13, 2025

## BACKGROUND

On the October 10, 2024, agenda, there was an item where Staff was proposing to add in the definition of short-term rental (STR) to Section 3-11-0 to explain how the city defines an STR and to be clear that they are not allowed in the city. This addition was based on previous discussions that previous planning staff has had with the commission about the allowance of STRs. At the October 10<sup>th</sup> meeting, there was interest from the commission to explore the conversation of STRs further since most of the current commission is new. It was discussed again on November 14, 2024, and ultimately the commission agreed that before moving forward, it would be best to hear from City Council to see if this ordinance is something that they would be willing to support. The discussion of STRs was brought up to the council on December 3, 2024 and the result was that they were open to considering a Short-Term Rental ordinance. On January 9, 2025 the commission discussed what they would like to see in an ordinance and what they would want to limit within the community.

## ANALYSIS

A short-term rental is a living space available to rent for short periods of time. Typically, they have been treated as a hotel adjacent rental where people stay for a couple days to a few weeks. Anything less than 30 days is considered a short-term rental. Utah defines it a short-term rental as a residential unit or any portion of a residential unit that the owner or record or the lessee of the residential unit offers for occupancy for fewer than 30 consecutive days.

Short-term rentals (STRs) have been a topic of discussion in the past and current planning staff is always open to having the STR discussion again. Leading up to that decision, there was a lot of back and forth for Planning Commission and City Council. Part of the last STR conversation was a survey that had about 400 responses and it was basically a 50/50 split of residents with 192 residents being for them and 197 residents against them. Planning Commission voted (5-1) to recommend that short-term rentals be allowed and regulated. The last discussion that City Council had was in March of 2023 and it was decided to still not allow STRs in the city. Since then, there have been phone calls asking about short-term rentals and new staff is open to having the STRs.

As mentioned, one of the items in the last planning commission meeting was adding language in the code that explicitly says that STRs are not allowed in the city. The Accessory Dwelling Unit section is the only one that has a line prohibiting short-term rentals within an ADU, but there has not been any other section that specifically states that STRs are not allowed. The code does say under 10-14-2 “Any use not expressly permitted, or listed as a conditional use, is prohibited” and under 10-1-3 D it states “If a use is not listed and cannot be interpreted as similar in nature and impact to a use within a zone that is either permitted or requires a conditional use permit, the use is not permitted and may only be approved through an amendment of this title”. These two sections do cover the non-permitted use of STRs, but before adding further language prohibiting short-term rentals, it is worth having the conversation again about whether or not to have an ordinance that could allow them with restrictions.

As far as Utah legislation is concerned, there is one section of code that talks about STRs (17-50-338). This state code states that a legislative body may not do the following:

1. Enact or enforce an ordinance that prohibits an individual from listing or offering a short-term rental on a short-term rental website; or
2. Use an ordinance that prohibits the act of renting a short-term rental to fine, charge, prosecute, or otherwise punish an individual solely for the act of listing or offering a short-term rental on a short-term rental website.

The section above does not apply to an individual who lists or offers an internal accessory dwelling unit as a short-term rental on a short-term rental website if the county records a notice for the internal accessory dwelling unit under Subsection 17-27a-526(6).

Some cities have adopted ordinances allowing short-term rentals, but there are still cities that have decided not to allow them. Surrounding that do have an ordinance include Ogden, North Ogden, and West Haven. Below are some of the main requirements for STRs.

Ogden:

- Allowed in R-1 zone, owner-occupied
  - R-2, R-2EC, R-3, R-3EC, R-4, R-5, and R-9 zones limit one per block if they are not owner-occupied
  - Must pass a building and fire inspection
  - Contact information must be sent to all neighbors within 300 feet and proof of letters but be submitted to city
  - STR license must be renewed annually
  - 2 people per sleeping room
  - No visitors
  - There must be off-street parking offered to renters otherwise there is a fine
- [https://codelibrary.amlegal.com/codes/ogdencityut/latest/ogdencity\\_ut/0-0-0-21027](https://codelibrary.amlegal.com/codes/ogdencityut/latest/ogdencity_ut/0-0-0-21027)

#### North Ogden:

- Only within owner-occupied structures or those managed by the owner
- Allowed within ADUs
- 1 parking space per bedroom
- Provide contact information to city (must be reached 24/7)
- STR business license required
- Fire inspection annually
- Max of 12 persons
- Violation is \$500 fine

<https://northogden.municipalcodeonline.com/book?type=plan#name=11-9M-21: SHORT TERM RENTAL REGULATIONS>

#### West Haven

- Owner-occupied
- Must show proof of residence which includes driver's license, deed, and a notary note must be turned in
- Site plan, floor plan, parking plan, and contact information must be turned in
- Land Use Permit and business license is required
- Fire code inspection
- Property description
- Limit of 182 nights that can be rented
- Must provide an information packet for renter that includes emergency contact, business license, owner contact information, noise ordinance, etc.

[https://codelibrary.amlegal.com/codes/westhavenut/latest/westhaven\\_ut/0-0-0-7307](https://codelibrary.amlegal.com/codes/westhavenut/latest/westhaven_ut/0-0-0-7307)

#### Things to consider when looking at a short-term rental ordinance:

- How will this affect the neighborhood?
  - Is this wanted by residents?
  - Will it affect housing affordability?
  - Will it be required for the property to owner-occupied?
  - Are they allowed in ADUs?
  - What will the approval process be?
  - How will it be enforced?
- 
- Ensure that traditional residential neighborhoods are not turned into tourist areas to the detriment of long-time residents
  - Ensure any regulation of short-term rentals does not negatively affect property values
  - Ensure that homes are not turned into pseudo hotels or “party houses”
  - Minimize public safety risks and the noise, trash and parking problems often associated with short-term rentals

- Give permanent residents the option to occasionally utilize their properties to generate extra income from short-term rentals as long as all of the above mentioned policy objectives are met
- Minimize public safety risks and the noise, trash and parking problems often associated with short-term rentals without creating additional work for the local police department
- Encourage additional tourism to drive more business to downtown stores and restaurants
- Ensure that the city does not lose out on tax revenue that could be invested in much needed services for permanent residents

| Policy Objective                                                                                                                                                                                       | Viable Regulatory Approaches                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Give law abiding and respectful citizens the option to utilize their homes as short term rentals                                                                                                       | Adopt a formal annual permitting requirement and a process for revoking permits from “trouble properties”. As an example a local government can adopt a “3 strikes rule” whereby a permit is automatically revoked for a number of years in the event the local government receives 3 (substantiated) complaints about a property within a certain time frame (i.e. a 24 month period). Alternatively, a local government can adopt a rule by which a permit is automatically revoked in the event the town receives conclusive evidence (police report, video evidence etc.) that a city ordinance has been violated. |
| Ensure that speculators do not buy up homes to turn them into pseudo hotels while still giving permanent residents the option to utilize their homes to generate extra income from short-term rentals. | Adopt a formal permit requirement and make it a condition that the permit holder verifies residency.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| Ensure that homes are only occasionally used as short-term rentals (and not continuously rented out to new people on a short-term basis).                                                              | We can choose to set a specific number of days that the short-term rental can be rented out, but it would be hard to track. Adopting a permanent residency requirement for shortterm rental permit holders can ensure that there is a practical upper limit to how often most properties are rented out each year. Adopting a “permanent residency requirement” also comes with the additional side benefit that most people don’t want to rent out their primary residence to people who may trash it or be a nuisance to the                                                                                         |

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|                                                                                                                                                                     | neighbors. The “permanent residency requirement” can therefore also help minimize noise, parking and trash related issues.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |
| Ensure homes are not turned into “party houses”.                                                                                                                    | The city can choose to adopt a specific limit on the number of people that are allowed to stay on the property at any given time. The “people limit” can be the same for all permitted properties (i.e. a max of 10 people) or be correlated with the number of bedrooms.                                                                                                                                                                                                                                                                                                                                                                                                                       |
| Minimize potential parking problems for the neighbors of short-term rental properties.                                                                              | Adopt a formal permit requirement and put in place a specific limit on the number of motor vehicles that short-term renters are allowed to park on/near the property. The “motor vehicle limit” can be the same for all permitted properties (i.e. a max of 2) or be dependent on the number of permanent parking spots available on the property. As with the “people limit” rule mentioned above, adopting these parking disclosure requirements will deter most abuse.                                                                                                                                                                                                                       |
| Minimize public safety risks and possible noise and trash problems without creating additional work for the local police department and code enforcement personnel. | Require that all short term rental contracts include a copy of the local sound/trash/ parking ordinances that summarizes applicable local ordinances.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |
|                                                                                                                                                                     | <p>Require that short-term rental permit holders list a “local contact” that can be reached 24/7 and immediately take corrective action in the event any nonemergency issues are reported (i.e. deal with suspected noise, trash or parking problems).</p> <p>Or</p> <p>Establish a 24/7 hotline to allow neighbors and other citizens to easily report non emergency issues without involving local law/code enforcement officers. Once notified of a potential ordinance violation, the hotline personnel will contact the affected property’s “local contact”, and only involve the local law and/or code enforcement personnel in the event that the “local contact” is unsuccessful in</p> |

|                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |
|----------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                                                                                                                                                    | remediating the situation within a reasonable amount of time (i.e. 20- 30 minutes)                                                                                                                                                                                                                                                                                                                                                                                                                               |
| Ensure that no long-term rental properties are converted to short-term rentals to the detriment of long-term renters in the community.             | Adopt a permanent residency requirement for short-term rental permit holders (see above) to prevent absentee landlords from converting long-term rental properties into short-term rentals.                                                                                                                                                                                                                                                                                                                      |
| Ensure that residential neighborhoods are not inadvertently turned into tourist areas to the detriment of permanent residents                      | <ol style="list-style-type: none"> <li>1. Adopt a formal permit requirement and set specific quotas on the number of short-term rental permits allowed in any given neighborhood, and/or</li> <li>2. Adopt the “permanent residency requirement” for short-term rental permit holders (mentioned above) to ensure that there is a practical upper limit to how often any property is rented out each year.</li> </ol>                                                                                            |
| Ensure any regulation of short-term rentals does not negatively affect property values or create other unexpected negative long-term side-effects. | Evaluate the code overtime as the market and technology evolves and as residents adjust.                                                                                                                                                                                                                                                                                                                                                                                                                         |
| Ensure the physical safety of short-term renters.                                                                                                  | Adopt a physical safety inspection requirement as part of the permit approval process. The inspection can be conducted by the municipality’s own staff or the local fire/police force and can cover various amounts of potential safety hazards. As minimum such inspection should ensure that all rentals provide a minimum level of protection to the renters who are sleeping in unfamiliar surroundings and therefore may be disadvantaged if forced to evacuate the structure in the event of an emergency. |

## PROPOSED CHANGES

Attached is the STR draft

## RECOMMENDATION

Staff recommends that we proceed with a public hearing regarding a short-term rental addition to the city code.

## **DEFINITION**

### **10-2-1 Short-Term Rental.**

Any approved dwelling or portion thereof that is available for use or is used for accommodation or lodging of guests paying a fee or other compensation for a period of at least one 24-hour day and max of 30 consecutive days.

### **10-14-24 Short-Term Rentals.**

(a) Purpose. The purpose of this Section is to establish the process for permitting of short-term rentals whether as a vacation rental or otherwise. The intent is to protect the integrity and characteristics of established land use districts by ensuring that short-term or vacation rentals are located in appropriate land use districts and operated in a manner that minimizes negative impacts of those uses on neighbors, public services and the surrounding community.

#### **(B) Definitions:**

(1) Responsible Party. The owner(s), agent(s) or management company responsible for the operation and maintenance of the Short-Term Rental property and for its compliance with all laws, rules and regulations applicable to the same.

(2) Occupant(s). The individual(s) renting or residing in a Short-Term Rental dwelling unit.

(3) Pets. Dogs, cats or other domesticated animals allowed under City ordinances that, with permission of the Responsible Party, accompany the occupants of the Short-Term Rental.

#### **(C) Location:**

1. Short-term rental use is permitted in any zone that allows residential uses.
2. All short-term rentals shall be owner-occupied in residential zones which includes R-1-6, R-1-8, R-1-10, R-2, R-3, and R-3A. The owner of the subject property shall live in the primary dwelling in which an STR is desired and must reside there as their primary residence.
3. Short-term rentals in zones identified under the form-based code must be managed by an owner who can respond within 1 hour at any time.
4. Short-term rentals are permitted within attached and detached accessory dwelling units.

(D) Licenses. Prior to operating a Short-Term Rental, the owner or Responsible Party shall obtain a South Ogden City Short-Term Rental license. At the time of, or prior to, receiving approval of the license, the Responsible Party shall register the business with the State, and obtain a State Sales Tax ID number; proof of the same shall be filed with the City.

1. The land use application shall provide a phone contact number and email address for the owner and the Responsible Party, as applicable. The application shall be accompanied by a site plan and floor plan that demonstrates all the requirements of this section are met. The plans shall show the rooms that will be rented out, the location of all parking stalls, entrances, and such other information as may be required for consideration of the application.
2. The applicant must provide proof of permanent residency by way of a driver's license address
3. Short-term rentals shall be inspected by the Fire Department prior to initial approval of the business license and shall be inspected annually at the time of the license renewal thereafter.
4. If the residence is part of an HOA community, a letter from the HOA is required.
5. The business license official or his/her appointee shall review complete applications for a Short-Term Rental license under this Section and shall approve, or deny the application based on the criteria listed in this Section.
6. Reports and Taxes. The Responsible Party shall comply with all reporting requirements incident to the use as a Short-Term Rental property, and shall collect and remit all sales, resort and transient room taxes to the State Tax Commission.

(D) Noise, Nuisances and Adverse Effects of Use. The Responsible Party shall regulate the occupancy of the Short-Term Rental and ensure that:

- (1) Occupants and their pets do not create noise or other conditions that by reason of time, nature, intensity or duration are out of character with noise and conditions customarily experienced in the surrounding neighborhood;
- (2) Occupants do not disturb the peace of surrounding residents by engaging in outside recreational activities or other activities that adversely affect nearby properties before 7:00 a.m. or after 10:00 p.m.;
- (3) Occupants and their pets do not interfere with the privacy of nearby residents or trespass onto nearby properties;
- (4) Occupants do not engage in disorderly or illegal conduct, including illegal consumption of drugs or alcohol; and
- (5) The premises, responsible party and all occupants strictly comply with Utah Administrative Code Rule R392-502, Public Lodging Facility Sanitation.

(E) Parking. On-street parking is prohibited. An off-street parking stall shall be provided for each bedroom being rented. The number of Occupants' vehicles shall not exceed the number of bedrooms available in the Short-term Rental with a maximum of 4 bedrooms.

Vehicles parked at the Short-Term Rental shall not impede clear sight distances, create a nuisance or hazard, violate any City laws or winter-restricted parking requirement, or infringe on the property rights of any adjacent or nearby property. Parking of vehicles shall be entirely within a garage or carport, or upon a driveway or other approved paved surface that meets established standards and norms. Parking is prohibited within any yard or landscaped area.

(F) Camping equipment, facilities and other temporary facilities. All Short-Term Rentals shall be conducted entirely within an approved residential dwelling unit. Occupied camp trailers, travel trailers, recreational vehicles, tents, yurts, or any similar structures are prohibited.

(G) Signage. Exterior signage other than ordinary street address signage is prohibited.

(H) Renter's Packet: The Responsible Party shall also provide a prominent display within the dwelling unit that provides, at minimum, the following information:

- (1) contact information for the Responsible Party at which it may be contacted at any time (24/7);

- (2) all local regulations addressing noise, parking, pets, trespassing, illegal activity, and conduct;

- (3) contact information of local police, fire and emergency service; and

- (4) any additional rules or regulations imposed by the Responsible Party;

- (5) copy of business license and parking site plan;

- (6) A copy of the floor plan with all emergency exits

(H) Maintenance and Standards. Any property licensed as a Short-Term Rental shall conform to the following standards:

- (1) Structures shall be properly maintained and all facilities such as plumbing, HVAC equipment, appliances, etc. kept in a condition that is fully operational and otherwise in good repair.

- (2) Grounds and landscaped areas shall be properly maintained to ensure that the use does not detract from the general appearance of the neighborhood or create any hazard or nuisance to the Occupants or to neighboring properties.

(3) Each habitable space shall meet current federal, state and local building and health codes, and shall be equipped with fully functional smoke and carbon monoxide detectors located at places within the dwelling unit that comply with applicable building codes.

(4) Garbage shall be placed in City-approved receptacles. Trash shall not be allowed to accumulate on the property and be removed on regularly scheduled pick up days.

(5) All requirements of the local fire authority shall be met

(6) A fire exit route plan and statement of the maximum occupancy number for the premises shall be prominently posted.

(7) A fully functional fire extinguisher shall be located in an easily accessible location.

(8) The responsible party shall comply with all inspection requirements of the State of Utah, Weber County and the City.

(I) Notification of Adjacent Property Owners. Property owners within one hundred fifty feet (150') of the premises proposed for a Short-Term Rental shall be notified of the application by the city.

(J) Complaints. Complaints received by the City for any violation of this chapter will be handled as follows:

(1) A first complaint will result in an investigation and, if warranted, the City will issue a written warning to the Responsible Party; said warning shall provide notice of the complaint, a description of any violation, and actions to be performed to correct a violation. Upon receipt of a second complaint, the City will conduct an investigation, and if warranted, will revoke the short-term rental license.

(2) In the event of a revocation or suspension proceeding, the Hearing Procedure found in 3-1A-5 of this code will be used.

(3) Notwithstanding any other remedy in this section, violations of Federal, State, County or local laws may be prosecuted in any court or administrative tribunal having jurisdiction over the matter.



## MINUTES OF THE SOUTH OGDEN CITY PLANNING COMMISSION MEETING

THURSDAY, JANUARY 9, 2025  
COUNCIL CHAMBERS, CITY HALL –6:45 pm

### PLANNING COMMISSION MEMBERS PRESENT

Vice Chair Robert Bruderer, Commissioners John Bradley, Norbert Didier, Pete Caldwell, and Brock Gresham

### PLANNING COMMISSIONERS EXCUSED

Chair Nic Mills and Commissioner Brian Mitchell

### STAFF PRESENT

Assistant City Manager Summer Palmer, Planner Alikea Murphy, Communications and Events Specialist Danielle Bendinelli, and Recorder Leesa Kapetanov

### OTHERS PRESENT

No one else attended this meeting

**Note:** The time stamps indicated in blue correspond to the audio recording of this meeting which can be found at:

[https://www.southogdencity.com/document\\_center/Sound%20Files/2025/PC250109\\_1912.mp3](https://www.southogdencity.com/document_center/Sound%20Files/2025/PC250109_1912.mp3)

or requested from the office of the South Ogden City Recorder.

A briefing session was held before the planning commission meeting and was open to the public. The audio recording for the briefing meeting can be found by clicking this link:

[https://www.southogdencity.com/document\\_center/Sound%20Files/2025/PC250109\\_1849.mp3](https://www.southogdencity.com/document_center/Sound%20Files/2025/PC250109_1849.mp3)

## I. CALL TO ORDER AND OVERVIEW OF MEETING PROCEDURES

- Vice Chair Robert Bruderer called the meeting to order at 6:15 pm and entertained a motion to open the meeting 00:00:00

Commissioner Didier so moved. The motion was seconded by Commissioner Bradley. Commissioners Bruderer, Didier, Caldwell, Bradley, and Gresham all voted aye.

## II. ZONING ITEMS

### A. Discussion on Proposed Short-Term Rental Ordinance

- Overview by Planner Alikea Murphy  
00:00:12
- Discussion by Commission 00:02:25
- During discussion, the Commission requested staff add restrictions to the ordinance to limit the number of short-term rentals, as well as a requirement to post noise restrictions in each short-term rental

### B. Discussion on Accessory Building Requirements

- Planner Murphy gave an overview of this discussion item  
00:40:40
- Discussion 00:43:37
- The commissioners instructed staff to move forward with changing the requirements for metal accessory buildings

## III. SPECIAL ITEMS

### A. Open and Public Meetings Training Questions

- The commissioners were given the opportunity to ask staff questions about any of the training materials they had studied. There were no questions. Those in attendance submitted their affirmation of training forms to City Recorder Kapetanov.

00:54:57

## IV. APPROVAL OF MINUTES OF PREVIOUS MEETING

### Approval of December 12, 2024 Planning Commission Minutes

- Motion concerning the minutes 00:55:56

**Commissioner Bradley moved to approve the minutes from the December 12, 2024 Planning Commission meeting, followed by a second from Commissioner Caldwell. The voice vote was unanimous in favor of the motion.**

## V. STAFF REPORTS

### A. City Council Updates

00:56:40

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86  
87 **VI. OTHER BUSINESS**

- 88 • Training opportunities 00:59:08  
89  
90

91 **VII. PUBLIC COMMENTS**

- 92 • There were no public comments either in person or online  
93 01:00:18  
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95 **VIII. ADJOURN**

- 96 • At 7:16 pm, Vice Chair Bruderer called for a motion to adjourn  
97 01:00:43  
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99 **Commissioner Bradley moved to adjourn. Commissioner Didier seconded the motion. All**  
100 **present voted aye.**  
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121 I hereby certify that the foregoing is a true, accurate and complete record of the South Ogden City Planning Commission Meeting  
122 held Thursday, January 9, 2025.  
123

124   
125 Leesa Kapetanov, City Recorder

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Date Approved by the Planning Commission