

ORDINANCE NO. 26-01

AN ORDINANCE OF SOUTH OGDEN CITY, UTAH, AMENDING SOUTH OGDEN CITY CODE 10-14-12 CONCERNING PRIVATE SWIMMING POOL SETBACKS AND 10-17-2 CONCERNING OFF- STREET PARKING REQUIREMENTS

SECTION 1 - RECITALS:

WHEREAS, South Ogden City ("City") is a municipal corporation duly organized and existing under the laws of Utah; 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, in conformance with UCA §10-9a-502 the governing body of the city may from time to time amend the zoning ordinance by recommendation of the planning commission and after the planning commission holds a public hearing which has been properly noticed; and,

WHEREAS, the City Council finds that the Planning Commission has held the required public hearings and now recommends changes to South Ogden City Code (SOC) 10-14-12 concerning private swimming pool setbacks as well as changes to 10-17-2 concerning off-street parking requirements;

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, 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and adopted which have been adopted by the City, or parts, which conflict with this Ordinance, are, for such conflict, repealed, except this repeal shall not be construed to revive any act, order or resolution, or part, repealed.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 6th day of January, 2026, and after publication or posting as required by law.

DATED this 6th day of January, 2026.

SOUTH OGDEN, a municipal corporation

Russell L. Porter, Mayor

Attested and recorded:

Leesa Kapetanov, MMC
City Recorder

ATTACHMENT “A”

ORDINANCE NO. 26-01

An Ordinance Of South Ogden City, Utah, Amending South Ogden City Code
10-14-12 Concerning Private Swimming Pool Setbacks And 10-17-2
Concerning Off-Street Parking Requirements

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10-14-12: Private Swimming Pools, Tennis/Pickleball Courts, Skateboard Ramps, Basketball Standards Or Courts

1. Swimming Pool (private). No such pool shall be allowed in any zoning district except as an accessory use and unless it complies with the following conditions and requirements:
 1. It is an accessory use to a main building and is located within the side or rear yard thereof and accessory structure setbacks do not apply to the swimming pool;
 2. It is intended and is to be used solely for the enjoyment of the occupants and guests of the principal use of the property on which it is located;
 3. It may not be located closer than six feet (6') to any side property line or ~~ten-six~~ (10'6') from a rear property line on the property on which it is located; the setback is measured from the water's edge to the property line;
 4. On corner lots, the distance from the pool to the property line facing on a street shall not be less than the required side yard for an accessory building in that zone;
 5. The swimming pool, or the entire property on which it is located, shall be walled or fenced to a minimum height of six feet or the combination of a minimum 4' high fence and a powered safety cover complying with ASTM F1346 and a keyed switch to operate the cover. The fence shall be constructed to limit any individual from accessing the pool area. The fence shall comply with all current building codes. All gates on said fences shall be self-closing and fitted with a self-latching device located on the interior side of the gate;
 6. Where a swimming pool is completely enclosed in a building, the location and setback requirements for an accessory structure shall apply. Any above ground pool lighting shall be installed and directed such that the light source or light bulb is not directly visible from any point five feet high along the neighboring property line.

10-17-2: Off Street Parking Space And Driveway Requirements For Dwellings

Applicability: Single-Family Residences, Mobile Homes And Multiple-Family Residences Of Four (4) Or Less Dwelling Units Per Building.

A. Off Street Parking:

1. Requirements: For all zones referenced in section 10-17-1, (see subsection 10-17-5C of this chapter for exception):
 - a. For a single-family dwelling: two (2) parking spaces.
 - b. For a two-family dwelling: four (4) parking spaces.
 - c. For a three-family dwelling: six (6) parking spaces.
 - d. For a four-family dwelling: seven (7) parking spaces.
2. Increase: If any dwelling unit is increased by occupant use after the original building permit is issued, the parking requirements shall reflect that increase.
3. Paying Guests: In addition to the above parking space requirements, one parking space shall be provided for every two (2) paying guests residing in such dwelling units. Such paying guests refers to the rental of sleeping rooms within the dwelling unit.
4. Location and Surfacing: Required off street parking shall be located on the same lot or parcel as the use it is intended to serve. Off street parking stalls located in the side yard or rear yard setbacks of a structure shall be surfaced with asphaltic concrete, pavement bricks, cement concrete, permeable pavers, gravel (weed free) or other material approved by the City Engineer which complies with air quality and SWPPP standards.
5. Access: Parking spaces shall have direct and unblockable access to a driveway
6. Maximum Yard Area Used For Parking: No portion of the required front yard shall be used for parking vehicles. The front yard shall be left open, except for driveways that provide access to garages or side or rear yard parking areas ~~(see 10-23: Landscape Regulations).~~ Residents may use driveways as an approved parking area for additional vehicles in accordance with 7c below.
7. Additional Vehicle Parking: If additional parking of vehicles including utility trailers, boats, and recreational vehicles is proposed, such parking places shall meet the following standards:
 - a. The proposed parking space may not occupy areas required to meet the minimum number of required off-street parking spaces stipulated in subsection 10- 17-2-B.
 - b. The parking area must be at least eight feet (8') wide. For corner lots, the parking area may not exceed a maximum of twelve feet (12') in width when located in the corner side yard.
 - c. The parking area must be located behind or to the side of the residence ~~if possible. and be of sufficient length to accommodate the vehicle. No portion of the vehicle shall extend beyond the front facade of the dwelling.~~ If not possible, parked vehicles may extend beyond the front façade of the dwelling 50% of the following distances:
 - 1). If there is a sidewalk, the distance will be measured from the back of the sidewalk to the front of the house.

~~e.2).~~ -If there is no sidewalk, then the distance will be measured from a point six feet beyond the edge of the street's asphalt to the front of the house.

- d. For corner lots, no vehicle shall be parked within the required Clear View Area (see 10-14-14: Clear View of Intersecting Streets).
- e. If a roof or cover is desired over an accessory vehicle parking slab, it must comply with all applicable codes and regulations, and an appropriate building permit must be obtained. Otherwise, the parking slab must remain open and unobstructed from the sky.
- f. All storm water runoff from hard surfaces must be directed to prevent drainage onto adjacent properties.
- ~~g.~~ Screening: All additional off-street parking spaces and associated access lanes shall be screened from adjoining properties within a residential zone by a masonry wall or solid fence not less than four feet (4'), nor greater than six feet (6') in height. The use of shrubs or other live screening material may be used in place of a wall or fence if approved by staff. Such live plant materials must extend along the length of the adjoining property line and meet the same minimum and maximum height requirements of a wall or fence at maturity without impacting or extending into the adjacent property.
- ~~h.~~ Recreational vehicles, boats, or utility trailers parked or stored at a residence shall be accessed from and located next to an approved driveway leading to a garage or carport and may extend beyond the front façade of the dwelling 50% of the following distances:
 - 1). If there is a sidewalk, the distance will be measured from the back of the sidewalk to the front of the house.
 - 2). -If there is no sidewalk, then the distance will be measured from a point six feet beyond the edge of the street's asphalt to the front of the house.
- ~~g.i.~~ Such vehicles shall be placed on a hard surface, which may include concrete, compacted gravel or road base. Only one such vehicle may be parked on the lot.