



NOTICE AND AGENDA
SOUTH OGDEN CITY PLANNING COMMISSION MEETING
THURSDAY, MARCH 11, 2021

Notice is hereby given that the South Ogden City Planning Commission will hold a meeting on, March 11, 2021, beginning at 6:15 p.m. in the Council Chambers located at 3950 Adams Avenue, South Ogden, Utah. The meeting is open to the public; however, the city will abide by all COVID-19 restrictions in place at the time of the meeting, including wearing of masks, social distancing and number of people allowed to gather at one time. Some members of the planning commission may be attending the meeting electronically.

The briefing session normally held at 5:30 has been cancelled for this meeting.

I. CALL TO ORDER AND OVERVIEW OF MEETING PROCEDURES - Chairman John Bradley

II. ZONING ITEMS

- A. Discussion on Fences and Fence Permits and Whether They Should Be Required

III. SPECIAL ITEMS

- A. Review of Letter to City Council Concerning Affordable Housing and ADUs

IV. OTHER BUSINESS

V. APPROVAL OF MINUTES OF PREVIOUS MEETING

Approval of February 11, 2021 Planning Commission Minutes

VI. PUBLIC COMMENTS

VII. ADJOURN

Posted and emailed to the State of Utah Public Notice Website on March 8, 2021

The undersigned, duly appointed city recorder, does hereby certify that a copy of the above notice and agenda was posted in three public places with the South Ogden City limits on March 8, 2021. These public places being City Hall (1st and 2nd floors), the city website (www.southogdencity.com), and emailed to the Standard-Examiner. Copies were also mailed to each commissioner.


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 Leesa Kapetanov at 801-622-2709 at least 48 hours in advance.

STAFF REPORT



SUBJECT: Fence Permits
AUTHOR: Bryce Haderlie, Building Official
DEPARTMENT: Building and Inspections
DATE: March 11, 2021

I wanted to share some thoughts in preparation for the March 11th Planning Commission meeting where I've been invited to attend for the discussion on Fence Permits.

I want to compliment those that have created the drawings and information on the City website for Land User Permits. They are clear and well organized. Issuing a permit is a good way to ensure that customers are complying with the code through a plan check before starting.

We have issued 19 Land Use Permits during 2020 and 2021 and 13 of those are for fences. While I support charging fees to cover the cost of doing business, it appears that due to the low number of permits being issued and a desire for compliance, charging a fee (currently \$47.47) may create a negative impact in this case.

Under the current circumstances, it may be best to hold off on charging fees, require a Land Use Fence permit and to increase the public awareness of the permit and benefit for obtaining one. This could be done through the city newsletter, website and social media.

While enforcing laws through the "Carrot" or "Stick" approach is a topic of healthy debate, it may be more beneficial to provide these permits at no cost in favor of compliance over having citizens avoid the permit process because of the cost.

We are happy to support any recommendation of the Planning Commission and decision of the City Council.

9-1-2: PERMIT, FEE REQUIRED:

- A. It shall be unlawful to commence construction of any structure, [including fences](#), without having first secured a permit and paid the fee as set forth in the City's consolidated fee schedule.
- B. Where the City collects a fee for the inspection of a construction project, the City shall ensure that the construction project receives a prompt inspection, as set out in section [9-1-3](#) of this chapter.
- C. The City may not enforce a requirement to have an initial plan reviewed by the City if:
1. The City does not complete the initial plan review within the applicable time periods described above; and,
 2. The plan is stamped by a licensed architect or structural engineer. (Ord. 17-15, 6-20-2017, eff. 6-20-2017)

10-2-1: DEFINITIONS:

FENCE: A tangible barrier or obstruction of any material, with the purpose or intent of preventing passage or view across the fence line. It includes hedges and walls.

[FENCE, OPEN: A fence that is at least seventy-five percent \(75%\) open and which does not present a visual barrier/hazard for pedestrians or drivers.](#)

10-14-8: FENCE ~~HEIGHT~~ REGULATIONS:

[A. Land Use Permit Required: No fence shall be constructed, erected or installed without first obtaining a land use permit from the city. The legislative body shall establish the fee for a land use permit.](#)

~~A~~B. Maximum Specified: No fence or other similar structure may be erected in any required front yard of a dwelling to a height in excess of four feet (4') [and must be an open fence as described in 10-2-1 of this title](#); nor shall any fence or other similar structure be erected in any side or rear yard to a height in excess of six feet (6').

~~B~~C. Corner Lots: On corner lots, no fence or other similar structure may be erected in any yard bordering a street or front yard of an adjoining lot to a height in excess of four feet (4'), except a six foot (6') high fence may be placed not less than ten feet (10') away from the property's side yard property line, with said fence not to extend further toward the front of the property than a point equal to the front line of the house. ~~From the rear of the house to the front of the house a fence shall:~~

- ~~— 1. Be made of a permanent material such as wrought iron or vinyl, excluding wood.~~
- ~~— 2. The stiles of the fence shall not be greater than three fourths inch (³/₄") wide.~~
- ~~— 3. The stiles of the fence shall be placed four inches (4") apart.~~
- ~~— 4. The fence shall be clear view. No vegetation or materials may obstruct the view at any time.~~

Provided, however, that the Hearing Officer may grant special exceptions as provided for in subsection [10-4-6B](#) of this title, to allow fence types and fence heights of up to six feet (6') in height for public and

semipublic buildings, including schools and churches, where the Hearing Officer finds: 1) the fence height is necessary for protection or safety of persons or property; 2) no significant adverse effect will be suffered by any surrounding property; and 3) the requirements of section [10-14-14](#) of this chapter are maintained.

ED. Difference In Elevation: Where a fence is erected upon a retaining wall or where for other reasons there is a difference in the elevation of the surface of the land on either side of a fence, height of the fence will be measured from a point halfway between the top of the retaining wall and the land on the lower side, or from the average elevation of the surface of the land on either side of the fence, but nothing herein contained will be construed to restrict a fence to less than four feet (4') in height measured from the surface of the land on the side having the highest elevation.

DE. Exceptions: The provisions of this section shall not apply to fences required by State law to enclose public utility installations and public schools. (Ord. 17-23, 11-21-2017, eff. 11-21-2017)

10-14-14: CLEAR VIEW OF INTERSECTING STREETS:

In [any](#) zones ~~R-1, R-2, R-3 and their subzones, which require a front yard~~, no ~~obstruction to view in~~[sight obscuring objects in](#) excess of three ~~and one-half feet (3 1/2')~~[3'](#) in height, ~~except a chainlink fence of not more than forty-two inches (42") in height~~ shall be placed on a corner lot within a triangular area formed by the street curb lines and a line connecting them at points forty feet (40') from the intersection of the back of the curbs. ~~except~~[Exceptions:](#) a reasonable number of trees pruned high enough to permit unobstructed vision to automobile drivers; [an open fence four feet \(4'\) or less in height, pole](#) and pedestal type identification signs [that do not obstruct vision to automobile drivers as determined by the City Engineer](#). (Ord. 17-23, 11-21-2017, eff. 11-21-2017)



LAND USE PERMIT APPLICATION

For sheds and accessory buildings 200 sq. feet and under, fences, driveways, patios, or any type of flat work (pavers and cobbles.)

PERMIT #: LUP 21-_____

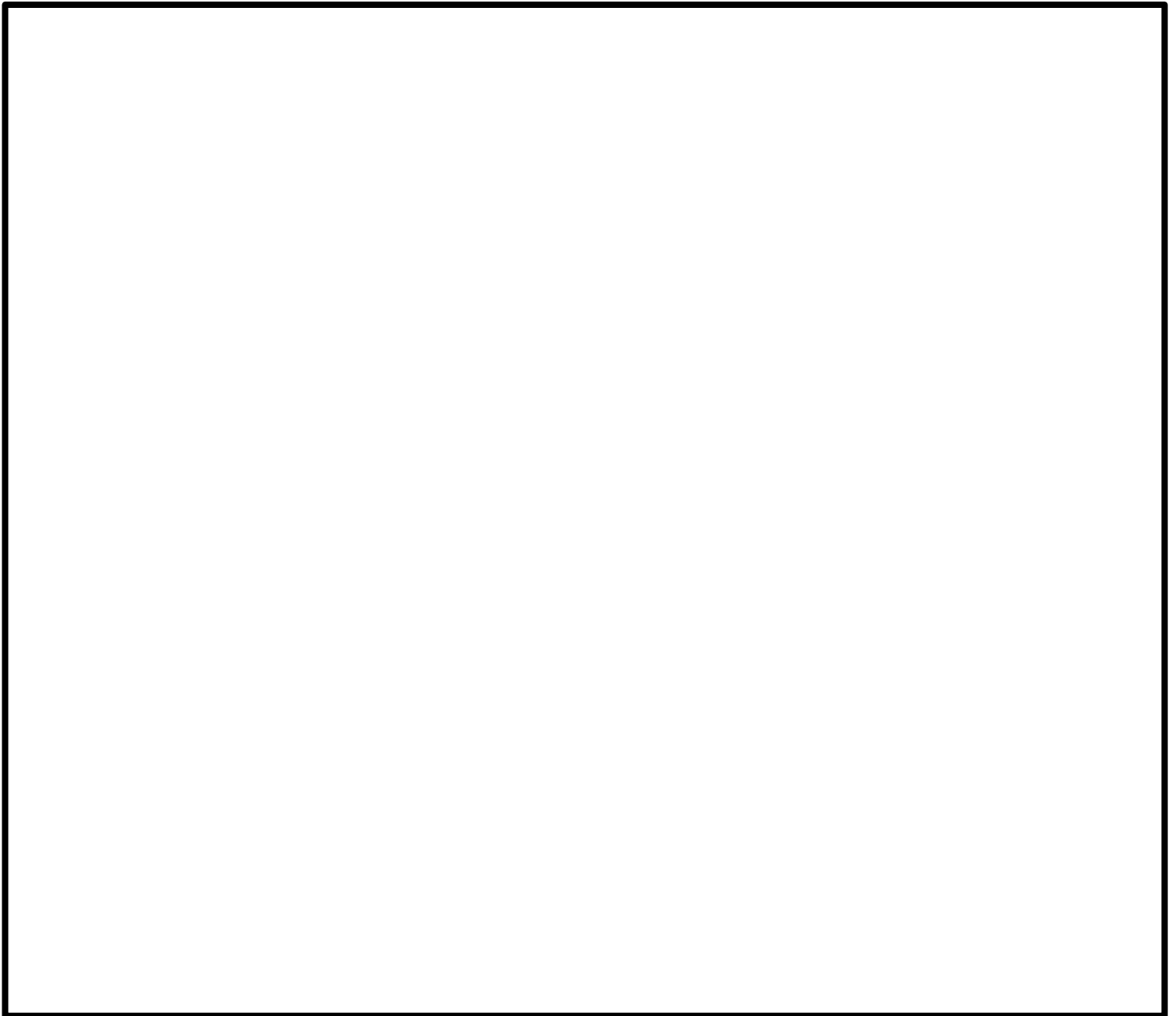
APPLICATION TYPE (CHECK ALL THAT APPLY)		
☐ Fence ☐ Interior Lot ☐ Corner Lot	☐ New structure (This form is for structures 200 sq. ft. and under. Anything over 200 sq. ft. must have a building permit) ☐ Shed ☐ Other: _____	
☐ Patio	☐ RV Pad/Driveway Expansion	
☐ Other (explain): 		
PROPERTY OWNER INFORMATION		
Name:		
Address:		
Email:	Phone:	
CONTRACTOR INFORMATION, IF OTHER THAN OWNER		
Contractor Name/Business:	License #:	
Address:		
Email:	Phone:	
PROPERTY INFORMATION		
Detailed Description of Proposed Use/Structure: Estimated Completion Date:		
Project Address:		
Parcel #:	Subdivision:	Lot #:
Acreage:		Current Zoning:

You must attach a site plan drawing of your project or fill out the next page.

Please provide a site plan, or overhead view, of the property showing

- ✓ Property lines
- ✓ All streets and sidewalks
- ✓ Location of any buildings

- ✓ Location of any parking areas and driveways
- ✓ All dimensions/setbacks, including the proposed height of fences, if applicable
- ✓ Material used



APPLICANT- PLEASE READ CAREFULLY

I agree to comply with all city, county, and state building laws and ordinances. I certify that the representations in this application for a land use permit are true and accurate, and I agree that any misrepresentations or error herein are the sole responsibility of applicant and shall in no way incur or accrue liability or obligation to enforcing officers or agents.

This permit becomes null and void if work on construction authorized is not commenced within 180 days, or if constructions or work is suspended or abandoned for a period of 180 days at any time after work is commenced.

Applicant's Signature _____

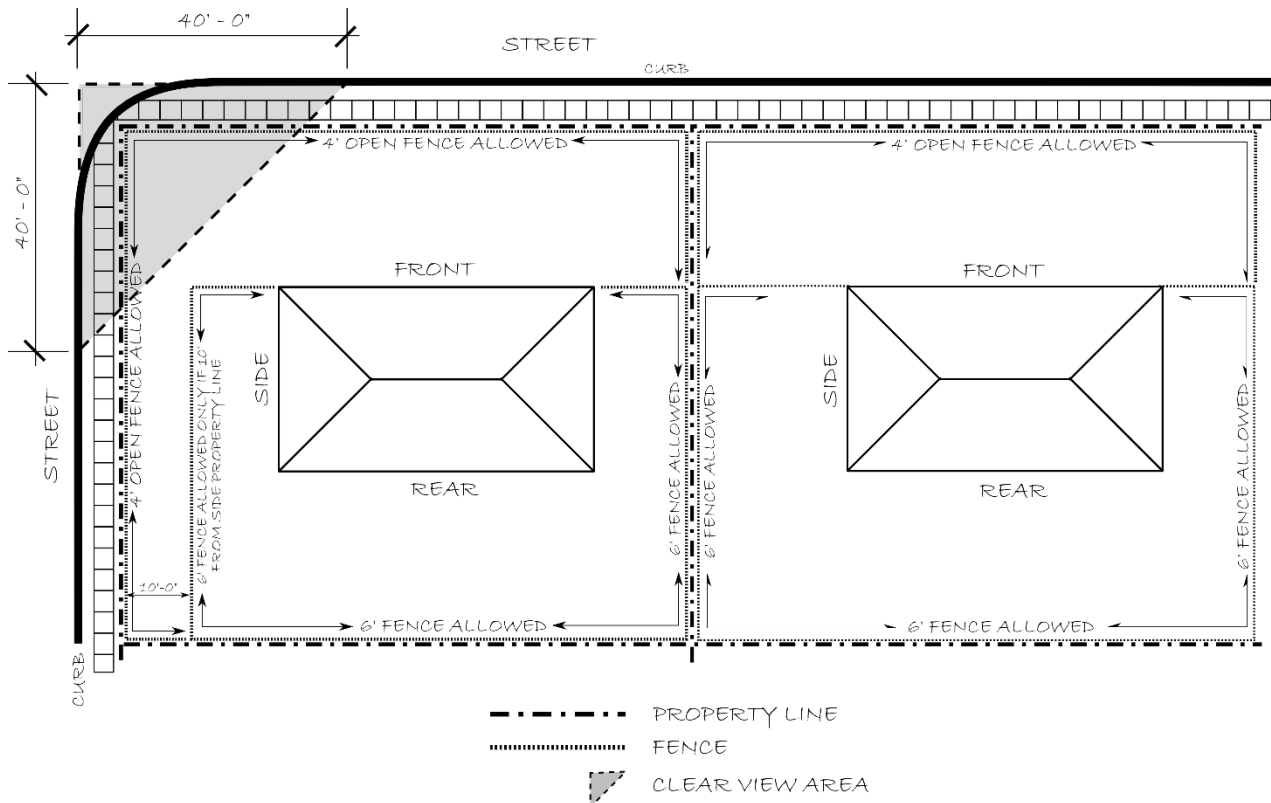
Date: _____

Owner's Signature, if other _____

Date: _____

FENCE GUIDELINES

- For interior lots, any fence in the front yard must be 4' or less and must be open. The definition of an open fence is "at least seventy-five percent (75%) open and which does not present a visual barrier/hazard for pedestrians or drivers." In the side and rear yards, fences may be 6' or less and do not need to be open.



Please note:

- If a fence is located on the property line, signatures of the adjoining property owners must accompany this permit. If signatures cannot be obtained, the fence must be built on the applicant's property. It is the applicant's responsibility to ensure the fence is located on their property.
- Call "Blue Stakes" at 1-800-662-4111 three (3) days before you dig. All utility departments (gas, water, electric) should be contacted prior to fence installation regarding meter access requirements and policies. Any fence installed in easements may be removed or modified by those holding rights to use the easement.
- South Ogden City is not responsible for inaccurate representations of property lines. Existing fences and online parcel lines may not accurately represent property lines. A private survey is the best way to ensure your fence is on your property.
- South Ogden City may rescind or deny approval if an application is incomplete or inaccurate.
- If the subject property is located in a subdivision that contains recorded CC&R's, the property owner shall be responsible to review any CC&R's for compliance and contact the Homeowner's Association (HOA) to obtain approval of all proposed fencing. City approval of this permit does not deem the fence complies with CC&R's.
- Retaining walls over 4' in height require a building permit. Please call the Building Department for permit details (801-622-2913).

The code below may change depending on the decision of the Planning Commission

10-14-14: CLEAR VIEW OF INTERSECTING STREETS:

In zones R-1, R-2, R-3 and their subzones, which require a front yard, no obstruction to view in excess of three and one-half feet (3 1/2') in height, except a chainlink fence of not more than forty two inches (42") in height shall be placed on a corner lot within a triangular area formed by the street curb lines and a line connecting them at points forty feet (40') from the intersection of the back of the curbs except a reasonable number of trees pruned high enough to permit unobstructed vision to automobile drivers; and pedestal type identification signs. (Ord. 17-23, 11-21-2017, eff. 11-21-2017)

10-14-8: FENCE HEIGHT REGULATIONS:

A. Maximum Specified: No fence or other similar structure may be erected in any required front yard of a dwelling to a height in excess of four feet (4'); nor shall any fence or other similar structure be erected in any side or rear yard to a height in excess of six feet (6')

B. Corner Lots: On corner lots, no fence or other similar structure may be erected in any yard bordering a street or front yard of an adjoining lot to a height in excess of four feet (4'), except a six foot (6') high fence may be placed not less than ten feet (10') away from the property's side yard property line, with said fence not to extend further toward the front of the property than a point equal to the front line of the house. From the rear of the house to the front of the house a fence shall:

1. Be made of a permanent material such as wrought iron or vinyl, excluding wood.
2. The stiles of the fence shall not be greater than three-fourths inch ($\frac{3}{4}$ ") wide.
3. The stiles of the fence shall be placed four inches (4") apart.
4. The fence shall be clear view. No vegetation or materials may obstruct the view at any time.

Provided, however, that the Hearing Officer may grant special exceptions as provided for in subsection [10-4-6B](#) of this title, to allow fence types and fence heights of up to six feet (6') in height for public and semipublic buildings, including schools and churches, where the Hearing Officer finds: 1) the fence height is necessary for protection or safety of persons or property; 2) no significant adverse effect will be suffered by any surrounding property; and 3) the requirements of section [10-14-14](#) of this chapter are maintained.

ACCESSORY BUILDING (SHED) GUIDELINES

200 square feet or less

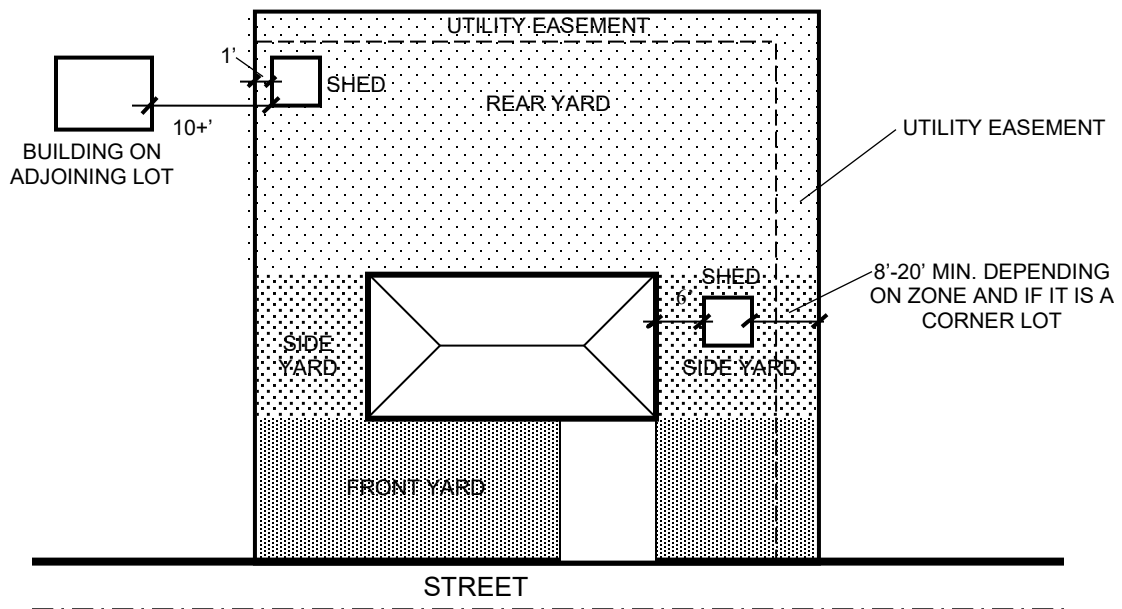
No accessory buildings are allowed in the front yard.

Accessory buildings located in the rear yard must be located not less than 6' (measured from eave to eave, not wall to wall) from the main building, not less than 1' from property line (measured from eave) and no less than 10' from any building (eave to eave) located on an adjacent lot.

In addition, if an accessory building is to be located over utility or other easements, written permission must be obtained from the utility companies or easement holder to allow such placement (see next page for utility company contact information.)

No accessory building may exceed 19' measured from finished floor to midway of roof, and no wall may exceed 10' measured from finished floor.

Accessory buildings are allowed in the side yard, but must be located at least 6' (eave to eave) from the main building and at least 10' from any buildings on an adjacent lot (eave to eave). In addition, they must also meet side yard setback requirements, which vary from 8'-20' depending on what zone the property is located in and whether the shed is located on a corner lot. (Please call 622-2913 for zoning information). Note that many side yards are not wide enough to accommodate an accessory building and still meet side yard setback requirements.



Utility Easement Encroachment

Your request for encroachment must specify type of structure and type of footing. Below is a list of the most common utilities.

• Rocky Mountain Power	Curtis Galvez	801-629-4318
• Qwest	Michael Johnson	801-675-0680
• Questar Gas	Daryn Christensen	801-324-3149
• Weber Basin Water Conservancy	Adam McKnight	801-476-1141

It is the Owner's/Contractor's responsibility to verify what utilities are in this area and to contact all utilities for their encroachment



PLANNING COMMISSION

March 11, 2021

To: South Ogden City Council

From: South Ogden City Planning Commission

RE: Affordable Housing, Micro-Housing Units and Accessory Dwelling Units (ADUs)

Mayor and Council,

Several months ago, the City Council asked the Planning Commission to investigate micro-housing units and ADUs. We were specifically asked to determine whether micro units and ADUs are good models for encouraging affordable housing, whether the City Code sufficiently addresses such housing options, and specify locations where they might be allowed in the City.

The Planning Commission met several times to discuss micro-units and ADUs, and concluded that these were only two of several ways to achieve the ultimate goal: provide more affordable housing in South Ogden. Our investigation clarified that the Form-Based Code and recent changes to it already encourage the development of affordable housing. Examples include allowing a wider range of housing types and sizes, allowing residential uses on ground floors, allowing mixed-use development, and encouraging public transportation options.

As part of our investigation, we also reviewed the existing South Ogden moderate-income housing plan, investigated recent publications by the Wasatch Front Regional Council and others regarding affordable housing options and tools, and discussed a range of options that might be appropriate for our city. We ultimately determined that we do not have additional recommendations regarding affordable housing policy at this time, although we look forward to reviewing potential new ideas and directions that will be suggested as part of the on-going General Plan process.

With reference to micro-housing units and ADUs, we provide the following recommendations:

Micro-units: The Planning Commission has determined that micro-housing units are currently permitted in appropriate areas of the city, including the City Center Core

Subdistrict. We therefore see no need for considering zoning changes or modifications at this time.

ADUs: Since the State of Utah is in the process of usurping local regulation of internal ADU's/"mother-in-law flats" in residential locations, we do not support allowing additional forms of ADU's (free-standing units, additions, units above garages, etc.) at this time.

We look forward to beginning work on the new General Plan. Please be assured that we will work hard to make the plan reflect the thoughts and ideas of both South Ogden's residents and its leaders.

Sincerely,

South Ogden City Planning Commission

John Bradley, Chair

Commissioners: Steve Pruess, Mike Layton, Raymond Rounds, Jeremy Howe, Jerry Jones, and Scott Amos



MINUTES OF THE SOUTH OGDEN CITY PLANNING COMMISSION MEETING

THURSDAY, FEBRUARY 11, 2021
COUNCIL CHAMBERS, CITY HALL –6:15 pm

PLANNING COMMISSION MEMBERS PRESENT

Chair John Bradley, Commissioners Scott Amos, Jeremy Howe, Mike Layton, Steve Pruess, Jerry Jones, and Raymond Rounds Note: Commissioners Jones and Amos attended via the Microsoft Teams meeting app.

STAFF PRESENT

City Manager Matt Dixon, Assistant City Manager Doug Gailey, Planner Mark Vlasic, and Recorder Leesa Kapetanov Note: City Manager Dixon, Planner Vlasic, and Recorder Kapetanov attended the meeting via Microsoft Teams.

CITIZENS PRESENT

Valene Clausen (came in after the discussion on fences was concluded)

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

https://www.southogdencity.gov/document_center/Sound%20Files/2021/PC210211_1815.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 as well as available through Facebook Live. The audio recording for the briefing meeting can be found by clicking this link:

https://www.southogdencity.gov/document_center/Sound%20Files/2021/PC210211_1735.mp3

I. CALL TO ORDER AND OVERVIEW OF MEETING PROCEDURES

- Chair John Bradley began the meeting at 6:15 pm by calling for a motion to convene.
00:00:20

Commissioner Howe moved to open the planning commission meeting. The motion was seconded by Commissioner Pruess. Commissioners Amos, Jones, Pruess, Layton, and Rounds all voted aye.

II. PUBLIC HEARING

To Receive and Consider Comments on Amendments to the Fence Ordinance, Including Requiring a Land Use Permit to Install a Fence

- Staff Overview 00:01:30
 - Chair Bradley announces staff is having technical issues with getting Facebook Live to work. He also states that no one is present in the meeting to comment in the public hearing. He asks staff if anyone has the ability to comment online and is told no. 00:02:10
 - The chair opens the meeting up for discussion by the planning commissioners 00:04:00
 - Chair Bradley suggests this item be tabled so the new Building Official, Bryce Haderlie, can come and speak to the planning commission about it. He calls for a motion to do so. 00:12:55
- Commissioner Howe moved to table the public hearing to the next month.** 00:13:49
- Comments by City Manager Dixon 00:13:58
 - **Commissioner Layton seconded the motion. The voice vote to table was unanimous.** 00:18:33

III. ZONING ITEMS

Discussion and Recommendation on Amendments to the Fence Ordinance

- This item was tabled above

IV. SPECIAL ITEMS

A. Discussion on Affordable/Moderate Income Housing in South Ogden

- Staff Overview 00:19:44
- Discussion 00:51:53

B. Update on General Plan

- Susie Petheram – FFKR 01:24:57
- Discussion 01:42:51

Ms. Petheram shared a visual presentation with those present. See Attachment A.

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91 **V. OTHER BUSINESS**

- 92 • No one had other business to discuss
93 01:54:10
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96 **VI. APPROVAL OF MINUTES OF PREVIOUS MEETING**

97 Approval of January 14, 2021 PC Minutes

- 98 • Motion 01:54:25
99

100 Commissioner Rounds moved to approve the minutes of January 14, 2021.
101 Commissioner Layton seconded the motion. All present voted in favor of the motion.
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105 **VII. PUBLIC COMMENTS**

- 106 • There was no public comment, either in the meeting or online
107 01:55:39
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110 **VIII. ADJOURN**

111 Commissioner Howe moved to adjourn, followed by a second from Commissioner Rounds.
112 The voice vote was unanimous in favor of the motion.
113 01:56:04
114

115 The meeting ended at 8:11 pm.
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126 I hereby certify that the foregoing is a true, accurate and complete record of the South Ogden City Planning Commission Meeting
127 held Thursday, January 14, 2021.
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129 
130 Leesa Kapetanov, City Recorder
131

February 11, 2021

Date Approved by the Planning Commission

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ATTACHMENT A

Visual Presentation by Ms. Petheram

General Plan Project Update

February 11, 2021

Planning Commission



Discussion Overview

- January Online Town Hall Series – Summary/Overview
 - Key Discussion Topics
- February 8th Advisory Committee Meeting
 - Follow-up on Online Town Hall Series – Translating into Next Steps
 - Future Land Use & General Plan Scenarios
- Future Land Use & General Plan Scenarios
 - Adjustments/Modifications
 - Key Objectives & Evaluation Criteria



Online Town Hall Series: Key Discussion Topics



- Sustainability & Quality of Life
 - Neighborhood Services/Maintenance
- Infrastructure
- Parking
- Connectivity & Getting Around
 - Bicycle & Pedestrian travel
- Housing
 - Life Cycle Housing – Mix and Diversity of Types
 - Affordable/Moderate-Income Housing

Advisory Committee Input & Discussion

- Neighborhood Character/Stabilization
- Development Standards for Small-scale projects
- Housing – Affordable Housing, Mix of Housing Types
- Ongoing calibration of Zoning/Regulations
- Connectivity – linkages between land use & transportation options

Future Land Use/General Plan: Potential Scenarios/Alternatives



- Baseline Scenario: Current FLU Map/Zoning Map
- Potential Scenario #1: Calibration
 - Further calibration of transitions between new/redeveloping areas and stable/reinvestment neighborhoods
- Potential Scenario #2: Shift Density/Units
 - Allow for higher density in core areas; further concentrate density to support amenities & activity
 - Support stable residential neighborhoods; calibrate FLU/Zoning with what is there now; support reinvestment

Key Objectives & Evaluation Criteria



Housing – Affordable; Diversity



Community Character



Connections



Sustainable & Successful City



Ideas, Feedback, Discussion



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