

ORDINANCE NO. 2023-15

AN ORDINANCE OF OGDEN CITY, UTAH, AMENDING THE OGDEN MUNICIPAL CODE BY AMENDING SUBSECTION 15-4-5.J; BY AMENDING SECTION 15-13-5; BY AMENDING SUBSECTION 15-17-4.D TO SET A MAXIMUM HEIGHT OF FOUR STORIES OR 50 FEET IN THE R-3 ZONE AND TO MODIFY SETBACK STANDARDS FOR TALL BUILDINGS ADJACENT TO RESIDENTIAL OR OPEN SPACE ZONES; AND BY PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON POSTING AFTER FINAL PASSAGE.

The Council of Ogden City hereby ordains:

**SECTION 1. Subsection amended.** Subsection 15-4-5.J of the Ogden Municipal

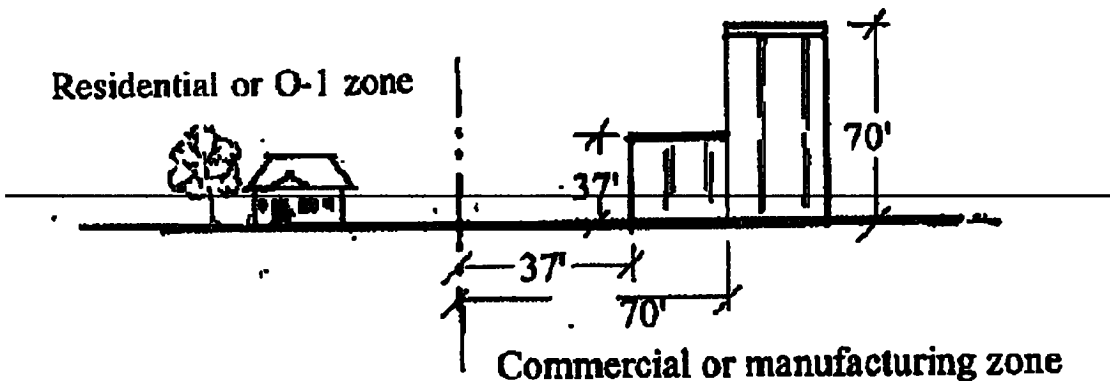
Code is hereby amended to read and provide as follows:

**J. [Building Design:]**

1. Glare:

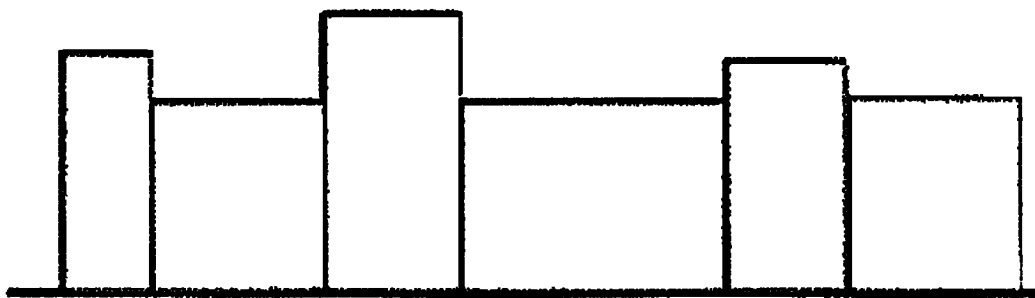
- a. Building materials shall not create excessive glare. If highly reflective building materials are proposed, the potential for glare from such materials will be evaluated for their potential adverse impact on adjacent property owner(s) in terms of vehicular safety, outdoor activities, privacy or enjoyment of views.
- b. Mirror glass with a reflectivity of greater than sixty percent (60%) is prohibited.

~~[2. Design And Placement Of Tall Buildings: Any building or structure proposed to be in excess of thirty five feet (35') tall that is next to a residential or open space zone shall be set back thirty five feet (35') plus one foot (1') for every foot the building is taller than thirty five feet (35'). A building or structure may stagger the height as long as the height of the section that is over thirty five feet (35') meets this setback from the residentially zoned property line.~~



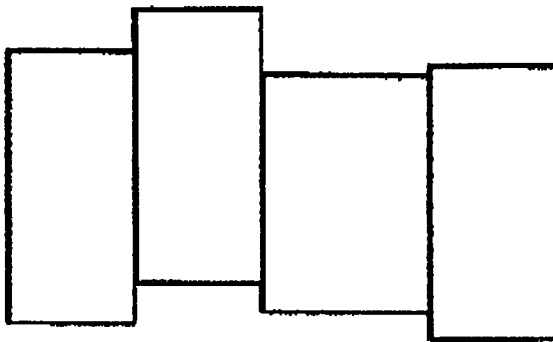
**J[3]2. Exterior Building Materials In Commercial Zones:** The construction of buildings in the commercial zones should use materials which are compatible with the materials used in the construction of commercial buildings adjacent to the property.

- a. Metal sided premanufactured buildings are not permitted in the commercial zones nor are exterior surfaces which are composed substantially of metal, except as provided in subsection J[3]2b of this section.
- b. In the C-3 zone, building exteriors are allowed which use new architectural metal that enhances the architectural design, provides interest and are compatible with other buildings in the area if:
  - (1) The building front facade has sixty percent (60%) or more glazing; or
  - (2) The planning commission approves the use of new architectural metal as the main exterior surface material based on the following considerations:
    - (A) The building front must have a minimum of twenty percent (20%) glazing and use two (2) or more different types of architectural metals and/or materials;
    - (B) The building has staggered roofline heights along with flat cornices; and



**Staggered Roofline Heights**

- (C) The building front has varying depths and is not made up of long flat walls.



**Varying Building Depths**

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- c. If there is a question of the compatibility of the exterior surface treatment an appeal on the appropriateness of the material can be made to the planning commission.

**SECTION 2. Subsection adopted.** Section 15-13-5 of the Ogden Municipal Code is hereby amended by adopting a new Subsection D to read and provide as follows:

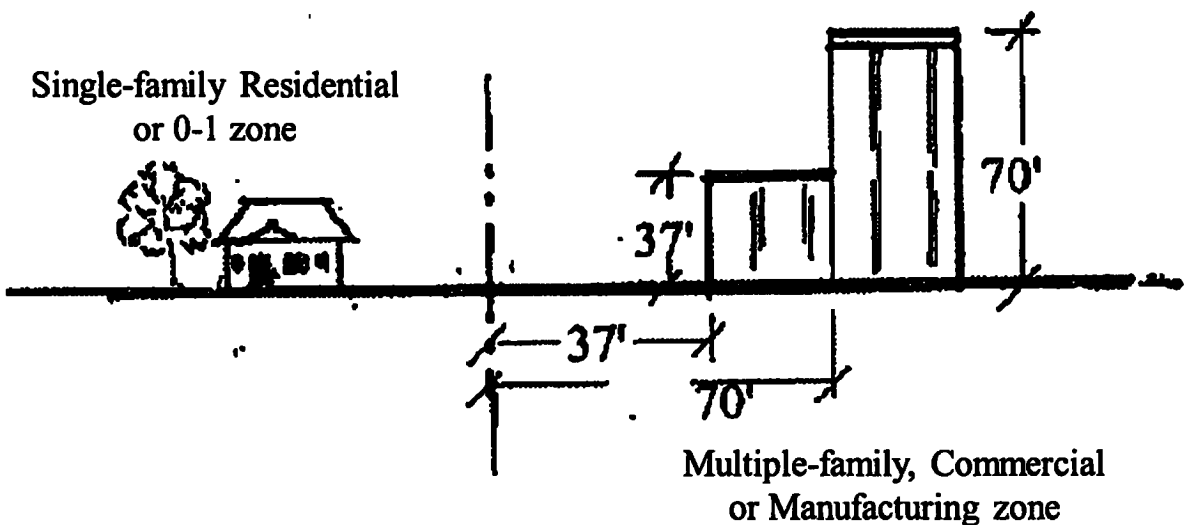
**15-13-5: [ADDITIONAL HEIGHT REGULATIONS:]**

- A. Penthouse or roof structures for the housing of elevators, stairways, tanks, ventilating fans or similar equipment required to operate and maintain a building, and fire or parapet walls, skylights, towers, steeples, flagpoles, chimneys, smokestacks, and water tanks, wireless or television masts, theater lofts, silos or similar structures may be erected above the height limits prescribed in the zone height regulations, but no space above the height limit shall be allowed for the purpose of providing additional floor space, and no heights are permitted above the maximum allowed under airport area height provisions.
- B. No dwelling shall be erected to a height less than ten feet (10').
- C. In a residential zone, the ridge or highest point of the roof of an accessory building may be erected to a height no greater than the lesser of:
  - 1. Twenty five feet (25');
  - 2. Eighty percent (80%) of the highest point of the roof of the main residential building, except where the ridge or highest point of the roof of the main residential building is sixteen feet (16') or less the ridge or highest point of the

roof of the accessory building may not exceed twelve and one-half feet (12'6"); or

3. For a metal-sided accessory building on a lot one-half (½) acre or over, twelve and one-half feet (12'6").

**D. Design and Placement of Tall Buildings:** Any building or structure in a multiple-family, commercial, or manufacturing zone proposed to be in excess of thirty-five feet (35') tall that is next to a single-family residential or open space zone shall be set back from the property line of the single-family residential or open space zoned property a minimum of thirty-five feet (35') plus one foot (1') for every foot the building is taller than thirty-five feet (35'). A building or structure may stagger the height so long as the height of the section that is over thirty-five feet (35') meets this setback from the single-family residential or open space zoned property line.



**SECTION 3. Subsection amended.** Subsection 15-17-4.D of the Ogden

Municipal Code is hereby amended to read and provide as follows:

**D. [Building Height:]**

1. Minimum, one story.
2. Maximum, ~~[nursing home, two and one half (2½) stories or thirty five feet (35'), none for other buildings]~~ four (4) stories or fifty feet (50'), whichever is less. See also subsection 15-13-5.D of this code for limits on buildings over thirty-five feet (35') high..

**SECTION 4. Effective date.** This ordinance shall be effective immediately upon posting after final passage.

**PASSED, ADOPTED AND ORDERED POSTED** by the Council of Ogden City, Utah this 4th day of April 2023.

Angela Choberka  
Angela Choberka (Apr 10, 2023 09 48 MDT)

CHAIR

ATTEST:

Tracy Hansen  
CITY RECORDER

TRANSMITTED TO THE MAYOR ON: \_\_\_\_\_

MAYOR'S ACTION:  Approved  Vetoed

Michael P. Caldwell  
Michael P. Caldwell (Apr 10, 2023 09 49 PDT)  
MAYOR

ATTEST:  
Tracy Hansen  
CITY RECORDER

POSTING DATE: \_\_\_\_\_

EFFECTIVE DATE: \_\_\_\_\_

APPROVED AS TO FORM: JAT 3/6/23  
Legal Date

James Tanner  
James Tanner (Apr 6, 2023 09 57 CDT)



\* The headings, catchlines or catchwords suggested for use in the Ogden Municipal Code and which are bracketed at the beginning of sections or subsections, shall not be considered to be a part of the ordinance adopted herein.










# Ordinance 2023-15 regarding R-3 height limits


Final Audit Report


2023-04-10


Created	2023-04-06
By	Lee Ann Peterson (leeannp@ogdencity.com)
Status	Signed
Transaction ID	CBJCHBCAABAA4bdKytFKIpuoLLcrdFzGzvZay-UFOVv


## "Ordinance 2023-15 regarding R-3 height limits" History


-  Document created by Lee Ann Peterson (leeannp@ogdencity.com)  
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-  Signer angelachoberka@ogdencity.com entered name at signing as Angela Choberka  
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-  Document e-signed by Angela Choberka (angelachoberka@ogdencity.com)  
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-  Signer mikec@ogdencity.com entered name at signing as Michael P. Caldwell  
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