

**ORDINANCE NO. 2023-41**

**AN ORDINANCE OF OGDEN CITY, UTAH, AMENDING THE OGDEN MUNICIPAL CODE BY AMENDING SECTION 15-3-1 TO ADOPT A TWO-FAMILY AND SMALL LOT RESIDENTIAL ZONE (R-2S); BY AMENDING SUBSECTION 15-10-3.B TO ESTABLISH THE MINIMUM LOT AREA FOR AN R-2S ZONE; BY AMENDING SUBSECTION 15-12-3.A TO ESTABLISH REQUIREMENTS OUTSIDE OF DOWNTOWN FOR AN R-2S ZONE; BY ADOPTING A NEW CHAPTER 43 IN TITLE 15 REGARDING TWO-FAMILY SMALL LOT RESIDENTIAL ZONES (R-2S); AND BY PROVIDING THAT THIS ORDINANCE SHALL BECOME EFFECTIVE IMMEDIATELY UPON POSTING AFTER FINAL PASSAGE.**

**The Council of Ogden City hereby ordains:**

**SECTION 1.** Section amended. Section 15-3-1 of the Ogden Municipal Code is hereby amended to read and provide as follows:

**15-3-1: [ESTABLISHMENT OF ZONES:]**

For the purpose of this title, the city is divided into the following zones in which land uses shall be limited as specified in this title. Classification will be determined on the basis of location, topographic features and other reasonable considerations to guide the orderly physical growth, neighborhood compatibility and overall stability of the city.

Open space zone	O-1
Single-family residential zone	R-1-10
Single-family residential zone	R-1-8
Single-family residential zone	R-1-6
Single-family residential zone	R-1-5
Two-family residential zone	R-2
Two-family residential zone	R-2A
Two-family residential zone - East Central	R-2EC
<u>Two-family and small lot residential zone</u>	<u>R-2S</u>
Multiple-family residential zone	R-3
Multiple-family residential zone - East Central	R-3EC
Multiple-family residential zone	R-4
Multiple-family residential zone	R-5
Residential manufactured home park zone	Rmh-1
Nine Rails Creative District Residential Zone	R-9

Residential Multiple-Family Horizontal	R-MFH
Residential Multiple-Family Vertical	R-MFV
Professional/institutional zone	PI
Neighborhood commercial zone	C-1/CP-1
Community commercial zone	C-2/CP-2
Regional commercial zone	C-3/CP-3
Nine Rails Creative District Commercial zone	C-9
Commercial Entertainment	C-ENT
Commercial Mixed-Use	C-MU
Historic 25 <sup>th</sup> Street Commercial	H25
Commercial recreation zone	CRC-1
Planned commercial recreation zone	PCR
Limited manufacturing zone	M-1
Manufacturing and industrial zone	M-2
Manufacturing, research and development zone	MRD
Defense Depot reuse district	DDR
Business exchange industrial	BEI
Business exchange historical	BEH
Floodplain overlay zone	FP
Sensitive area overlay zone	SA
Conditional overlay zone	CO
Ogden commercial and industrial park	OCIP
Airport commercial zone	A-C
Airport industrial zone	A-I
Airport overlay zone	
12th Street corridor overlay zone	12th CO
Mixed use zone	MU
Limited scale neighborhood commercial zone	NC-1
Expanded scale neighborhood commercial zone	NC-2
Transit Overlay zone	TO

**SECTION 2. Subsection amended.** Subsection 15-10-3.B of the Ogden

Municipal Code is hereby amended to read as follows:

- B. **[Minimum Lot Area:]** The minimum lot area required per unit shall be based on the following square footage requirements. In addition to these minimum lot area

requirements, the development shall also meet the minimum design standards and the approval process of this chapter.

Zone	Group Dwelling Minimum Lot Area Per Dwelling Unit
R-2S	<u>2,500 sq. ft. per dwelling unit</u>
R-2EC	5,000 sq. ft. for the first unit per building plus 2,500 sq. ft. for each additional unit per building.
R-2	6,000 sq. ft. for the first unit per building plus 2,500 sq. ft. for each additional unit per building.
R-3	6,000 sq. ft. for the first unit per building plus 2,000 sq. ft. for each additional unit per building.
R-3EC	5,000 sq. ft. for the first unit per building plus 2,000 sq. ft. for each additional unit per building.
R-4	6,000 sq. ft. for the first unit per building plus 1,500 sq. ft. for each additional unit per building.
R-5	5,000 sq. ft. for the first unit per building plus 750 sq. ft. for each additional unit per building.
R-9	1,500 sq. ft. for each unit.
PI	6,000 sq. ft. for the first unit per building plus 2,000 sq. ft. for each additional unit per building.
C-2/CP-2	6,000 sq. ft. for the first unit per building plus 1,500 sq. ft. for each additional unit per building.
C-3/CP-3	5,000 sq. ft. for the first unit per building plus 750 sq. ft. for each additional unit per building.

**SECTION 3.** Subsection amended. Subsection 15-12-3.A of the Ogden

Municipal Code is hereby amended to read as follows:

- A. **[Requirements Outside of Downtown:]** Uses outside of downtown zoning districts listed [~~is~~] in subsection 15-12-3.B shall provide the number of off street parking spaces listed below in Table 15-12-3.1. Buildings with more than one use shall provide parking required for each use.

**TABLE 15-12-3.1: PARKING SPACES REQUIREMENTS PER USE**

Use	Number Of Spaces Required
Dwelling units:	
Single-family <u>except as noted below or elsewhere in this code</u>	2 side by side parking spaces. If more than 2 domestic staff are employed on a regular basis on the premises of a dwelling or

		other residential facility, 1 additional parking stall is required for each staff person over 2. If such domestic staff are employed on a shift basis, and no more than 2 staff persons are at the residence during any 1 shift, then no additional parking shall be required
	<u>Single-family dwellings and single-family rowhouses in the R-2S zone</u>	<u>2 parking spaces per dwelling unit</u>
	2 to 4 units	2 side by side parking spaces for each dwelling unit
	More than 4 units:	2 stalls per unit.
	If dedicated low to moderate income housing in the C-2/CP-2 or C-3/CP-3 Zones	Minimum of 0.8 stalls per unit and maximum of 1.4 stalls per unit
	If dedicated low to moderate income housing in the residential R zones. R-1 to R-9	Minimum of 1 stall per unit and maximum of 1.4 stalls per unit
	If in the C-2/CP-2 or C-3/CP-3 Zone	Minimum of 1.75 stalls per unit and maximum of 2.1 stalls per unit
	If within 660 feet (1 block) of downtown commercial zones	Minimum of 1.5 stalls per unit and a maximum of 2 stalls per unit
	If within 660 feet (1 block) of mass transit stops/stations, measured by legal public walking distance from property line to transit stop, and providing at least 45 stops per day	Minimum of 1.3 stalls per unit and a maximum of 1.75 stalls per unit
	Multiple-unit housing for seniors:	1 space per unit for the first 30 units, 0.75 space per elderly unit for the next 20 units, and 0.5 space per unit for each unit in excess of 50 in the development
	Group living:	
	Assisted living facility	1 stall per 3 bed capacity
	Bed and breakfast	2 stalls for dwelling, plus 1 stall per guestroom
	Boarding house	0.75 stall per person to whom a room is rented
	Nursing homes	1 stall per 2.5 bed capacity
	Protective housing facility	1 stall per 500 square feet of building
	Rehabilitation treatment facility	1 stall per 400 square feet of floor area
	Retirement home	1 space per unit for the first 30 units, 0.75

		space per elderly unit for the next 20 units, and 0.5 space per unit for each unit in excess of 50 in the development
	Sororities, fraternities	1 stall per 2 beds
	Transitional housing facility	1 stall per bedroom
Commercial:		
Automobile service, repair and sales:		
	Auto repair or body shop	6 stalls per repair bay of which 4 stalls per bay may park tandem
	Automobile sales	1 stall per 100 square feet of office area
	Car wash, full service	5 stalls per bay plus required stacking spaces
	Car wash, self-service	3 stacking spaces in front of each bay
	Convenience store	1 stall per 200 square feet of floor area plus stacking for drive-up window
	Gun range	2 stalls per firing station plus 1 stall per employee
	Service station, auto lube center	2 stalls per service bay plus required stacking spaces
Retail, entertainment and office:		
	Banks (including branch and drive-through)	1 stall per 300 square feet plus required stacking space for drive-through
	Dining and drinking establishments	1 stall per 75 square feet of building
	If dancing and/or entertainment is provided	1 stall per 50 square feet of building
	Funeral home, mortuaries and crematoriums	1 stall per 300 square feet of building
	General commercial and retail sales	1 stall per 300 square feet plus requirement for storage areas listed above
	Health and athletic clubs, aerobics, recreational amusement, and entertainment facilities	1 stall per 125 square feet of building
	Hotels and motels	1 stall per room
	Medical offices, clinics	1 stall per 150 square feet of building
	Office (including finance, real estate, business professional offices, and telecommunication facilities with employees)	1 stall per 300 square feet of building plus 1 space for each company owned vehicle
	Rental with on site warehouse storage	1 stall per 1,000 square feet for the first

		10,000 square feet then 1 stall per 10,000 square feet for the remaining area
	Restaurants:	
	Fast food with drive-through	1 space per 75 square feet of building but not less than 5 stalls plus required stacking
	Serving food and beverages for consumption inside a building	1 space per 100 square feet of building
	Stadiums or arenas	1 stall per 5 fixed seats
	Theaters	1 stall per 40 square feet of gross floor area in the main seating area
	Public, quasi-public and institutional:	
	Adult daycare	1 stall per each employee, plus 1 space per 5 clients
	Community correctional facility (e.g., jail, youth detention, prison)	1 stall per 5 bed capacity
	Community service facilities (e.g., Post Office, courts, community health building). All other community service facilities shall be determined by the City based on an analysis of parking requirements for similar uses or on anticipated parking demands	1 stall per 250 square feet of building
	Daycare or nursery	1 stall per each employee, plus 1 space per 5 children
	Hospitals	1 stall per 2 bed capacity
	Library, museum or gallery	1 stall per 300 square feet of building
	Licensed family child care	1 off street stall per employee plus 2 stalls for the residential dwelling
	Places of worship	1 stall per 40 square feet in primary meeting room
	Public assembly and civic association halls (includes all facilities used for receptions and conventions)	1 stall per 40 square feet of gross floor area in the primary meeting room or assembly area
	Schools:	
	Grades K – 9	2 stalls per classroom
	High schools	10 stalls per classroom
	School auditoriums	1 stall per 40 square feet in auditorium
	Public or private college or trade or vocational school	1 stall per 500 square feet of building
	Housing associated with schools	Number of stalls for type of school plus 1

		stall per 2 beds
	Utilities	1 stall per 300 square feet of office area plus 1 stall for each company vehicle
Manufacturing and industrial uses:		
	Contractors' yards, business services	1 stall per 500 square feet of building
	Junk or salvage yards, recycling or processing centers, and towing or impound lots	1 stall per employee; minimum of 4 stalls for customers
	Laboratories and research and development	1 stall per 300 square feet
	Manufacturing, processing or assembly	1 stall per 500 square feet of building
	Personal storage units	1 stall per 5,000 square feet of building
	Sheltered workshop	1 stall per 1,000 square feet of work area
	Warehouse with freight movement	1 stall per employee
	Wholesale sales	1 stall per 500 square feet of sales area

**SECTION 4.** Chapter adopted. Title 15 of the Ogden Municipal Code is hereby amended by adopting a new Chapter 43 to read as follows:

**CHAPTER 43**

**Two-Family and Small Lot Residential Zone R-2S**

**15-43-1: [PURPOSE AND INTENT:]**

The purpose of the R-2S zone classification is to provide moderate density residential development of two-family, small lot single family, and single-family rowhouses, with an emphasis on homeownership of individual dwelling units.

**15-43-2: [PERMITTED USES:]**

Accessory buildings and uses customarily incidental to any permitted use.

Accessory dwelling unit (see section 15-13-39 of this title for ADU requirements).

Agriculture.

Church, synagogue or similar permanent building used for regular religious worship.

Daycare centers provided the facility is located on the same site as an educational institution.

Educational institution.

Greenhouse, noncommercial only.

Group dwelling.

Home occupation.

Household pets.

Licensed family child care (see section 15-13-12 of this title for special requirements).

Pigeon loft for the housing of racing pigeons (only allowed on single-family residential lots), in accordance with the standards as contained in section 15-13-19 of this title.

Public building, public park, recreation grounds and associated buildings.

Residential facilities for elderly persons (see section 15-13-25 of this title for facility requirements).

Residential facility for persons with a disability (see section 15-13-15 of this title for facility requirements).

Residential garage sales or yard sales.

Residential vacation rental (see section 15-13-38 of this title for requirements).

Single-family dwelling.

Single-family rowhouse, subdivided to allow ownership of each individual dwelling unit.

Temporary building for use incidental to construction work. Such building shall be removed upon the completion or abandonment of the construction work.

Two-family dwelling, in accordance with the requirements of section 15-13-27 of this title.

### **15-43-3: [CONDITIONAL USES:]**

The following uses shall be permitted only when authorized by a conditional use permit as provided in chapter 7 of this title:

Private park, playground, or recreation area, but not including privately owned commercial amusement business.

Privately operated concession or amusement business in a public park.



Public utility substation or water storage reservoir developed by a public agency.

**15-43-4: [SITE DEVELOPMENT STANDARDS:]**

**A. [Minimum Lot Area:]**

1. Dwellings: two thousand five hundred (2,500) square feet per dwelling unit.
2. All other uses: five thousand (5,000) square feet.

**B. [Minimum Lot Width:]**

1. Detached single-family lot: thirty feet (30')
2. Single-family rowhouse lot: twenty feet (20')
3. All other uses: fifty feet (50')

**C. [Minimum Lot Depth:] sixty feet (60')**

**D. [Minimum Yard Setbacks:]**

1. Front: ten feet (10')
2. Side: three feet (3'); no setback for attached side of single-family rowhouse
3. Rear:
  - a. Main building, thirty feet (10')
  - b. Accessory building, one foot (1'), except three feet (3') where accessory building rears on side yard of adjacent corner lot.

**E. [Building Height:]**

1. Minimum, one story.
2. Maximum, two and one-half (2 1/2) stories or thirty-five feet (35').


**F. [Lot Coverage:] No accessory building or group of accessory buildings shall cover more than twenty-five percent (25%) of the rear yard area.**

**G. [Landscaping:] For single-family dwellings, all yard areas except those areas where accessory buildings, permitted parking and accessways are specifically allowed are required to be landscaped and maintained. For new single-family**

construction, the landscaping shall be installed within eighteen (18) months of the time of the first occupancy of the dwelling.

**SECTION 5. 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 11th day of July 2023.

  
Angela Choberka (Jul 13, 2023 12:51 MDT)


CHAIR

ATTEST:

  
\_\_\_\_\_  
CITY RECORDER

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

MAYOR'S ACTION:  Approved  Vetoed

  
Michael P Caldwell (Jul 13, 2023 12:57 MDT)  
\_\_\_\_\_  
MAYOR


ATTEST:

  
\_\_\_\_\_  
CITY RECORDER

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

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

APPROVED AS TO FORM: JAT 6/9/23  
Legal Date

  
James Tanner (Jul 13, 2023 12:41 MDT)



- \* 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.