



**NOTICE AND AGENDA
SOUTH OGDEN CITY COUNCIL
WORK SESSION**

TUESDAY, OCTOBER 17, 2023, 5PM

Notice is hereby given that the South Ogden City Council will hold their regularly scheduled work session at 5 pm Tuesday, October 17, 2023. The meeting will be located at City Hall, 3950 Adams Ave., South Ogden, Utah, 84403, in the EOC. The meeting is open to the public; anyone interested is welcome to attend. No action will be taken on any items discussed during the pre-council work session. Discussion of agenda items is for clarification only. Some members of the council may be attending the meeting electronically.

WORK SESSION AGENDA

I. CALL TO ORDER – Mayor Russell Porter

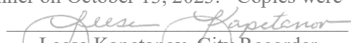
II. REVIEW OF AGENDA

III. DISCUSSION ITEMS

- A. Strategic Plan Review**
- B. Bird Scooters**

IV. 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) and emailed to the Standard Examiner on October 13, 2023. Copies were also delivered to each member of the governing body.


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 24 hours in advance.

South Ogden City Strategic Plan

1.0	FISCAL SUSTAINABILITY: Ensure the ability of the City to provide quality public services through careful, long-range planning and evaluation of current decisions in context of future fiscal impacts.		
1.1	Improve Financial Planning	Steve Liebersbach	
1.1.1	Prioritize unencumbered projects against available funds.	Steve Liebersbach	Steve Liebersbach : CARES can be removed - that is completed. ARPA - waiting on departments for "real" bid information - I think an 11/01/2022 deadline should be given. IMPACT FEES - in his last presentation Fred mentioned buy-in component part - this needs to be investigated.
1.1.1.1	Complete a spending plan for Impact Fees	Steve Liebersbach	
1.1.1.2	Departments need to provide a detailed listing of vehicles/equipment & projects for the upcoming budget and beyond so they can be prioritized and funding availability determined	Steve Liebersbach	
1.1.2	Develop vehicle replacement plans	Steve Liebersbach	
1.1.2.1	The analysis of the 2 year buy/sell back vs annual lease option has been done. The depts. need to plan accordingly to optimize the best move on the City's behalf.		
1.1.3	Update Sustainability Model to address inflation, population growth and new revenues/expenditures	Steve Liebersbach	

1.1.4	Hold regular work sessions to review and update the City's Sustainability Models	Steve Liebersbach	<p>MattDixon : Next meeting scheduled for Oct. 05</p> <p>MattDixon : Fred came and presented a CFSP 101 overview for the council on Oct. 5 (presentation attached). Some feedback from the council included: Drill down into more detailed review of Revenues (trends) and Exps., Update model for inflation we are seeing in 2021, and How the model deals with the higher rates of appreciation in property values we're seeing. There was also a desire to see what has been getting pushed within the CIP's.</p> <p>MattDixon : Fred came and we held a work session on the Model in April 2022.</p> <p>SteveLiebersbach : This can be done either 10/04 or 10/18 but should happen after the capital equipment decisions are made.</p>
1.1.4.1	Schedule work session with Fred and CC to review/discuss updated models	Steve Liebersbach	
1.2	Increase Revenues through Grants	Matt Dixon	
1.2.1	AARP Community Challenge Grant	Matt Dixon	<p>MattDixon : Applications are being accepted now through March 15 at 5:00 p.m. ET and must be submitted through www.AARP.org/CommunityChallenge . Projects must be completed by November 30, 2023. The program is open to 501(c)(3), 501(c)(4), 501(c)(6) nonprofits and government entities.</p>

1.2.1.1	Attend Feb. 8 Q&A Webinar	Matt Dixon	<p>MattDixon : Applications due March 15, 5 p.m. EST. Must be submitted via their online portal (OpenWater). Communitychallenge@aarp.org for questions. The webinar will be available on the website under 2023 Community Challenge. Ideas: benches for Nature Trail and/or Heritage Trail. Application page: https://www.aarp.org/livable-communities/community-challenge/info-2023/2023-challenge.html. Advice: tying the plan back to how we are impacting seniors within the community. Build an awareness with seniors for your project. Building partnerships around the project and other relationships in the community around your project. What are "tangible benefits?" General they are physical things but can also mean programs that impact lives. Applications can be edited any time before the deadline but not after. Projects must be completed by November 30, 2023. Demonstration, Flagship, Capacity Building are the three grant areas. Looks like best option may be to seek funding to help install more benches in our parks. Matches are not required but there is a space to include, if applicable. AARP likes the funding to go towards catalyst projects to test concepts less about on-going programs, etc. Not required to upload anything but system will allow you to upload one file (PDF). If awarded a grant, we will receive branding information from AARP with options.</p>
1.2.1.2	Identify grant requirements and prepare a grant request for CC to approve.	Matt Dixon	<p>MattDixon : Determined that this grant would be best for benches along the Heritage Trail and the city should look to apply for this grant in 2024.</p>
1.2.1.3	Prepare and submit grant request to AARP	Matt Dixon	<p>MattDixon : AARP.org/livablecommunities/communitychallenge for grant access.</p>
1.2.2	Federal grant submitted requesting \$44,000 for body worn cameras	Darin Parke	
1.2.3	Jason W. Read Foundation grant awarded \$1,500 for ShotDot system. (applied for \$4,937.50).	Darin Parke	
1.2.4	Safe Routes to School grant awarded for 850 East 5600 South Crosswalk in 2021 for 2024 budget cycle. Award was \$61,621. Information attached.	Jon Andersen	

1.2.5	CCJJ grant for ballistic shields for PD - awarded \$3,293.98	Darin Parke	
1.2.6	Federal grant submitted for \$8,500 for body armor	Darin Parke	MattDixon : If not awarded city will need to allocate \$17,000. If awarded city will pay \$8,500.
1.2.7	Outdoor Recreation Grant	Matt Dixon	
1.2.7.1	Review grants for Nature Park Trail improvements	Matt Dixon	<p>MattDixon : The Recreational Trails Program Grant: https://recreation.utah.gov/grants/recreational-trails-program/ This program helps pay for maintenance of outdoor trails. Apply for funding to help rebuild Nature Park Trail for winter use.</p> <p>MattDixon : Following review of the UORG grants, it was determined that the Nature Park Trail improvements would not qualify for UORG funding. This is due to the fact that the city has already hired Granite Construction to complete the work in 2023. Attention turned to UORG for skatepark project.</p>
1.2.7.2	Application submitted for \$200,000 for construction of 40th Street skatepark project (see attached application).	Matt Dixon	

1.2.7.3	Grant award from UORG signed by city leader and state rep (see attached)	Matt Dixon	<p>MattDixon : Good day Matt,</p> <p>On behalf of the Utah Division of Outdoor Recreation and the Utah Outdoor Recreation Infrastructure Advisory Committee, it is our pleasure to inform you that a Utah Outdoor Recreation Grant (UORG) to South Ogden City Administration in the amount of \$200,000.00 has been approved for the South Ogden 40th Street Skatepark.</p> <p>In the next couple of weeks, the grant contract will be emailed to you for your review and you may submit revisions if needed, prior to signing. The grant contract period will provide 28 months in which to complete the project. Is there anyone else who should be copied on this email to review the contract? Please provide these names and emails in your response.</p> <p>Before signing the contract, please review the Post-Award Process Guide for Grant Recipients attached below. Keep in mind, as part of your contract, you are required to submit 6-month progress reports till the contract terms are complete. These progress reports can be submitted through the grant portal at https://utdnror.my.site.com/portal, or submitted via email with a progress report word document. Finally, please review the reimbursement process and begin collecting and organizing the invoices, payments, and any in-kind contributions that are used for the project.</p> <p>The Utah Division of Outdoor Recreation is proud to support your outdoor recreation infrastructure project. Thank you for your crucial role in allowing us to pursue our mission and helping make Utah the greatest state for outdoor recreation!</p> <p>All our best,</p>
1.2.8	Foundation grant awarded for Shotdot for \$4,937.50	Darin Parke	
1.2.9	UCA grant submitted and awarded \$32,069.20 for PD and Fire radios	Darin Parke	MattDixon : City will be required to pay \$206,626.18 for radios.
1.2.10	State of Utah Public Safety grant for Shotdot - awarded \$4,937.50 (see award letter attached).	Darin Parke	
1.2.11	2023 RAMP Grants	Matt Dixon	MattDixon : Received award of \$650,000 for Skatepark, \$22,000 for S. Ogden Days, and \$42,000 for Heritage Trail Phase II but nothing for Meadows Park.

1.2.12	Justice Court Technology Grant \$7,500	Doug Gailey	<p>Matt Dixon : The system will primarily be used by the court to allow the Judicial Performance Evaluation Commission to evaluate judge performance during court proceedings.</p> <p>The system must allow broadcasting of court hearings via WebEx conferencing platform (I have received confirmation that they will accept other platforms as well). The system must be able to capture facial expressions of the judge, attorney, witness, and/or litigant, regardless of whether appearing remotely or in-person.</p> <p>Equipment: 1 Dell 5530 Laptop \$1,769 I am waiting for the official Dell quote. We got the grant based on the attached screen shot. They allowed for the submission of the screen shot as a quote. 3 PTZ NDI Cameras \$5,537.57 (\$1,781.19 each) 1 16 Port POE+ switch \$194.00 Total: \$7,306.57 The total is approximately \$300.00 less than what I originally submitted for the grant. The cameras dropped in price since then.</p>
1.2.13	State of Utah public safety grant for First Responders First mental health services \$26,900	Darin Parke	
1.2.14	BCTC Prevention Prepared Communities Grant - \$9,000 (\$6k SOD, \$1k Winter Traditions, \$1k Movies in Parks)	Doug Gailey	
2.0	EMPLOYEES: Recruit, develop and retain quality employees by maintaining competitiveness in pay and benefits and demonstrating a commitment to every employee's growth and development.		
2.1	Improve Employee Satisfaction	Doug Gailey	
2.1.1	Develop list of no-cost/low-cost benefit enhancements	Doug Gailey	
2.1.1.1	Conduct work session with the council to discuss Alternative work schedules (i.e. 5/4/9 & 4/10)	Doug Gailey	Doug Gailey : The council opted not to implement an alternative work schedule.
2.1.1.2	Conduct analysis and make recommendations for retirement benefits	Doug Gailey	
2.1.2	Council to hold employee BBQ event	Doug Gailey	

2.2	Increase quality of organizational leadership & employee capacity.	Doug Gailey	
2.2.1	Complete Arbinger Outward Leadership Training with all supervisors/managers	Matt Dixon	
2.2.2	SOLA	Doug Gailey	
2.2.3	Secession planning	Doug Gailey	
2.2.3.1	Meet with department heads to clarify organizational structure and optimize opportunities for promotional experience.		
2.2.4	Leadership Book Club	Matt Dixon	
2.2.5	Work with department heads to create out of class pay for employees temporarily assigned to a leadership position.	Doug Gailey	
2.2.5.1	Meet with Steve to formulate a paycode that would allow employees to be compensated for out of class assignments.		
3.0	INFRASTRUCTURE: Invest in the maintenance of existing City infrastructure (i.e. utilities, parks, roads, etc.) and plan for new infrastructure needs necessary to support new growth and development within the City.		
3.1	Increase resident satisfaction rating of the City parks by 10 percent	Jon Andersen	
3.1.1	Conduct a Parks-specific survey as a follow-up to Community Survey	Doug Gailey	
3.1.2	Replace playground at Friendship Park (2022)	Jon Andersen	MattDixon : City Council directed staff at 12/07/21 meeting to pursue RAMP grant for replacement of playground at Friendship Park. Jon will work with vendor on coming up with some design options and will share the concepts with the council.
3.1.2.1	Survey playground area	Jon Andersen	
3.1.2.2	Playground equipment to best use the area	Jon Andersen	
3.1.2.3	Utilize State procurement site to get playground equipment for the park	Jon Andersen	MattDixon : BigT Recreation submitted design and color scheme (see attached). Council will be given opportunity to provide input prior to placing the order.
3.1.2.4	Complete park installation	Jon Andersen	

3.1.3	Complete Phase I of the South Ogden Heritage Trail at Friendship Park	Matt Dixon	<p>MattDixon : Held first committee meeting on 3/28/2022 (agenda attached). Present were Jon Andersen, Lynn Call, Ed Allen and Jim Larkin. Those excused were Mayor Porter, Councilmembers Strate and Smyth. Group proposed that Ed Kleyn, Rich Sadler, Katie Nelson be invited to join the committee and Mayor Porter suggested that Gene Sessions also be invited. During the Committee meeting we Reviewed Project Purpose Statement, Vision, Stakeholders and Constraints. Committee developed evaluation criteria and success indicators and established next Tasks and Subtasks that are necessary to move the project forward. These tasks and subtasks have been added to the project below. Total cash funds currently allocated to the project are \$79,000 (\$48k RAMP, \$10.75k SUP, \$5k Bank of Utah, and \$15.75k South Ogden City). Group hopes to gain \$50k more in June from Eccles Foundation. Group decided to meet every two weeks as the project gets going. We hope to shoot for South Ogden Days as an opportunity to showcase the monuments and market the project. A group email will be started so that we can stay coordinated.</p> <p>MattDixon : Held committee meeting today. Committee reaffirmed the scope of the project to be the greater South Ogden/Weber County/Northern Utah area and, when appropriate, will weave in S. Ogden content to highlight things unique to S. Ogden. Discussed work for each sub-committee (see Subtasks below) for the next month. List of attendees is attached.</p> <p>MattDixon : 1/12/23 committee meeting. Reviewed finances for the project, 2023 RAMP grant application and reviewed and updated Monument Prioritized List, made edits and updates. Jon will get two more monuments ordered through Bott's, Gene and Richard will continue writing and send information as they get it done, Policies and Procedures will be reviewed and updated, Jim Larkin will work on QR codes with links supplied by Gene and Richard as they write. Matt solicit support from Mountain America and DL Evans Bank. Next meeting committee</p>
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3.1.3.1	Hold meetings to coordinate project execution	Matt Dixon	<p>MattDixon : During the May 24, 2023 meeting, Kathryn MacKay joined the group at the invitation of councilmember Smyth. Kathryn and councilmember Smyth agreed to work on content recognizing historical contributions by women the city may wish to recognize. Dave Bott agreed to draft a mockup of a monument. Sadler and Sessions agreed to keep writing and submit work for review by committee members. Still waiting for arrival of the first two granite monuments.</p> <p>MattDixon :</p> <p>MattDixon : Committee met on 9.11.23. First two granite monuments are here and two more should be here by Oct. 1. Committee has draft language for three sides of the first two monuments with additional writings to begin soon. Committee agreed to meet every two weeks to keep the project moving. Committee wants to start our next meeting at Bott's to understand what they can do regarding maps/illustrations, etc.</p>
3.1.3.2	Gene Sessions and Richard Sadler to work on content for monuments		<p>MattDixon : Had a call with Dave Bott. He will prepare a mockup of the monument and determine how many words we can put on each side. He'll have it to me by the end of the week. He also asked if he could invoice us for 1/2 of the cost as is customary with the other 1/2 after installation.</p> <p>MattDixon : Received mockup (attached) of a monument with 1" lettering and 3/4" spacing. Total word count is approximately 154 per side.</p> <p>MattDixon : Gene Sessions submitted a draft of language for the Bonneville Shoreline monument (attached).</p> <p>MattDixon : Met with Gene and Richard and Mayor Porter. Gene and Richard provided an updated monuments list (see attached) for the committee to review and provide feedback on. They also provided language for Lake Bonneville and Geology monuments.</p> <p>MattDixon : Sessions submitted writings for three sides with a fourth coming soon (attached).</p>

3.1.3.3	Secure funding from other Grants and Donations	Matt Dixon	MattDixon : Received (attached) a donation from the Eccles Foundation in the amount of \$20,000. MattDixon : Received \$10,000 from SUP organization (receipt attached) MattDixon : RAMP awarded additional \$42,000 for Phase II of the project. MattDixon : Letter sent to Morris at DL Evans Bank on 9.11.23. He indicated he'd like to support the project. Letter attached.
3.1.3.4	Review plan for Heritage Trail with Jon and determine best location for the monument	Matt Dixon	

3.1.3.5	Meet with SUP Org. and discuss plans, budget, etc.	Matt Dixon	<p>MattDixon : Meeting scheduled for Sept. 14, 2021</p> <p>MattDixon : Meeting scheduled on Sept. 15 at 3:30 p.m. at city hall.</p> <p>MattDixon : Held meeting this week with SUP. They want to know if the city would entertain another RAMP grant for the placement of two signs in Friendship Park. The first would be an American Indian/Trappers monument and the second would be a John C. Fremont/Kit Carson monument. I talked with the council and this will be on the Oct. 5 agenda as a discussion/action item. If the city doesn't want to do this, SUP will try and raise the money on their own for the Kit Carson monument.</p> <p>MattDixon : City council discussed Heritage Trail on Oct. 7 meeting. Decided the city would be willing to contribute money to the project IF SUP was able to raise matching funds for the project. If funds could be raised, consider making RAMP application for 4 monuments with the matching funds from SUP and SOC.</p> <p>MattDixon : SUP and staff met on Oct. 27: discussed city will help put together a flyer to help them solicit donations/support. They have many groups that they believe will support the project - not sure how many will contribute funding. SUP has committed \$5,000. Discussed having Major Monuments to recognize groups (i.e. Indians, Trappers, etc.) and Minor Monuments to recognize important individuals (i.e. John Fremont, etc.).</p> <p>MattDixon : SUP and staff met on Oct. 27: discussed city will help put together a flyer to help them solicit donations/support. They have many groups that they believe will support the project - not sure how many will contribute funding. SUP has committed \$5,000. Discussed having Major Monuments to recognize groups (i.e. Indians, Trappers, etc.) and Minor Monuments to recognize important individuals (i.e. John Fremont, etc.).</p>
3.1.3.6	Review the plans with City Council in work session to verify approval of location and project details	Matt Dixon	<p>MattDixon : City Council agreed that the best location will be Friendship Park and they agreed to match donations/funds raised by SUP up to \$20k of city money</p>
3.1.3.7	Apply for RAMP funding to help with the project.	Matt Dixon	<p>MattDixon : SUP is donating \$10,000 in cash, Weber County Heritage Foundation \$4,000 of in-kind consulting. City council agreed to match up to \$20k. Asked RAMP for \$50k. RAMP application attached.</p>

3.1.3.8	Request of qualifications (RFQ) prepared to select monument company to help consult and construct this project.	Jon Andersen	MattDixon : Jon solicited proposals from several companies with only one expressing interest (Botts). A copy of the RFP is attached. This will be reviewed at the next Committee meeting in Aug.
3.1.3.9	Firm up project scope with the Committee (i.e. are we focused on S. Ogden history or greater Weber County history?).	Jon Andersen	<p>MattDixon : On Jul 5, 2022, at 7:31 PM, Katie Nelson <katienelson@webercountyheritagefoundation.com> wrote: Hi all, We've been tasked with producing a "history master plan" or big picture history of South Ogden, which the city can draw on for years to come as the Heritage Trail grows. We aim to have this finished by the end of August.</p> <p>I will bring a big-picture timeline. We can at the meeting discuss the potential for, and pros/cons of, highlighting individuals, particular events or time periods, etc. Our main questions: 1- What is the story of South Ogden? (particularly, I am interested in what sets it apart from other cities?) 2 - What does it mean to be someone from South Ogden? 3 - What universal stories can we all claim as our heritage?</p> <p>HERE I've got a range of dates for us to potentially meet in early August. Please select your availability ASAP. (Given the lack of air conditioning at City Hall, let's meet at the Eccles Art Center, 2580 Jefferson.)</p> <p>Thanks!</p> <p>Katie</p> <p>MattDixon : July 8, 2022 from Richard Sadler: my understanding concerning some monuments for South Ogden was that we would look broadly at the history of northern Utah (and not just at South Ogden). Another idea advanced was that many of our historical contributions and ideas which might move to some kind of monument status was to put together in one group people who influenced the area - for example fur traders, native Americans, important 19th century women, important 19th century men, important 20th century women, and important 20th century men - from northern Utah. This was a beginning</p>
3.1.3.10	Get representative from Weber Heritage Foundation (Katie Nelson)	Matt Dixon	
3.1.3.11	Invite Rich Sadler, Katie Nelson, Brent Strate, Mayor Porter, and SUP & DUP for next meeting (Phase I and Policy Creation)	Matt Dixon	

3.1.3.12	Physical Facilities Committee will finalize agreement with Botts and get three monuments ordered	Matt Dixon	MattDixon : Contract has been signed with Botts and 2 monuments have been ordered.
3.1.3.13	Historical Committee working on list of Top 30 (10 monuments) and will present recommendations to chronologically divide the trail.	Matt Dixon	MattDixon : Richard Sadler email from 9/22/22: Matt included with this e mail is an outline of some of the thoughts I have had concerning the monuments and topics. I believe this is a good place to begin a discussion with committee members, and probably many would agree on the first suggestion for a monument with three sides featuring: native Americans, Geography and its involvement, and the fur trade and its impact on northern Utah. Please feel free to share this list with committee members and I am hopeful it will lead us forward to make good decisions. I am sorry to miss the October 3 meeting, but I am committed to be involved with this project. Richard Sadler (document attached) MattDixon : Historical Committee met and developed a Monuments List (attached) for recommendations to the Committee. Matt asked to find out how many words for each side of the monuments from Botts.
3.1.3.14	City Council (Arts Council) to review and prioritize top monuments they want developed and install in the park	Matt Dixon	MattDixon : 1/3/2023 Council met and decided on the following priorities for monuments based on the Monuments List prepared by the Historical Content Subcommittee (see attachment in 3.1.7.10). Phase I: Monuments 1,2,3, and 6. Phase II: Monuments 4,5,7, and 8.
3.1.3.15	Finance Committee will pick up check from Bank of Utah (Doug DeVries) for \$7,500 and request donation from Goldenwest Credit Union (Kerry Whalen) for \$5,000	Matt Dixon	MattDixon : Letters from Mayor Porter were sent to BoU and GW seeking financial support for the project. Doug with BoU indicated that they may donate \$10,000 and GW is expected to contribute \$5,000. Copies of the letters are attached. MattDixon : Received Goldenwest donation of \$5,000 on 9/21/2022. MattDixon : Bank of Utah donated \$7,500 towards the project. Check was deposited on 9/28 (copy attached).
3.1.3.16	Provide Emma Eccles Foundation a project update	Matt Dixon	
3.1.4	Review the Nature Park development and improvement plan (recreation, conservation, education) and discuss next steps	Matt Dixon	MattDixon : work session scheduled for second meeting in Sept. 2021

3.1.4.1	Find the Nature Park development plans that were originally created	Matt Dixon	
3.1.4.2	Review the development plan, identify what has been completed, what remains and prepare presentation to review with the City Council	Matt Dixon	
3.1.4.3	Work with USU to see if there is a project they can help us with at the Nature Park.	Matt Dixon	<p>MattDixon : Mayor Porter set up meeting with USU rep named Helen. Met with her and councilmember Strate and Jon Andersen at the park. She will put us in touch with others at USU that may be able to help us look at a project.</p> <p>MattDixon : Email from Helen following the park meeting: Hello all,</p> <p>I have been in contact with the Mayor of South Ogden, Russ Porter, in efforts to design an interactive and wildlife-friendly landscaping for the S. Ogden Nature Park. This is a public park that includes a paved trail, dirt trails for mountain biking, hiking, and running. It is located within foothill-type canyon with a riparian area encircled by the paved trail. The nature park also includes a splash pad, playground, grass fields, and amphitheater at the main entry.</p> <p>Our goal is to pull together a committee to improve/restore the park for the purpose of attracting wildlife and local visitors, achieving both environmentally-sound and visitor-friendly space. We have discussed a few ideas so far.</p> <p>Moving forward, I would like to schedule a brainstorming meeting for those who are interested. I would like to get a few experts on board to assist with planning – which is why I am reaching out to you. If you have interest in helping with this project, please let me know. Also, if there is anyone in your field that would be interested in assisting with the project, please forward this to them. When I hear back from you, I will send out a doodle poll for the initial meeting. If you have any questions please feel free to contact me.</p> <p>(don't worry Russ, I doubt anyone will want to release lions, tigers, or bears)</p> <p>Happy Monday! -Helen</p>
3.1.5	Complete a Park Master Plan for Meadows Park	Jon Andersen	MattDixon : RAMP grant application for funding to help with parking lot and playground was unsuccessful in 2023.

3.1.5.1	Request a proposal from Landmark Design for the site master plan	Jon Andersen	JonAndersen : Attached proposal will go before the Mayor & City Council September 6, 2022
3.1.5.2	Review amenities with city council and provide direction to Landmark Design	Jon Andersen	MattDixon : had discussion with city council and looked at various amenities. Direction was given to staff to design a park with a Basketball Court, two Pickle Ball Courts, a restroom and bowery and playground area. Hugh will work on the design and get a draft to staff for review by the council.
3.1.5.3	Determine which concept the CC prefers and provide direction to Landmark for final Mater Plan	Matt Dixon	<p>MattDixon : Matt and Jon,</p> <p>I have attached 4 concepts for the Meadows Park in South Ogden.</p> <p>The first two concepts (1A and 1B) in the presentation are based on our discussions in the City Council Work Session. Concepts 2 and 3 have similar elements but we explored some alternatives for your consideration.</p> <p>Please review the concepts and we will then take comments and work on finalizing the master plan for Meadows Park.</p> <p>Let us know if you have any questions or need additional information.</p> <p>Thanks.</p> <p>Hugh Holt Landmark Design D: 801-474-3303 O: 801-474-3300</p> <p>MattDixon : 11/15/2022 Council reviewed 4 concepts provided by Landmark (attached). Direction was to move forward with Concept 1B with request to swap the playground area and the basketball area out of concern that the playground should not be close to 5700 S.</p>
3.1.5.4	Finalize and have council approve Master Plan Design	Matt Dixon	

3.1.6	Complete Phase I & II of Club Heights Park.	Jon Andersen	JonAndersen : The water feature and sod at the detention area of Club Heights are the two remaining items for completion of the project. The water feature has had some progress but due to the concrete shortage issue the completion date is unavailable. It will be completed as soon as they can get the needed material.
3.1.6.1	Monitor drought to see when the sod can be installed	Shane Douglas	JonAndersen : Pine View is planning on turning the water off September 1, 2021. Sod install not looking good Weber Basin will turn off September 20, 2021 JonAndersen : I talked with Matt Dixon about whether to do the sod with the watering turning off and that the City would have to use culinary water to keep it alive until it goes dormant. Did not come to a conclusion/solution. JonAndersen : Pine View plans to turn water off September 10, 2021
3.1.6.2	Playgrounds & Pavilions installed fall of 2021	Jon Andersen	JonAndersen : Playgrounds & Pavilions have been ordered. Playgrounds are set to arrive and be installed the middle of September. Pavilions should becoming the later part of September JonAndersen : Pavilions are currently being installed, the boulders for the back play area have been delivered and waiting to be installed. Still waiting for the two playgrounds to be delivered. MattDixon : Jon reported that the playgrounds are installed. Large boulders will be installed as soon as conditions permit. Sod will be scheduled for mid to late April 2022.
3.1.6.3	Working on changing the water feature for improved functionality	Jon Andersen	JonAndersen : Change order was signed to move forward with a more solid type water feature. Will update once I have construction timeline

3.1.7	Complete Burch Creek Park.	Jon Andersen	<p>MattDixon : Jon reported today that the only remaining issues are: building a small concrete retaining wall between dirt landscaping and playground area and final plant/tree replacement - which will be in spring of 2022.</p> <p>JonAndersen : Change order was signed to fix the above mentioned areas. Will give update once I have been given a timeline for construction. Still having major issues with the pumps, looks like they will be shut down for the year and look for another solution for the pumps</p> <p>JonAndersen : Hogan is currently working on cementing the rock water feature and preparing to put the steel plates in by the lower playground.</p> <p>JonAndersen : Hogan has completed the cementing of the rock water feature, sprinkler repair and the improvement by the playground d need to be improved/repared</p>
3.1.7.1	Need to address the warranty issues on landscaping, features, etc. Warranty period should be through June 1, 2022	Jon Andersen	JonAndersen : Walked the park with Hogan Construction, Landscaper is supposed to replace several trees and some plant material thought the whole project area.
3.1.8	Compare results from 2020 Community Survey to 2021 Survey	Matt Dixon	<p>MattDixon : after declining from 74% to 70% of residents who rate City Parks as either Excellent or Good from 2017 to 2019, resident ratings of Excellent or Good increased to 82% in 2022. From 2020 the rating increased from 72% to 82%. Survey results attached.</p> <p>MattDixon : 2022 survey showed 78% of residents rated our parks as either excellent or good. Although slightly lower than 2021, the results are still within the margin of error (+/-4%) compared to the 2021 results.</p>
3.2	Increase resident satisfaction with the quality of the City's streets by 10 percent	Jon Andersen	
3.2.1	Complete a minimum of \$1.3M in road maintenance and improvement projects annually	Jon Andersen	
3.2.2	Increase beautification of Washington Blvd. between 36th and 40th Street.	Matt Dixon	

3.2.3	Review 2020 Community Survey results for base satisfaction score.	Matt Dixon	<p>MattDixon : Survey results from 2017 thru 2020 indicate that residents who rated the quality of city streets as either Excellent or Good were 22.50%, 30.67%, 29.65% and 38.92% respectively. The goal is to have this combined rating be equal to or greater than 48.92%.</p> <p>MattDixon : 2021 combined "Excellent" and "Good" was 41.75%. Short of the goal of 48.92 but positive gains from prior years.</p> <p>MattDixon : 2022 results were 38.97%. Lower than 2021 but still within the margin of error of +/-4%.</p>
3.2.4	Compare 2021 Survey Results with 2020	Matt Dixon	<p>MattDixon : Total of "Excellent" and "Good" rating was 41.74% (see results attached).</p>
3.3	Complete design and construction drawings for a Skatepark.	Matt Dixon	<p>MattDixon : Draft of construction drawings were submitted for review from Adam with Spohn Ranch. Sent to Jon for review by engineering.</p>
3.3.1	Identify best locations for Skate Park	Matt Dixon	

3.3.2	Gather project options with Skate Park layouts and estimated costs	Jon Andersen	<p>MattDixon : Pics submitted by Steve Liebersbach from Winter Park (see files tab)</p> <p>MattDixon : Pics from Jon Andersen emailed 7.12.21 (see files tab). Option A = 3,500 sq. ft. for \$250k - \$400k. Option B (Bowl Design) = 5,000 sq. ft. for \$300k - \$500k. Option C = 7,500 - 9,000 sq. ft. = \$750k - \$1M.</p> <p>MattDixon : Councilmember Orr emailed a pic of a linear skate park. I added it as an attachment.</p> <p>MattDixon : Council reviewed and discussed the skate park project at the Oct. 19 meeting. They decided that they did not want to have this ready for a RAMP application in January. They agreed to have a plan put together this year (fiscal) with a possible RAMP application January 2023.</p> <p>MattDixon : Meeting with Mayor Porter, Matt Dixon, Ginger McKenzie, Jared McKenzie, Matt Flinton, Mike Howard, Jon Andersen, and Lenny London (Tony Hawke grant), Matt Robertson:</p> <p>Mike likes 40th Street better than Meadows. Ginger likes a very visible location near active areas. She likes North Ogden's park best.</p> <p>Group likes 40th and would like to create something like N. Ogden has as far as the skating community, etc. Visibility is important to keep it safe.</p> <p>Park Type: Most kids will like rail and ledges, etc. North Ogden has the most diversity of any park around.</p> <p>Reviewed different layouts and features and it was decided that only one large, steep bowl and a beginner bowl. Mostly looking at street skate features with rails, manuals and various features, etc.</p> <p>Mayor reviewed process is to develop a plan and funding so we can look at grants (Tony Hawkes, RAMP) next year 2022/2023.</p>
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3.3.3	Determine location	Matt Dixon	<p>MattDixon : Emailed Leesa to schedule the work session in Dec. for council to discuss skate parks</p> <p>MattDixon : Work session scheduled for Oct. 19 so staff can plan for RAMP funding, if council agrees to make this a priority project. Staff seeking direction on location, size, budget, RAMP, etc.</p> <p>MattDixon : Council agreed with the Committee's recommendation that the best location for the skate park will be 40th Street Park in the detention basin.</p>
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3.3.4	Contract with qualified firm(s) for project design	Matt Dixon	<p>MattDixon : Committee meeting on 8/22/2022 reviewed proposal from Grindline and Landmark Design. Committee really liked Grindline and agreed that they would be a qualified firm to work with. Group agreed that the park needs to be modern with lots of flow and transitions, unlike anything in the area. I agreed to work on procurement to see if we need to go out for formal proposals in lieu of just selecting Grindline.</p> <p>MattDixon : Cody from the Committee submitted this email with some qualified firms who know how to build good skateparks:</p> <p>Hi Matt,</p> <p>Great to meet you the other week and thanks again for supporting this on the administrative level. There's been a lot of excitement in the skate scene since then and I can't wait to bring a larger representation to the next meeting.</p> <p>As promised, here are a list of skatepark designers/builders that we would recommend reaching out to if South Ogden City needs to offer it out to bids.</p> <ul style="list-style-type: none"> •Grindline •Hunger Skateparks •Spohn Ranch •Team Pain •Evergreen •Dreamland <p>I don't believe I'm on the email thread yet, but if you could send a reminder whenever the next meeting is scheduled I'd love to be there.</p> <p>Thanks! -Cody</p> <p>Cody Lee Advertising Analyst P: 801.328.4067 cody.lee@kodiakcakes.com</p>
3.3.4.1	Solicit proposals from qualified firms for design work	Matt Dixon	
3.3.4.2	Review proposals and enter into a contract with the qualified firm	Matt Dixon	<p>MattDixon : City Council approved contract (proposal attached) with Spohn Ranch on 11/01/2022.</p>

3.3.5	Gather input from the public and Committee for design	Matt Dixon	<p>MattDixon : Phase I - finalize agreement. Kirsten (Reno) will look at the agreement for their end and get it back to us.</p> <p>Phase II - Kickoff Meeting</p> <p>Ready to start with survey data gathering to go live on Monday, Nov. 7 for two weeks. Push out through committee and social media.</p> <p>Needs: GeoTech Report, Site Survey (CAD format)</p> <p>Schedule meeting for 11/21/2022 at 4 p.m. with committee to set expectations and review the data from survey to help with conceptual designs</p> <p>Goal is to have second meeting before Christmas with two very good concept plans.</p> <p>MattDixon : Group:</p> <p>Mark your calendars (I'll also send a meeting invite)!!! On Monday, November 21 at 4 p.m. we will be hosting a kickoff meeting with Spohn Ranch. I expect the meeting to last between 1.5 to 2 hours. There will be an online survey launched next Monday, Nov. 7 that we want to get out to as many local riders as we can (especially South Ogden riders). The survey will gather lots of information related to their wheels of choice, preferred features, etc. to help us as we work with Spohn in creating two conceptual designs. During our meeting on Nov. 21, we will review the data from the survey, get to know Spohn Ranch, and give them your ideas to help them go back and start working on the concept plans. Our goal is to have two good concepts drawn up before Christmas with a decision on the final plan in time for our RAMP grant application in mid-January.</p> <p>Thanks for being involved. Oh, and the meeting will be open to any public who'd like to attend. It will be here at City Hall in the EOC room in the front of the building.</p> <p>Have a great day!!!</p> <p>Matt</p>
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3.3.6	Committee review concepts and make recommendations for final concept.	Matt Dixon	<p>MattDixon : Spohn submitted a very rough draft concept in preparation for the council meeting on Jan. 3 (see attached). The concept is likely to change substantially as the design team moves forward and works with the committee.</p> <p>MattDixon : Committee has been presented with two concept plans (see attached Opt. 1 & Opt. 2) for review. Feedback will be accepted until 3.15.2023. Spohn Ranch will then finalize the two concepts for committee and council review and public sharing.</p> <p>MattDixon : Feedback from Cody Lee: Thanks again for all of the hard work going into this – really stoked to see it come to fruition. In general, many of us strongly prefer option 1 but I am open to seeing design improvements to make Option #2 a more free flowing park.</p> <p>Design 1:</p> <ul style="list-style-type: none"> •The more I thought about it, the more I'd advocate for removing the arch feature (or finding another place for it) or think the bowl would benefit from having regular coping around that corner, and it would be easier to shift the bowl and allow more space for street on the far side •I love the amount of small transition and individual zones throughout this park design. I wouldn't change a thing about the transition of this park, it's exactly what we had hoped for in the planning process and has features for beginner to advanced riders •There was some talk about the street section on the East side being too skinny oMaybe shifting the bowl solves this, or maybe it's possible and within scope to add a wider section of concrete here? •Ramp/euro gap might need to be adjusted due to lack of speed from the plaza section <p>Design #2:</p> <ul style="list-style-type: none"> •Overall, I think this design has a great street section but is hindered by it's 2 zones and lack of free flow throughout
3.3.7	Council approve final concept plan	Matt Dixon	
3.3.8	Apply for grants to help fund construction of the project	Jon Andersen, Matt Dixon	<p>SteveLiebersbach : this was pulled from FY 2023 budget and will be fully funded and part of the ARPA projects</p> <p>MattDixon : Received award notice from UORG that the project has been awarded \$200,000 of state funding to help (see Initiative related to increase revenues thru grants under Fiscal Sustainability for details).</p>

3.3.8.1	Complete Outdoor Recreation Tier I Grant for \$200,000	Matt Dixon	
3.3.8.2	Grant awarded for \$200k. Signed agreement attached.	Matt Dixon	
3.3.9	Complete design and construction drawings	Matt Dixon	MattDixon : Spohn Ranch submitted draft construction plans for review by city personnel (attached).
3.4	Complete Construction of the 40th Street Skatepark	Jon Andersen	
3.5	Increase opportunities for resident utilization of sidewalks and trails by identifying gaps and making improvements in areas such as School Safe Routes.	Jon Andersen	
3.5.1	Prepare trails for winter maintenance and use by the public.	Jon Andersen, Shane Douglas	MattDixon : Jon, I'm anticipating the council will be wanting to maintain the trails this winter. We need to talk about expectations and what we need to do IF we are planning on having them open this winter JonAndersen : The Nature Park trail is an alternate bid item on the roads project bid this year. It should be ready for the Mayor & City Council to decide if they would like it improved at the Sept 6, City Council meeting.
3.5.1.1	Conduct walk thru and evaluation of current condition with Granite Construction and get estimates on cost to maintain status quo and cost to improve for winter plowing/maintenance.	Josh Sully, Jon Andersen	MattDixon : Jon provided information that to maintain status quo would cost approx. \$60,000. To upgrade and prepare for winter maintenance would cost approx. \$314,000 unless we removed Burch Creek then it would be \$50,000 less. May not need new equipment, since a 1-ton with a plow may be used on new trails.
3.5.1.2	Have a discussion with Mayor & City Council to get direction	Jon Andersen	MattDixon : Council direction was to discuss during the FY2023 budget for prioritization and funding.
3.5.1.3	Prepare budget estimates & timeline for the 2022 construction season to complete goal	Jon Andersen	MattDixon : Jon provided information that to maintain status quo would cost approx. \$60,000. To upgrade and prepare for winter maintenance would cost approx. \$314,000 unless we removed Burch Creek then it would be \$50,000 less. May not need new equipment, since a 1-ton with a plow may be used on new trails.
3.5.2	Improve sidewalk network/connections where there are gaps.	Shane Douglas, Jon Andersen	

3.5.2.1	Complete detailed inventory of areas throughout the city where there are gaps between existing sidewalks	Josh Sully	
3.5.2.2	Prioritize sections based on safety, pedestrian demand and location	Josh Sully	
3.5.2.3	Prepare a cost estimate for each section based on dollars per linear foot of sidewalk	Josh Sully	
3.5.2.4	Present information to City Council for review, discussion and direction	Jon Andersen	
3.5.3	Improve sidewalk networks in Safe Routes for Schools areas.	Jon Andersen, Josh Sully	JonAndersen : South Ogden City received a grant through UDOOT Safe routes to school for the Crossing located on 850 E. 5600 S. The grant is for approximately \$61,000 to update the school crossing with ADA ramps, new signals and any new sidewalk and striping needed. This s a reimbursement grant and funding is not available until 2023.
3.5.3.1	Coordinate with Weber School District to identify all Safe routes	Josh Sully	
3.5.3.2	Evaluate all safe routes for safety and conditions of existing sidewalk	Josh Sully	
3.5.3.3	Evaluate the safe routes for any need for new sidewalks	Josh Sully	
3.5.3.4	Develop a a list of potential projects for budgeting and grant purposes	Josh Sully	
3.6	Upgrade City Facilities	Jon Andersen	
3.6.1	Complete remodel of the Public Works yard and facilities.	Jon Andersen	
3.6.1.1	Meet with School District on land swap plans and at Friendship Park	Jon Andersen	JonAndersen : It is not on the current Weber School District bond. It will be out at least five years or longer
3.6.1.2	Explore any other options for the relocation of the P.W. shop	Jon Andersen, Shane Douglas	JonAndersen : Two pieces identified 1- Linquist by the cemetry (not wanting to sell) 2- Landout front nt by the currrent P.W. shop by Washington Terrace not willing to sell to South Ogden. will look into remodel at current location.
3.6.1.3	Develop a plan to remodel current location	Shane Douglas, Jon Andersen	JonAndersen : Identify what upgrades nned to be completed in the remodel
3.6.1.4	Meet with Lanmark Companies for a possible bid	Jon Andersen	JonAndersen : 1st meeting et for July 19, 20232

3.6.2	Complete upgrades to City Hall (i.e. carpet, paint, Station 81 ramps, etc.)	Jon Andersen	
3.6.2.1	Walk the Building to identify upgrades	Jon Andersen	
3.6.2.2	Collect bids for the upgrades	Jon Andersen	
3.6.2.3	Need funding and approval to complete the upgrades Budget 2024	Matt Dixon	
3.6.3	Make improvements to Station 82 Kitchen	Cameron West	CameronWest : Bid received for the remodel of Station 82 kitchen at just over \$60,000. Gameplan moving forward to consider updating of the plumbing only. JonAndersen : After review of the bid direction was given to replace and repair spetic items at a lower cost at this time
3.7	Improve quality of the city's infrastructure management	Jon Andersen	
3.7.1	Prepare and launch GIS management system for Water, Sewer and Storm Drain utilities.	Jon Andersen	
3.7.1.1	Collect the necessary GIS information for all utilities	Jason Brennan, Josh Sully	
3.7.1.2	Work with Wasatch Civil to have data entered into a format that can be used by different devices	Jason Brennan, Josh Sully, Jon Andersen, Shane Douglas	
3.7.1.3	Launch program for City Staff to use the GIS program	Shane Douglas, Jon Andersen	
4.0	ECONOMIC DEVELOPMENT: Foster quality economic development by focusing on new development (i.e. businesses, housing, etc.) opportunities, zoning options, code enforcement, increased leveraging of development resources and effective branding.		
4.1	Redevelop deteriorating commercial properties with low property values at key sites.	Matt Dixon	
4.1.1	Create and implement long-term plans to maximize highest-and-best use development at key intersections along Highway 89 extending between the northern and southern clusters in the City.	Matt Dixon	

4.1.2	Provide appropriate public assistance for demolition of key properties and improved infrastructure at key sites, particularly along the northern end of Highway 89. These sites have good access and visibility but present a poor visual appearance for the City.	Matt Dixon	
4.1.2.1	Identify parcels that, if assembled and prepared, would expedite the City's redevelopment within the City Center CRA.	Matt Dixon	
4.1.3	Explore partners with equity and interest in helping redevelop within the City Center CRA project area.	Matt Dixon	MattDixon : Working with Christian Machuca 818.387.5216 with CEI as an underwriter. Call with his team on 9/14/21 at 2:00 p.m. Asked about zoning and first floor uses along Washington Blvd. Talked about live/work space and residential use, etc. Talked about keeping Big Lots on site in smaller space.
4.2	Develop a community gathering place and other public improvements that will add to the image and reputation of the City and provide increased quality of life for residents.	Matt Dixon	
4.2.1	Identify potential key sites, properties and property owners that would provide an ideal site for a community gathering destination.	Matt Dixon	
4.2.2	Redevelopment of Big Lots/Savers to maximize "highest-and-best" use of the property	Matt Dixon	MattDixon : Files attached were transferred from an old Strategic Initiative/Project specific to Big Lots/Savers (Bennenson Capitol) Project

4.2.2.1	Work with Benneson in helping them find the right JV partner	Matt Dixon	<p>MattDixon : Talked with Leonard K at Bennenson today. He mentioned that Big Lot's lease is up Jan. 31, 2026 and Savers has one more year on theirs. Given that information, he recognized that they need to start planning for what's next at this property. He talked about Dev. Group and that he was impressed with them. He wants to talk with his partners and would like me to contact him just before Thanksgiving.</p> <p>MattDixon : Talked with Leonard again today. He reported that his partners were not interested in taking on any risk at this time. He mentioned they have a possible tenant for the vacant space and if they can get a 3-5 year lease, that would be enough. He said they are not interested in selling - especially since the Utah market is growing and strong. Wants to work with a big group with the credibility and capacity to take on a large project - without requiring Bennenson to take on a lot of risk. He agreed to allow me to keep sending developers/investors his way.</p>
4.2.2.2	Consider public assistance to create a public gathering place at an appropriate site that will attract the public through amenities such as plazas, fountains, pavilions, eating areas, etc.	Matt Dixon	
4.2.3	Create a Small Area Master Plan for the site.	Matt Dixon	<p>MattDixon : Susie Becker with Zions Bank provided the contact of Ben Levenger (ben@dtredevelopment.com) who helped do a similar study for West Point City. Additionally, she provided some other economic data samples from a group called Sure Site. The city can pay them \$250 to get similar data for areas within S. Ogden. These documents are in the ED folder on my "U" drive.</p> <p>MattDixon :</p>
4.2.4	Consider the use of all available economic tools to assist with this project.		
4.2.5	Schedule meeting with key staff to review possible projects within the City Center CRA that would help increase likelihood of attracting new development (i.e. raised medians, street lights, banners, etc.)	Matt Dixon	

4.2.5.1	Work with UDOT Region 1 Planner, Chris Chesnut to discuss mid-block crossings along Washington Blvd.	Matt Dixon	<p>MattDixon : UDOT has informed the city that they are moving forward with a design to install a ped-activated crossing at 37th and Washington. They are in the design phase. Staff needs to meet with UDOT to learn more about this project and possible enhancements the city could make to the project.</p> <p>MattDixon : UDOT requested that the city call in a work order from RMP so they can work with RMP on the design. Staff wants meeting to review before we move forward. Matt to call Region I for meeting. Talk with Todd Findlinson (Traffic Eng.) or Chris Chesnut (planner). 801.620.1600 left message with Chris.</p> <p>MattDixon : Left message with Chris Chesnut to set up a meeting to review their plans.</p> <p>MattDixon : Talked with Chris. He was unaware of this project and will talk with Region I reps and get back with me. Chris' number is: 385.301.4045</p> <p>MattDixon : Matt, I'm following up on our conversation about the overhead flashing beacon system at US-89 & 37th Street. Have you been able to call in a service request to Rocky Mountain Power?</p> <p>JONNY BUDGE, P.E. Transportation Services Group Project Manager</p> <p>J-U-B ENGINEERS, Inc. 1047 S. 100 W., Suite 180, Logan, UT 84321 e jbudge@jub.com w www.jub.com p 435-713-9514 Ext 5711</p> <p>MattDixon : Chris Chesnut reported that Region Director (Rob White) and others need to coordinate with SOC on this project. Project manager on this is Nate Jones at 801.668.2826.. Talked with Nate Jones. Set up meeting on Sept. 8 to review UDOT's plans - which are 90% completed. <u>Nate indicated that he doesn't think it is too late to rework</u></p>
4.2.6	Review estimated increment available for debt service within the Project area	Steve Liebersbach	<p>MattDixon : preliminary numbers suggest the Agency may receive as much as \$350k in Tax Increment for this first year. Many of the new projects in the area are still under construction so the increment will certainly increase in years 2 & 3 as they get completed and can be assessed at full value.</p>
4.3	Retain and strengthen existing businesses.	Matt Dixon	

4.3.1	Provide sales tax leakage information to specific businesses which show the potential for business expansion opportunities within related industries.	Matt Dixon	
4.3.2	Work with existing businesses to adapt to changing retail trends including the need for drive-thru/pickup space, assistance with online retailing, etc.	Matt Dixon	
4.3.3	Continue to promote and highlight "Shop South Ogden" to encourage local residents to support the businesses located throughout South Ogden.	Jamie Healy	JamieHealy : Mayor Porter and I continue to check in on businesses that are new and also visit existing shops. We are 2.5 years into highlights as this is an ongoing priority.
4.3.3.1	Create social media posts to highlight businesses.	Jamie Healy	MattDixon : 11/5/20 - Following is up to 2,864 We are currently do 2-4 business visits and giveaways each month. MattDixon : 4/16/20 Started Social Media Giveaway with that has increased our reach with Facebook to 25.5k with GC from Tony's pizza we are giving to a random fan. 4/13/20-fb followers were at 1320. 4/17/20 total moved up to 1719 followers.
4.3.3.2	Re-evaluate and make changes to SOBA.	Jamie Healy	MattDixon : 11/05/20 - Covid has slowed progress on SOBA. I will create a facebook page to use a meeting place for businesses to communicate.
4.4	Recruit additional businesses to South Ogden	Matt Dixon	
4.4.1	Approach property owners of key sites, especially those providing connectivity with other retail sites in the northern business cluster, regarding retail opportunities (such as those identified in the sales leakage analysis - See 4.3.1).	Matt Dixon	
4.4.2	Approach businesses desired by the City, that are lacking in the surrounding area, (including Riverdale & Ogden) through avenues such as ICSC, local brokers and drop in visits.	Matt Dixon	
4.5	Recognize that residential redevelopment with increased density, in key locations, can provide fiscal benefits to the City through increased property, sales and municipal energy revenues.	Matt Dixon	
4.5.1	Consider assistance with podium parking needs for higher-density development.	Matt Dixon	

4.5.2	Consider creating a Community Reinvestment Area (CRA) to help offset the costs of redevelopment in defined areas and maximizing increment in existing areas.	Matt Dixon	
4.5.3	Use fiscal impacts modeling to guide areas of density and redevelopment efforts.	Matt Dixon	
4.6	Strengthen the City's brand.	Jamie Healy	
4.6.1	Construct Welcome to South Ogden signs at key locations in the City.	Matt Dixon	
4.6.1.1	Review sign designs and gather cost estimates	Matt Dixon	
4.6.1.2	Identify desired locations for Welcome signs	Matt Dixon	
4.6.1.3	Develop a project timeline that aligns with council desires and budget resources	Matt Dixon	
4.6.1.4	Construct signs at designated locations - according to plans	Matt Dixon	
4.6.2	Improve way-finding signage throughout the City (parks, city hall, public works, etc.).	Jon Andersen	
4.6.2.1	Prepare project report identifying sign locations, types, design and cost estimates		
4.6.2.2	Present report to City Council for review, discussion and direction		
4.6.3	Review and take steps to ensure the City has Brand Consistency	Jamie Healy	JamieHealy : Doug and I met with Jibe for new department logos. We are waiting on proofs and finals to move forward with the brand plan. I currently work one on one with departments to look over flyers that go out to ensure consistency.
4.6.3.1	Work with Jibe to add department logos. After new logos arrive, implement them into the plan.	Jamie Healy	
4.6.3.2	Email Brand Consistency -Design -Approval -Implement	Jamie Healy	JamieHealy : Came up with a new signature line to match our style guide for each department. Next step is to work with department heads on the change over. JamieHealy : Started working on signatures for each employee in the city. Now that we have the new outlook, I will be getting each department their signatures. JamieHealy : Working with Jibe on this issue currently
4.6.3.3	Letterhead	Jamie Healy	

4.6.3.4	Vehicles		JamieHealy : Working on our vehicle brand evaluation. JamieHealy : Waiting on logos from Jibe
4.6.3.5	Business Cards		JamieHealy : Branding on cards is up to date.
4.6.4	Create external/internal brand consistency	Jamie Healy	JamieHealy : Came up with a new signature line to match our style guide for each department. Working on letterhead usage for each department next.
4.6.4.1	Website update	Jamie Healy	
4.6.4.2	Social media content protocol	Jamie Healy	
4.6.4.3	Press release, letterhead, email consistency	Jamie Healy	
5.0	COMMUNITY ENGAGEMENT: Create opportunities for residents and businesses throughout the City to work and serve together while being connected to and valued by the City.		
5.1	Improve communications with residents & businesses.	Jamie Healy	<p>MattDixon : 11/05/20 - Discussed ideas with Doug after 2020 Wind Event about coming up with a communication tree for the community.</p> <p>Church lists School lists Other forms of communication besides social media MattDixon : 04/17/20 - Discussed Facebook plan with Matt and Doug the week of 4/13/20. Started Facebook campaign to highlight #shopsouthogden businesses on 4/16.</p>
5.1.1	Provide quarterly updates/education on street maintenance treatments, City projects and efforts made to improve City streets.	Jamie Healy	<p>MattDixon : emailed Jon and Leesa about doing something in the month of Sept. (i.e. Facebook post, Newsletter, etc.). JonAndersen : October News letter will have information about the current road projects the City has completed this construction season(2021) JonAndersen : Information was sent to Leesa for the October news Letter on 9-10-21. JamieHealy : Working with Jon for a late January push of road information for the new year kick off. JamieHealy : Jon and I work together as needed on info SM push</p>
5.1.1.1	Work with Jon to find out what projects are upcoming for the following quarter.	Jamie Healy	
5.1.1.2	Content creation for project-video	Jamie Healy	

5.1.1.3	Deliver content to all media platforms	Jamie Healy	
5.1.2	Find a diverse social media platform that can communicate with all types of residents from various backgrounds.	Jamie Healy	<p>JamieHealy : We are currently utilizing Facebook, Instagram, YouTube, Nextdoor and our website to reach our residents. Our best platform overall is Facebook and has the furthest reach of all media.</p> <p>JamieHealy : Added regroup to our toolkit. Regroup can reach residents via landline call, text message, or email.</p>
5.1.2.1	Set up emergency communication tree with local religious organizations	Jamie Healy	
5.1.2.2	Find a text message subscription service to help notify residents during emergencies.	Jamie Healy	<p>JamieHealy : We are currently utilizing the Nextdoor platform for the messaging service as of now. Nextdoor can send messages via the app or text for free in an emergency to specific areas.</p>
5.1.2.3	Set up neighborhood specific social media via next-door that is able to reach areas in case of an emergency.	Jamie Healy	
5.1.3	Increase social media following to 10,000 and increase overall engagement by 25 percent.	Jamie Healy	<p>MattDixon : 11/05/20 - Today's update is 2,864</p> <p>MattDixon : 05/26/20 - As of today we are at 1,999 likes and 2,175 followers.</p> <p>MattDixon : 04/16/20 - 4/16/20 Started Social Media Giveaway with that has increased our reach with Facebook to 25.5k with GC from Tony's pizza we are giving to a random fan. 4/13/20-fb followers were at 1320. 4/17/20 total moved up to 1719 followers.</p> <p>JamieHealy : 1/18/22- 3.6k Followers and engagement is up 200%</p> <p>JamieHealy : 11/15/22 4,135 followers to date on facebook.</p>
5.1.3.1	Department content creation plan. Work with each department to help educate residents on city events and other engaging content.	Jamie Healy	<p>JamieHealy : This is a huge focus right now. I'm currently working with SOFD to create safety content to distribute on all platforms to the residents.</p>
5.1.3.2	30 day social media plans in place. 3-5 posts per week to up engagement.	Jamie Healy	<p>JamieHealy : This is one of my daily top focuses that is ongoing. We are averaging 5-10 posts per week and engagement is up.</p>
5.1.4	Complete 2 Town Hall meetings at (1 off-site & 1 EOC) locations throughout the City.	Jamie Healy	<p>LeesaKapetanov : We were only doing 2 per year before. Is this something the council wants to continue based on the number of people who attend?</p>
5.1.4.1	Town Hall at Burch Creek Park or Elementary School	Leesa Kapetanov	
5.1.4.2	Town Hall at South Jr. High	Leesa Kapetanov	

5.1.5	Improve Communication & Coordination with community groups (i.e. churches, NOG's, etc.) through Regroup & Qualtrics	Jamie Healy	JamieHealy : We are gathering contacts for regroup. We are also continuing to grow social media and other platforms to increase awareness for future emergency situations.
5.1.6	Complete website redesign.	Jamie Healy	
5.2	Strengthen inclusion through improved communication with minority groups (e.g. youth, ethnic groups).	Doug Gailey	
5.2.1	Offer a printed community survey to gather input from those who are unable to access a computer.	Doug Gailey	DougGailey : Information put in the newsletter as well as in the mayors message that printed surveys are available for pickup or to be mailed.
5.2.2	Provide information in the newsletter on how to translate the website into other languages.	Doug Gailey	
5.2.3	Evaluate costs and vendors that can provide a messaging service to be used in emergencies.	Doug Gailey	
5.2.3.1	contracted with Regroup to provide notification services to South Ogden City residents.	Jamie Healy	
5.2.4	Partner with minority groups to develop stronger minority communications.	Jamie Healy	DougGailey : Tried to contact them for Easter egg hunt, but never got a response. Will Try again when school get back in session
5.3	Strengthen engagement and sense of Community through Special Events.	Jamie Healy	
5.3.1	Evaluate special events to match the desires of the council and needs of the citizens.	Jamie Healy	
5.4	Increase community engagement through service opportunities	Jon Andersen	MattDixon : 10/16/19 - Council discussed this goal on 10/15 and decided to do it in the spring, possibly in conjunction with the National Day of Service. Mayor Porter volunteered to lead out on this goal.
5.4.1	Complete one neighborhood-specific Day of Service with minimum of 100 volunteer/residents.	Jon Andersen	
5.4.1.1	Identify the neighborhood for day of service	Jon Andersen	<p>JonAndersen : Who going to pick the area for this project? How is it determined what neighborhood?</p> <p>JonAndersen : Mayor Porter was contacted by the YSA to have service project on May 2, 2022 form 6:00pm- 8:00pm</p> <p>JonAndersen : It was determined to do the service project at the Club heights Park</p> <p>JonAndersen : The service project was completed May 3, 2022 and 90-100 volunteers showed up for a very successful project</p>

5.4.1.2	Identify the number off staff to assist with the project and the 100 volunteers	Jon Andersen	
5.4.1.3	Identify any materials that are needed for the projects, any costs or any necessary equipment, etc.	Jon Andersen	
5.4.1.4	Promote/Advertise to get the 100 volunteers to assist with the neighborhood project	Jamie Healy	MattDixon : Completed May 2022 with 90-100 volunteers helping at Club Heights Park.
5.4.2	Complete one city-wide Day of Service event (i.e. public parks, trails, etc.) with a minimum of 100 volunteers/residents.	Jason Brennan	JonAndersen : Mayor Porter is coordinating with his local church group to get volunteers and assist with this project, The date is set for September 11, 2021 at 9:30am. All volunteers will meet at 40th st park for one project area and carpool to Country Club Drive area for the other project. JamieHealy : Promoted Day of Service for 9/11 40th Street Park on social media and on Just Serve.
5.4.2.1	Identify Projects for City-wide service day event	Jason Brennan	JasonBrennan : Sat down with Shane Douglas and went through projects that we could do. Picked out 3 projects to have completed on the service day.
5.4.2.2	identify number of staff needed for project.	Jason Brennan	JasonBrennan : recruited staff and come up with a plan for what duties each personal will accomplish on the service event
5.4.2.3	Purchased materials for service event.	Jason Brennan	JasonBrennan : Have purchased paint supplies and will need to get bark next week for the project. JasonBrennan : Purchased bark for service project JasonBrennan : Purchased additional items for service project JonAndersen : The project completed was along 39th St North side close to Orchard. Debris was removed and landscape bark was installed on 9-11-21. We had approximately 25 - 40 volunteers show to assist with the project. Two other projects were ready but did not have enough volunteers.
5.4.3	Complete a city-wide Day of Service event	Jason Brennan	MattDixon : Scheduling for June 10 with dumpsters at Friendship and Club Heights from 9 a.m. to 3 p.m.
5.4.3.1	Organize a clean-up day at two locations - Friendship & Club Heights Parks	Jason Brennan	

5.4.3.2	Contact Republic Services to provide dumpsters at the two locations.	Jason Brennan	JonAndersen : The clean-up event was completed on June 10, 2023, at Friendship Park & Club Heights Park from 9:00aam- 3:00pm. We had a total of aproxitma;ley 90-95 residents drop green waste of at one of the two sites.
5.4.3.3	Assign necessary staffing and equipment needed to have a successful dump sites.	Jason Brennan	
6.0	MODERATE INCOME HOUSING: In an effort to help provide a variety of housing options for current and future residents, South Ogden recognizes the importance of implementing strategies that will enable the preservation and creation of moderate income housing.		
6.1	Demonstrate utilization of moderate income housing set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency to create or subsidize moderate income housing (Menu Item P).	Matt Dixon	
6.1.1	Analyze property located at 40th and Evelyn to determine if it should be developed as a moderate-income housing project.	Matt Dixon	MattDixon : Cameron Lewis (WSU) architecture students came up with site plan and house plans for this property for the council to consider possibilities. The information is attached as PDFs.

6.1.1.1	Develop options for the council to discuss in order to help them decide what they'd like to do with this property.	Matt Dixon	<p>MattDixon : At this point in the process, this is how I see the city's options:</p> <ol style="list-style-type: none"> 1.Sell the property for fair market value and walk away. This was discussed and the direction from the council was that you did not want to strongly consider this option, at this point. 2.The city transfers the property to the CDRA with conditions that the property be developed as "affordable housing" - based on the council's desired, target income level (i.e., 80% AMI, 50% AMI, etc.). Development of the property could include: <ul style="list-style-type: none"> oAgency uses CDRA Housing funds to build a home (with or without a partnership with WSU) and then rents the home at whatever rate the council would like (market rates, income-determined rate, etc.) oAgency builds a home and then sells the home at fair market value, with deed-restrictions (i.e. must be owner-occupied, annual household income cannot exceed some threshold (i.e. 80% AMI)) oAgency builds a home and then rents the home as workforce housing. This could include city employees (i.e., fire fighter, police officer, etc.). This would certainly include creating policies and procedures in how the city will administer such a program. <p>MattDixon : Cameron Lewis call: Students complete architectural design. Student will complete cost estimate. City have engineer complete and stamp plans (usually \$1.25/sq. ft.). City hire contractor willing to work with students (construction management college). WSU can move forward as soon as we are ready. Ideally, finish design in fall and begin construction in spring 2024.</p> <p>MattDixon : Council provided direction to move forward with development of house plans. They liked the plans prepared by Kevin Bradley with the addition of a basement and bonus room over the garage. They'd also like a cost estimate prepared for the plans. Matt will contact WSU and move this forward. The council would also like to know if</p>
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6.1.1.2	Complete design plans with basement and bonus room above the garage.	Matt Dixon	<p>MattDixon : Talked with Jeremy Smith with Ogden City 801.629.8943. WSU wanted to do a more modern looking home and wanted it to be more energy efficient (zero-net). Ogden wanted a home that fit in with the neighborhood and didn't want the expense of a fully energy efficient home. WSU wanted to own the home - they may not feel that way now. His contact at WSU was Jeremy Farner, Wadman Center of Excellence Director. jfarner@weber.edu, 801.395.3421.</p> <p>MattDixon : Student, Kevin Bradley, is working on house design and plans. Provided update (attached) on 3/20/23. Working to design with bonus room and basement.</p> <p>MattDixon : Received update on house plan design from Kevin Bradley (attached).</p>
6.1.1.3	Complete cost estimate for house plan	Matt Dixon	MattDixon : current plan with basement and bonus room at \$1.75/sq. ft. This would total of 1,622 sq. ft. of house.
6.1.1.4	Complete engineering of the plans	Matt Dixon	
6.1.1.5	City transfer land to the CDRA for development of an affordable housing project with promissory note directing the agency in what to do with any proceeds (e.g. rent, profit) from development of the project.	Matt Dixon	
6.1.1.6	Solicit interest from local construction companies to help with project construction.	Matt Dixon	
6.1.1.7	Explore likelihood of getting help from non-profit organizations to help with the construction of the home.	Matt Dixon	
6.1.2	Seek LIHTC funding to help with construction. Deeply (30%) affordable or other AMI-restricted housing projects.	Matt Dixon	
6.1.3	Childcare support with CDRA housing funds (or TIF) as revenue stream to support other housing needs	Matt Dixon	
6.2	Preserve existing and new moderate-income housing and subsidized units by utilizing a landlord incentive program, providing for deed restricted units through a grant program, or, notwithstanding Section 10-9a-535, establishing a housing loss mitigation fund (Menu Item K).	Matt Dixon	

6.2.1	Incorporate deed-restricted affordable housing units within new project when project includes a Development Agreement.	Matt Dixon	MattDixon : Economic Development Committee reviewed and recommended approval of a Development Agreement (attached) with Waters Edge Apartments, LLC IF proposal includes deed-restricted units for workforce housing within the project.
6.2.1.1	Planning Commission to hold public hearing and make recommendation on deed-restricted housing units within the Waters Edge Apartment Project.	Matt Dixon	MattDixon : Planning Commission held public hearing and made a favorable recommendation for the Development Agreement with Waters Edge Apartments, LLC. Agreement allows developer to go to 4 story buildings with a reduction in the exterior window glazing requirements IF developer provides 5 deed-restricted units for workforce housing.
6.2.1.2	City Council to review recommendations of the Planning Commission and the Development Agreement with Waters Edge Apartments, LLC which includes 5 deed-restricted affordable (80% AMI) housing units for workforce housing.	Matt Dixon	
6.2.1.3	City Council approved Development Agreement (attached) for Waters Edge Apartments, LLC with provision that an additional story would be allowed (from 3 to 4) conditioned upon developer provide 5 deed-restricted units to be rented to those with a household income of not more than 80% AMI. First option for renters of these units will go to "critical workforce," then to other qualifying families.	Matt Dixon	
6.2.2	Explore cost/benefits of establishing a Housing Preservation Fund	Matt Dixon	
6.2.3	Explore cost/benefits of creating a Housing Loss Mitigation Fund and how to effectively use the fund.	Matt Dixon	
6.2.4	Utilizing OWH funds from the CDRA to incent landlords to deed restrict units, fee waivers, etc.	Matt Dixon	
6.3	Create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones (Menu Item E).	Matt Dixon	

6.3.1	Review ADU code with City Council and Planning Commission to determine the feasibility of expanding the policy to allow for both internal and external ADU's	Doug Gailey	
6.3.2	Adopt ADU ordinance and governing policies to allow ADU's in certain land use zones.	Matt Dixon	Matt Dixon : consider allowing IF home owners wanted to sell to family and then move into the ADU on the property? Vets, Seniors, etc
6.3.2.1	Review strategy with the City Council and request that direction be given to have staff and the Planning Commission work on a draft ordinance and policy recommendations for and ADU ordinance.	Matt Dixon	
6.3.2.2	Staff prepare and deliver a report for Planning Commission and facilitate discussion on potential zoning where ADU's will be allowed and related policies that must be in place.	Doug Gailey	
6.3.2.3	Planning Commission finalize ordinance language and policy recommendations for the City Council.	Doug Gailey	
6.3.2.4	Track building permits and rental licenses related to ADU's.	Leesa Kapetanov	
6.4	Zone or rezone for higher density or moderate-income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers (Menu Item F). [on-going]	Matt Dixon	
6.4.1	Gather data to help us demonstrate our "meaningful" progress and why we are leaving it in our plan as a strategy?	Matt Dixon	
6.4.2	Track the number of new housing units established from the City's form-based code districts to monitor the number of units that qualify as moderate-income housing units.	Matt Dixon	
6.4.3	4020 Jefferson Project, "Homes for Heros." Janece Summers 801.361.9150 (jaydee62009@yahoo.com), submitted preliminary ideas (attached).	Matt Dixon	
6.4.4	Ensure zoning allows for critical service-type businesses/services are allowed within our employment centers.	Matt Dixon	

6.5	☑Rezone for densities necessary to facilitate the production of moderate-income housing (Menu Item A) [on-going]	Matt Dixon	
6.5.1	Review and update the zoning code to allow for higher density in redeveloping residential areas.	Matt Dixon	
6.5.2	Modify zoning in anticipation for redevelopment efforts.	Matt Dixon	
6.5.3	Gather data to help us demonstrate our "meaningful" progress	Matt Dixon	



NOTICE AND AGENDA SOUTH OGDEN CITY COUNCIL MEETING

TUESDAY, OCTOBER 17, 2023, 6 PM

Notice is hereby given that the South Ogden City Council will hold their regularly scheduled council meeting at 6 pm Tuesday, October 17, 2023. 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 council may be attending the meeting electronically. The meeting will also be streamed live over www.facebook.com/southogdencity.

CITY COUNCIL MEETING AGENDA

I. OPENING CEREMONY

- A. Call to Order – Mayor Russell Porter
- B. Prayer/Moment of Silence -
- C. Pledge of Allegiance – Council Member Stewart

II. PRESENTATION

Weber County Elections Office

- III. PUBLIC COMMENTS – This is an opportunity to address the mayor and council with any concerns, suggestions, or praise. No action can or will be taken at this meeting on comments made.
Please limit your comments to three minutes.

IV. RESPONSE TO PUBLIC COMMENT

V. CONSENT AGENDA

- A. Approval of October 3, 2023 Council Minutes

VI. PUBLIC HEARING

To Receive and Consider Comments on Proposed Water Utility Rate Increase

VII. DISCUSSION / ACTION ITEMS

- A. Consideration of **Ordinance 23-18** – Increasing Water Utility Rates
- B. Consideration of **Ordinance 23-19** – Amending South Ogden City Code to Allow Second Driveways for Additional Off-Street Parking

VIII. DISCUSSION ITEMS

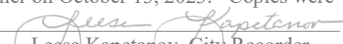
City Council Strategic Initiative 6.3- Create or Allow For, And Reduce Regulations Related To, Internal or Detached Accessory Dwelling Units in Residential Zones

IX. REPORTS/DIRECTION TO CITY MANAGER

- A. City Council Members
- B. City Manager
- C. Mayor

X. 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) and emailed to the Standard Examiner on October 13, 2023. Copies were also delivered to each member of the governing body.


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 24 hours in advance.



MINUTES OF THE SOUTH OGDEN CITY COUNCIL WORK SESSION AND CITY COUNCIL MEETING

TUESDAY, OCTOBER 3, 2023

WORK SESSION – 5 PM IN EOC ROOM

COUNCIL MEETING – 6 PM IN COUNCIL ROOM

WORK SESSION MINUTES

COUNCIL MEMBERS PRESENT

Mayor Russell Porter, Council Members Brent Strate, Sallee Orr, Susan Stewart, Mike Howard, and Jeanette Smyth

STAFF MEMBERS PRESENT

City Manager Matt Dixon, Assistant City Manager Doug Gailey, Parks and Public Works Director Jon Andersen, Police Chief Darin Parke, Fire Chief Cameron West, Communications and Events Specialist Jamie Healy, and Recorder Leesa Kapetanov

OTHERS PRESENT

No one but city staff and the Council attended the meeting

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

https://cms7files.revize.com/southogden/document_center/Sound%20Files/2023/CC231003_1701.mp3

or by requesting a copy from the office of the South Ogden City Recorder.

I. CALL TO ORDER

- Mayor Porter called the work session to order at 5:04 pm and entertained a motion to begin
00:00:00

Council Member Howard so moved, followed by a second from Council Member Strate. Council Members Strate, Stewart, Howard, Orr, and Smyth all voted aye.

II. REVIEW OF AGENDA

- No one requested review of agenda items

35 **III. DISCUSSION ITEMS**

36 **A. Utility Rates**

- 37 • City Finance Director Steve Liebersbach led this discussion. He also distributed a handout
38 to the Council; see Attachment A.

39 00:01:24

- 40 • The Council directed staff to use the water utility increase as shown in Example A and to
41 hold a public hearing concerning the increase. The increase should go into effect January
42 1, 2024.

43

44 **B. Strategic Plan Review and Update**

- 45 • Communications and Events Specialist Jamie Healy discussed an employee appreciation
46 lunch with the Council 00:36:43
47 • Assistant City Manager Doug Gailey gave a visual presentation (see Attachment B) on a
48 proposed survey program to receive citizen feedback

49 00:44:24

50

51 **IV. ADJOURN**

- 52 • At 5:56 pm, Mayor Porter called for a motion to adjourn the work session

53

54

55 **Council Member Smyth so moved, followed by a second from Council Member Howard. All**
56 **present voted aye.** 00:51:53

COUNCIL MEETING MINUTES

COUNCIL MEMBERS PRESENT

Mayor Russell L. Porter, Council Members Sallee Orr, Brent Strate, Mike Howard, Susan Stewart, and Jeanette Smyth

STAFF MEMBERS PRESENT

City Manager Matt Dixon, Assistant City Manager Doug Gailey, Parks and Public Works Director Jon Andersen, Police Chief Darin Parke, and Recorder Leesa Kapetanov

MEMBERS OF THE PUBLIC PRESENT

No one else but staff and the City Council attended this meeting

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

https://cms7files.revize.com/southogden/document_center/Sound%20Files/2023/CC231003_1801.mp3

or by requesting a copy from the office of the South Ogden City Recorder.

I. OPENING CEREMONY

A. Call To Order

- Mayor Porter called the meeting to order at 6:04 pm and asked for a motion to begin

00:00:00

Council Member Howard so moved. The motion was seconded by Council Member Stewart. In a voice vote Council Members Orr, Strate, Stewart, Howard, and Smyth all voted aye.

B. Prayer/Moment of Silence

- The mayor led those present in a moment of silence

C. Pledge Of Allegiance

- Council Member Strate led everyone in the Pledge of Allegiance

II. RECOGNITION OF EMPLOYEES

Promotion of Todd Hardman to Lieutenant

- Police Chief Darren Parke gave a short history of Lieutenant Hardman's work in the department

00:00:50

98 Introduction of New SRO/Code Enforcement Officer

- 99 • The chief then introduced Robert Guillen and gave a brief work history on him. Afterword,
100 pictures were taken of both employees with the City Council

101 00:02:06
102
103

104 **III. PUBLIC COMMENT**

105 There was no one in chambers to offer comment. The mayor gave those online until 6:15 pm to submit
106 comments 00:04:13
107

108
109 **IV. RESPONSE TO PUBLIC COMMENT**

- 110 • Not applicable at this time
111
112

113 **V. CONSENT AGENDA**

114 **A. Approval of September 19, 2023 Council Minutes**

- 115 • The mayor asked if there were any corrections or comments for the minutes. Council
116 Member Stewart pointed out a name that was incorrect in several places. The mayor then
117 called for a motion to approve the consent agenda with the appropriate corrections made.

118 00:04:30
119

120 **Council Member Howard so moved. The motion was seconded by Council Member Smyth.**
121 **The voice vote was unanimous in favor of the motion.**
122
123
124

125 **VI. DISCUSSION/ACTION ITEMS**

126 **A. Consideration of Ordinance 23-17 – Amending South Ogden City Code 10-5.1A-8-3 and 10-**
127 **5.1B-8-3 Concerning Angled Parking Design Standards**

- 128 • Staff overview 00:05:25
129 • Questions/Discussion There was no discussion on this item.
130 • Mayor Porter called for a motion to approve Ordinance 23-17 with the 30° corrections

131 00:07:27
132

133 **Council Member Howard so moved. Council Member Smyth seconded the motion.**
134 **After determining there were no more questions or discussion, the mayor called the vote:**
135

Council Member Orr-	Yes
Council Member Strate-	Yes
Council Member Howard -	Yes
Council Member Smyth -	Yes

Council Member Stewart - Yes

The motion stood.

B. Consideration of Resolution 23-41 – Approving an Interlocal Agreement with Weber County for Delivery of Solid Waste to the Weber County Transfer Station

- Staff overview 00:07:52
- Questions/Discussion 00:10:04
- Mayor Porter called for a motion to approve Resolution 23-41 00:11:12

Council Member Orr so moved. The motion was seconded by Council Member Strate. The mayor asked if there was further discussion, and seeing none, he made a roll call vote:

Council Member Stewart - Yes
Council Member Smyth - Yes
Council Member Howard - Yes
Council Member Strate - Yes
Council Member Orr - Yes

Resolution 23-41 was adopted.

- Mayor Porter announced no online public comments had been made 00:11:33
- City Recorder Kapetanov said she had received an email from the planner concerning the 30° angled parking. She shared what he had said. 00:11:37

VII. DISCUSSION ITEMS

Driveways and Off-Street Parking Ordinance

- Staff overview 00:13:12
- Discussion 00:18:19
- Staff was instructed to add this item to the next agenda for consideration 00:35:53

VIII. REPORTS/DIRECTION TO CITY MANAGER

A. City Council Members

- Council Member Orr- 00:38:00
- Council Member Strate- 00:38:20

- Council Member Howard- Nothing to report
 - Council Member Smyth - 00:39:55
 - Council Member Stewart - 00:42:32
- B. City Manager- 00:43:46
- C. Mayor- 00:48:13

VI. ADJOURN

- At 6:55 pm, the mayor called for a motion to adjourn.
00:51:09

Council Member Strate so moved, followed by a second from Council Member Smyth. The voice vote was unanimous in favor of the motion.

I hereby certify that the foregoing is a true, accurate and complete record of the South Ogden City Work Session and Council Meeting held Tuesday, October 3, 2023.


Leesa Kapetanov, City Recorder

Date Approved by the City Council

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Attachment A

Handout from Mr. Liebersbach

Base fee = \$14.33 no change tier I & includes 11% increase on other tiers

#1	Resident - current bill		New base fee w/usage	
A.	2,000 gallons of water used:		1 x \$1.43	
		Current		Proposed
		2 x \$1.43		\$2.86
		Base fee		\$14.33
Total fee		\$14.33	\$17.19	
B.	1,500 gallons of sewer used:		2 x \$1.14	
		Current		Proposed
		2 x \$1.14		\$2.28
		Base fee		\$16.05
Total fee		\$18.33	\$18.33	
C.	Storm drain fee:	\$11.93	\$11.93	
D.	Road Improvement Fee:	\$5.52	\$5.52	
E.	Garbage	\$11.56	\$11.56	\$2.86
	Recycling	\$4.09	\$4.09	\$68.62
		\$65.76		
#2	Resident - current bill		New base fee w/usage	
A.	8,000 gallons of water used:		3 x \$1.43	
		Current		Proposed
		3 x \$1.43		\$4.29
		4 x \$3.15		\$12.60
		1 x \$3.73		\$3.73
		0 x \$4.29		\$0.00
		0 x \$4.59		\$0.00
		Base fee		\$14.33
Total fee		\$32.09	\$36.76	
B.	8,000 gallons of sewer used:		3 x \$1.14	
		Current		Proposed
		3 x \$1.14		\$3.42
		5 x \$4.77		\$23.85
Total fee		\$27.27	\$27.27	
C.	Storm drain fee:	\$11.93	\$11.93	
D.	Road Improvement Fee:	\$5.52	\$5.52	
E.	Garbage	\$11.56	\$11.56	\$4.67
	Recycling	\$4.09	\$4.09	\$113.18
		\$108.51		

10/3/2023 4:39 PM

U:\Steve\Budget files\FY 2024\wages - 10.1%

Steve

263

234

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Base fee = \$14.33 no change tier I & includes 11% increase on other tiers

#3	Resident - current bill		New base fee w/usage	
A.	16,000 gallons of water used:		3 x \$1.43	
		Current		Proposed
		3 x \$1.43		\$4.29
		4 x \$3.15		\$12.60
		3 x \$3.73		\$11.19
		5 x \$4.29		\$21.45
		1 x \$4.59		\$4.59
		Base fee		\$14.33
Total fee		\$65.59	\$73.93	
B.	16,000 gallons of sewer used:		3 x \$1.14	
		Current		Proposed
		3 x \$1.14		\$3.42
		13 x \$4.77		\$62.01
Total fee		\$65.43	\$65.43	
C.	Storm drain fee:	\$11.93	\$11.93	
D.	Road Improvement Fee:	\$5.52	\$5.52	
E.	Garbage	\$11.56	\$11.56	\$8.34
	Recycling	\$4.90	\$4.90	\$189.32
		\$180.98		
#4	Commercial - current bill		New base fee w/usage	
A.	146,000 gallons of water used:		3 x \$1.43	
		Current		Proposed
		3 x \$1.43		\$4.29
		4 x \$3.15		\$12.60
		3 x \$3.73		\$11.19
		5 x \$4.29		\$21.45
		131 x \$4.59		\$601.29
		Base fee		\$14.33
Total fee		\$662.29	\$735.63	
B.	146,000 gallons of sewer used:		3 x \$1.14	
		Current		Proposed
		3 x \$1.14		\$3.42
		143 x \$4.77		\$682.11
Total fee		\$685.53	\$685.53	
C.	Storm drain fee: 20.82 ERU	\$248.38	\$248.38	
D.	Road Improvement Fee:	\$30.48	\$30.48	
E.	Garbage	\$0.00	\$0.00	\$73.34
	Recycling	\$0.00	\$0.00	\$1,716.07
		\$1,642.73		

10/3/2023 4:43 PM

U:\Steve\Budget files\FY 2024\wages - 10.1%

Steve

Base fee = \$14.33 & tier 1 @ \$1.00/1,000 gallons & 6% increase on other tiers

#1	Resident - current bill			New base fee w/usage		
A.	2,000 gallons of water used:		Current			Proposed
	2 x \$1.43		\$2.86	2 x \$1.00		\$2.00
		Base fee	\$11.47		Base fee	\$14.33
	Total fee		\$14.33			\$16.33
B.	2,000 gallons of sewer used:					
	2 x \$1.14		\$2.28	2 x \$1.14		\$2.28
		Base fee	\$16.05		Base fee	\$16.05
			\$18.33			\$18.33
C.	Storm drain fee:		\$11.93			\$11.93
D.	Road Improvement Fee:		\$5.52			\$5.52
E.	Garbage		\$11.56			\$11.56
	Recycling		\$4.09			\$4.09
			\$65.76			\$67.76

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Attachment B


Presentation by Assistant City Manager Doug Gailey



RESIDENT INPUT & SERVICE EVALUATION

- Provide instant feedback
- Doesn't replace our Annual Citizen Survey
- It allows citizens to report something while fresh in their mind.
- Contests/prizes





For which department would you like to provide feedback?

- ☐ City Hall (Administration, Court, Passport, Planning/Land Use application)
- ☐ Police Department
- ☐ Fire Department
- ☐ Public Works (Streets, Water, Sewer, Storm Drain, Building, Garbage/Recycling)
- ☐ Parks Department (including all City Parks and trails)
- ☐ Recreation Department
- ☐ I would like to sign up to receive notifications from South Ogden City
- ☐ Other

Distribution Plan

- Buildings
- Business Cards
- Parks/signs
- Vehicles





Not Applicable

Leesa Kapetanov

From: Seth Foster <seth.thomas.foster@gmail.com>
Sent: Thursday, October 5, 2023 6:27 AM
To: Leesa Kapetanov
Subject: Water Utility Cost Increase

Caution! This message was sent from outside your organization.

[Allow sender](#) | [Block sender](#)

Hello;

My wife and I live in a small home in South Ogden with our three small children. I work 60 hours a week, and in this economy my income is barely enough to stay on top of all our expenses. You propose a utility cost increase of \$2.86 per customer. That amount might seem trivial to some, but to a person working desperately to provide for his family, every penny matters. I do not understand why water use cost should increase. It is a natural resource that, for the most part, renews itself. I know that cities establish water treatment and sewer treatment facilities to clean water for reuse, but if a city is growing in population, the utility income should grow by way of more citizens paying utility costs. Existing customers shouldn't have to pay more for the same amount of resources they're already using. Therefore, I strongly oppose the utility cost increase. Please do not take more of my hard-earned capital.

Sincerely,

Seth Foster

Leesa Kapetanov

From: Bryan Dugger <bryandugger@gmail.com>
Sent: Thursday, October 5, 2023 11:37 AM
To: Leesa Kapetanov
Subject: Water fee increase

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Why are we raising fees when for years we have been transferring surplus revenues to the general fund?

Bryan Dugger
5730 S 1050 E
Ogden, Utah 84405
Cell (801)390-0002

Leesa Kapetanov

From: Matt Dixon
Sent: Friday, October 6, 2023 3:57 PM
To: Leesa Kapetanov; Steve Liebersbach; Jeannine Teel
Subject: FW: water utility fees

FYI



MATTHEW J. DIXON

City Manager

3950 Adams Ave., Ste.1

801.622.2702 office

801.388.4667 mobile

South Ogden, UT. 84403

"Dedicated to preserving and enhancing quality of life and professionally meeting the expectations of residents, businesses, employees and visitors."

From: Rosette Acord <rosette.acord@gmail.com>
Sent: Friday, October 6, 2023 12:33 PM
To: Russ Porter <rporter@southogdencity.gov>; Sallee Orr <sorr@southogdencity.gov>; Brent Strate <bstrate@southogdencity.gov>; Jeanette Smyth <jsmyth@southogdencity.gov>; Mike Howard <mhoward@southogdencity.gov>; Susan Stewart <sstewart@southogdencity.gov>; Matt Dixon <mdixon@southogdencity.gov>
Subject: water utility fees

Caution! This message was sent from outside your organization.

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We will be out of town and unable to be at the public hearing on raising the water utility fees, but of course, we do have an opinion.

We called a very competent person in the utilities department and she explained how the billing works (sorry didn't write down her name). Hopefully you will also explain how the billing works in case there are clueless citizens at the hearing. Unfortunately, she had not seen the proposal so could not explain that.

Never knew there was a flat rate for the water line and wondering if maintenance of the lines is part of the proposed fee increase? We feel the current fee structure is very fair. We don't use much, but even if we were in the top usage bracket, the cost seems very reasonable and actually a pretty good deal for the clean, safe water we have in South Ogden.

We think it is fair and also responsible to raise the fees on usage and if needed, line maintenance. Each household can determine by their actions the amount of water they use, so we are for the increase.

Chet and Rosette' Acord

ORDINANCE NO. 23-18

ORDINANCE OF SOUTH OGDEN CITY AMENDING THE CITY'S CONSOLIDATED FEE SCHEDULE TO PROVIDE FOR CHANGES TO THE CITY'S WATER UTILITY FEES, MAKING NECESSARY CLERICAL AND ADMINISTRATIVE CHANGES; AND PROVIDING AN EFFECTIVE DATE FOR THESE ACTIONS.

SECTION I - RECITALS

WHEREAS, the City of South Ogden ("City") is a municipal corporation duly organized and existing under the laws of Utah; and,

WHEREAS, the City Council finds that in conformance with UC §10-3-702, the governing body of the city may pass any ordinance to regulate, require, prohibit, govern, control or supervise any activity, business, conduct or condition authorized by State law or any other provision of law; and,

WHEREAS, the City Council finds that Water Utility Rates should be adjusted as part of the ongoing management of the City; and,

WHEREAS, the City Council finds it is in the best interest of the citizens of the City to confirm, accept, adopt and implement the results, conclusions and recommendations of the staff review by providing for changes to Water Utility Rates, and to make necessary clerical and administrative changes; and,

WHEREAS, the City Council finds that providing this information in the City's Consolidated Fee Ordinance is an effective way to make this information available to the public; and,

WHEREAS, the City Council of South Ogden City finds it is in the best interest of the City to again amend the consolidated fee schedule set out in prior Ordinances;

THEREFORE, BE IT ORDAINED by the City of South Ogden that:

SECTION II - AMENDMENT OF THE CITY'S CONSOLIDATED FEE SCHEDULE

Based upon the recommendation of responsible city staff and the City Manager, and the findings of the City Council, the City's Consolidated Fee Schedule is amended to incorporate new water utility fees as discussed above and as attached hereto as **Attachment "A"**, and by this reference is fully incorporated into, and

will constitute their respective part of, the official fee schedule.

SECTION III - PRIOR ORDINANCES AND RESOLUTIONS

That the above fees, where they may have been taken from prior City Ordinances and Resolutions, are listed here for centralization and convenience; and that the body and substance of those prior Ordinance s and Resolutions, with their specific provisions, where not otherwise in conflict with this Ordinance, are reaffirmed and readopted.

SECTION IV - REPEALER OF CONFLICTING ENACTMENTS

All orders, ordinance s 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 will not be construed to revive any act, order or resolution, or part, repealed.

SECTION V - SAVINGS CLAUSE

If any provision of this Ordinance be held or deemed, or shall be invalid, inoperative or unenforceable such will render no 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 VI - DATE OF EFFECT

This Ordinance will be effective on the 17th day of October, 2023, and after publication or posting as required by law.

DATED this 17th day of October, 2023.

SOUTH OGDEN CITY, a municipal corporation

by: _____
Mayor Russell Porter

Attested and recorded

Leesa Kapetanov, MMC
City Recorder

ATTACHEMENT A

ORDINANCE NO. 23-18

Ordinance Of South Ogden City Amending The City's Consolidated Fee Schedule To Provide For Changes To The City's Water Utility Fees, Making Necessary Clerical And Administrative Changes; And Providing An Effective Date For These Actions.

17 Oct 23

Water Fees

~~Water Late Penalty Fee—Disconnect Notice for Failure to Pay~~

~~Once any resident has received two water disconnect notices in any calendar year, the next disconnect notice will carry a shut-off penalty fee of \$25.00.—~~

The water and sewer rates include a fixed base charge, plus an additional amount based on actual water usage.

Water/Sewer Rates*					
Last amended Aug Oct. 17, 2023 1 by Resolution 19-26 Ordinance 23-18					
	WATER USAGE PRICE RATE PER LEVEL		SEWER USAGE PRICE RATE PER LEVEL	WATER BASE FEE	SEWER BASE FEE
WATER USAGE LEVELS	RATE PER 1,000 GALLONS	SEWER USAGE LEVELS	RATE PER 1,000 GALLONS	\$ 11.47 <u>14.33</u>	\$ 16.05
0- 3,999 Gals.	\$ 1.43	0- 3,999 Gals.	\$ 1.14		
4,000- 7,999 Gals.	\$ 3.45 <u>3.50</u>	4,000+ Gals.	\$ 4.77		
8,000-10,999 Gals.	\$ 3.73 <u>4.14</u>				
11,000- 15,999 Gals.	\$ 4.29 <u>4.76</u>				
16,000+ Gals.	\$ 4.59 <u>5.09</u>				

* Policy Adjustment: During the months of November through the following Apr, culinary water consumption will be metered, and a monthly average from that usage will be calculated and used to determine the customer's sewer fees for the months of **May** through **October**. The billing for actual consumption of culinary water, and the rates charged for that consumption, will not change.
(This policy adjustment adopted 04 October 11 and "June through October" Amended to "May through October" 07 Aug 12)

ORDINANCE NO. 23-19

AN ORDINANCE OF SOUTH OGDEN CITY, UTAH, REVISING AND AMENDING SOUTH OGDEN CITY CODE 10-14-18 AND 10-17-2 TO ALLOW SECOND DRIVEWAYS FOR ADDITIONAL OFF-STREET PARKING; AND MAKING NECESSARY LANGUAGE CHANGES TO THE CITY CODE TO EFFECT THOSE CHANGES

SECTION I - RECITALS:

WHEREAS, South Ogden City ("City") is a municipal corporation duly organized and existing under the laws of Utah; and,

WHEREAS, the City Council finds that in conformance with Utah Code ("UC") §10-3-717, and UC §10-3-701, the governing body of the city may exercise all administrative and legislative powers by resolution or ordinance; 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, South Ogden City has previously adopted and promulgated a city zoning ordinance; and,

WHEREAS, the City Council finds that the Planning Commission has recommended certain changes to the city zoning ordinance to allow second driveways for additional off-street parking; and,

WHEREAS, the City Council finds that South Ogden City Code 10-14-18 and 10-17-2 and various of its subsections should be amended by adding new language governing these changes and related regulations for the city; and,

WHEREAS, the City Council finds that the public safety, health and welfare is at issue and requires action by the City as noted above; and,

WHEREAS, the City Council finds that the requirements should be effective upon passage of this Ordinance;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF SOUTH OGDEN CITY, UTAH that the City Code be changed and amended:

SECTION II – CITY CODE AMENDED

Upon the adoption of this Ordinance, Title 10, Chapter 17 of 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 III - 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 IV - 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 V - 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 VI - DATE OF EFFECT

This Ordinance shall be effective on the 17th day of October, 2023, and after publication or posting as required by law.

DATED this 17th day of October, 2023.

SOUTH OGDEN CITY, a municipal corporation

by: _____
Mayor Russell Porter

Attested and recorded

Leesa Kapetanov, MMC
City Recorder

ATTACHMENT "A"

ORDINANCE NO. 23-19

An Ordinance Of South Ogden City, Utah, Revising And Amending South Ogden City Code 10-17 Concerning Second Driveways For Additional Off-Street Parking; And Making Necessary Language Changes To The City Code To Effect Those Changes

17 Oct 23

10-14-18: Driveway Approach Reserved.

~~One vehicle access location is permitted to a residential lot. Circular driveways and second accesses are allowed with the approval of the Planning Commission. (Ord. 17-23, 11-21-2017, eff. 11-21-2017)~~

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

~~A.~~ 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.
 - e. Housing exclusively for seniors, one parking space per unit.
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, 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).
7. Additional Vehicle Parking: If additional parking of vehicles including trailers 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 and be of sufficient length to accommodate the vehicle. No portion of the vehicle shall extend beyond the front facade of the dwelling.
- 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.

4.

5. Surfacing:

- ~~a. The first thirty feet (30') from the public right-of-way of all primary driveways used to access the required parking stalls under subsection 11-17-2A1 for any residential unit shall be surfaced with asphaltic concrete, pavement bricks, cement concrete, permeable pavers, or other material approved by the City Engineer which complies with air quality and SWPPP standards.~~
- ~~b. a. 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, or other material approved by the City Engineer which complies with air quality and SWPPP standards.~~
- ~~c. Multi-family units are required to utilize asphaltic concrete, pavement bricks, or cement concrete, or other materials approved by the City Engineer which complies with air quality and SWPPP standards.~~

B. Driveways:

- 1. Width: -Primary driveways and access ways shall be not less than ten feet (10') wide for one-way traffic, and not less than twenty feet (20') wide for two-way traffic.
- 2. The first thirty feet (30') from the public right-of-way of all primary driveways used to access the required parking stalls shall be surfaced with asphaltic concrete, pavement bricks, cement concrete, permeable pavers, or other material

approved by the City Engineer which complies with air quality and SWPPP standards.

3. Number of Driveway Accesses: Single-family or duplex lots shall be allowed one driveway access onto the public street for each lot.

6.a. Exception: One additional driveway access may be permitted for single-family and duplex lots if used to service additional vehicle parking. All second driveway accesses must be approved by City staff before being constructed. Properties that have double frontage, i.e. both the front and rear yards have frontage on a street, must receive Planning Commission approval for second driveway accesses.

~~7. If additional parking of vehicles and trailers takes place, including recreational vehicle parking pads, such parking places shall meet the following standards:~~

- ~~a. The dwelling unit has the minimum number of required off street parking spaces as stipulated by subsection A.~~
- ~~b. The parking area is at least eight feet (8') wide, and in the case of corner lots, a maximum of twelve feet (12') wide in the side yard area, and is of sufficient length to accommodate the vehicle with no portion of the vehicle extending forward of the front face of the dwelling. In the case of a corner lot, no vehicle shall be parked in the forty-foot (40') sight triangle.~~
- ~~c. The appurtenant driveway to the slab must be tapered to use the existing driveway approach.~~
- ~~d. Any slab constructed must remain open and unobstructed to the sky, or appropriate building permit be obtained to comply with all setbacks and other requirements of this code.~~
- ~~e. All storm water runoff from hard surfaces must be directed so as to prevent drainage onto adjacent properties.~~

4. Coverage: In no case may the combined area of all driveways cover more than seventy percent (70%) of the front yard. If a second driveway is proposed, the combined width of both driveways shall not exceed 50% of the lot width.

~~8. Maximum Yard Area Used For Parking And Vehicle Access Lanes: For all uses permitted in a residential zone, none of the front yard area required by the respective zones shall be used for parking, but shall be left in open green space, except that access across and over the required front yard is allowed to access the side or rear yard.~~

~~9. All off street parking spaces and associated access lanes shall be screened on any side adjoining any property in a residential zone by a masonry wall or fence not less than four feet (4'), nor over six feet (6') high, except that some hedgerow shrubs, as identified by the City's arborist or building official, may be used in place of a wall or fence, provided the hedge is continuous along adjoining property and at maturity is not less than five feet (5') nor more than six feet (6') high. Hedgerow shrubs shall be maintained and replaced where necessary in order that the hedge may become an effective screen from bordering property within a maximum five (5) year period. Front yard and corner lot fences or plantings shall maintain height requirements of their respective zones.~~

~~10. A driveway may be expanded to include the space between the drive and the nearest property line. In addition, for existing dwellings, a drive may be twenty feet (20') wide to include required off street parking if access from the existing drive cannot otherwise provide access to required parking.~~

~~B. Access: Parking spaces shall have direct and unblockable access to a driveway and shall not include any space that can only be used by obtaining access through another parking space. (Ord. 17-23, 11-21-2017, eff. 11-21-2017; amd. Ord. 20-04, 2-18-2020)~~

STAFF REPORT



SUBJECT: Strategic Initiative 6.3 - Allow for Detached ADUs
AUTHOR: Leesa Kapetanov
DEPARTMENT: Administration
DATE: October 17, 2023

SUMMARY

The State requires cities to submit a yearly Moderate Income Housing Report. As part of the report, cities must specify ways they are working on providing moderate income housing to residents. For the last report submitted, the council and planning commission created Strategic Initiative 6.3- Create or Allow For, And Reduce Regulations Related To, Internal or Detached Accessory Dwelling Units (ADUs) in Residential Zones

BACKGROUND

The Planning Commission was given the task to look at allowing and regulating detached ADUs. They spent several months looking at and analyzing detached ADUs and how to best regulate them. Attached is the initial staff report created by Planner Mark Vlasic for the Planning Commission which gives some very good information about detached ADUs.

RECOMMENDATION

On Thursday, October 12, the Planning Commission held a public hearing on allowing detached ADUs and the proposed ordinance to regulate all ADUs. There were no comments made for the public hearing, and the roll call vote was unanimous in favor of recommending to the Council that detached ADUs be allowed and the following ordinance be used to regulate all ADUs.

10-14-23: Accessory Dwelling Units (ADU)

~~The purposes and objectives of this section are to provide reasonable regulations for supplementary living accommodations in internal Accessory Dwelling Units (ADUs) located in residential areas of the city.~~

~~An internal Accessory Dwelling Unit (ADU) is a room or set of rooms located within the footprint of the primary residential single-family dwelling at the time the internal accessory dwelling unit is created, and located within an area zoned primarily for residential use. The following will apply to internal ADUs:-~~

~~A. An Accessory Dwelling Unit may be permitted subject to the following conditions:~~

- ~~1. No more than one ADU may be permitted within each single-family dwelling.~~
- ~~2. ADUs are not permitted on residential lots that comprise an area of 6,000 square feet or less.~~
- ~~3. Either the ADU or the principal residence shall be occupied by the owner of the property except for temporary bona fide absences.~~
- ~~4. ADUs are permitted only in owner-occupied single-family dwellings.~~
- ~~5. There shall be no external evidence of occupancy by more than one family. The ADU shall be clearly incidental to the primary use of the dwelling for dwelling purposes and shall not change the character of the building from that of a dwelling.~~
- ~~6. Each ADU unit shall have the same address as the main structure. Homes with an ADU may designate mail to occupants of the ADU with a unit or apartment number.~~
- ~~7. No ADU may be used as a short-term rental.~~
 - ~~1. Short-term rental is defined as a property that is rented for a period of less than 30 days.~~
- ~~8. Each ADU shall provide at least one (1) off-street parking space in addition to the required parking for the primary residential unit.~~
 - ~~1. The required ADU off-street parking spaces shall meet the requirements contained in Title 10, Chapter 17 Parking and Loading Space, Driveway, Vehicle Traffic and Access Regulations of the South Ogden City Code.~~
 - ~~2. Garage or carport spaces count as approved spaces.~~
 - ~~3. Required ADU parking stalls may not be located within a front yard setback area.~~
- ~~9. A single-family dwelling with an ADU shall only have one meter per utility service. Each meter shall be in the property owner's name.~~
- ~~10. All construction and remodeling to accommodate the ADU shall be in accordance with all building codes, as amended, in effect at the time of construction or remodeling.~~
- ~~11. ADU size requirements are:~~
 - ~~1. Minimum size: no minimum size.~~
 - ~~2. Maximum size: no maximum size.~~
- ~~12. ADUs must include the following:~~
 - ~~1. A kitchen separate from the main dwelling.~~
 - ~~2. Sanitation facilities (at least a 3/4 bathroom) separate from the main dwelling.~~
- ~~13. A person desiring to add an ADU to their house shall obtain a building permit when applicable.~~
- ~~14. The owner of the property must obtain a City Rental Dwelling Business License for ADUs for which they receive any monetary compensation.~~

- ~~15. ADUs licensed in South Ogden City may be inspected upon receipt of complaints for compliance with building, fire, and health codes by any appropriate department of the City or other governmental agency to ensure compliance with building, fire and health and safety codes. No ADU shall be approved without all required inspections and approval of the City Building Inspector in compliance with UCA 10-9a-511.5 and its subsequent amendments.~~
- ~~16. No Rental Dwelling Business License shall be granted without providing evidence of a Certificate of Occupancy.~~
- ~~17. Prior Uses: No ADU existing prior to the enactment of this Section shall be "grandfathered", or considered legal solely because they were previously used as such.~~
- ~~18. Other Rental Units Prohibited: There shall be no other type of accessory dwelling unit allowed except as provided in this Section. Any portion of a home or dwelling unit that has been sectioned off so that any occupant in the dwelling does not have access to any portion of the home, and contains separate living quarters and/or a kitchen, regardless of the relationship of the occupants, shall be prohibited unless it meets all of the requirements and standards of this Section, and an application has been made pursuant to the requirements and conditions of this Section.~~
- ~~19. The ownership of an ADU shall not be separated from the principal dwelling.~~
- ~~20. Decisions of South Ogden City not to issue a permit for an ADU can be appealed to the Appeal Authority.~~

10-14-23 : Accessory Dwelling Units (ADU)

The purposes and objectives of this section are to provide reasonable regulations for Accessory Dwelling Units (ADUs) located in residential areas of the city. An ADU is a second dwelling unit on an owner-occupied single-family use property that is clearly incidental and accessory to the main dwelling on the property, and can be either internal, detached or attached.

A. Definitions:

1. Internal ADU - an accessory dwelling unit located within the footprint of the primary dwelling unit.
2. Detached ADU - an accessory dwelling unit that is located on the residential property and not attached to the principal dwelling unit.
3. Attached ADU - an accessory dwelling unit that constructed as a physical expansion or addition to the primary dwelling, sharing one or more common walls.

B. Conditions: An Accessory Dwelling Unit may be permitted subject to the following conditions:

1. No more than one ADU may be permitted on a single lot.
2. There is no minimum lot size for internal or attached ADUs as long as all applicable zoning and permitting requirements are met.
3. Detached ADUs are not permitted on residential lots that comprise an area of less than 10,000 square feet.
4. There shall be no obvious evidence that more than one family is living on the property containing the ADU. The ADU shall be clearly incidental to the

- primary dwelling and the property on which it is located.
5. Each ADU unit shall have the same address as the main structure. Homes with an ADU may designate mail to occupants of the ADU with a unit or apartment number.
 6. The ADU may not be used as a short-term rental.
 - a. Short-term rental is defined as a property that is rented for a period of less than 30 days.
 7. ADU size requirements:
 - a. Maximum size.
 - 1) There is no maximum size for ADUs located within or attached to a main building, as long as all applicable zoning and permitting requirements are met.
 - 2) Detached ADUs shall not exceed 1,200 square feet.
 8. Site Design and Height Requirements:
 - a. Internal and attached ADUs must meet the setback and height requirements of the primary building.
 - b. External Buildings must meet the setback and height requirements of garages and other accessory buildings permitted in the specific zone.
 9. ADUs must include the following:
 - a. A kitchen separate from the main dwelling.
 - b. Sanitation facilities (at least a 3/4 bathroom) separate from the main dwelling.
 10. The ADU shall provide at least one (1) off-street parking space in addition to the required parking for the primary residential unit.
 - a. ADUs must meet the off-street parking requirements contained in Title 10, Chapter 17 Parking and Loading Space, Driveway, Vehicle Traffic and Access Regulations of the South Ogden City Code.
 - b. Garage or carport spaces count as approved parking spaces.
 - c. Required ADU parking stalls may not be located in a front yard and must meet the off-street parking requirements of 10-17-2 of this code.
 11. All utility services shall be in the property owner's name.
 12. All construction and remodeling to accommodate the ADU shall be in accordance with all building codes, as amended and in effect at the time of construction or remodeling.
 13. A person desiring to construct an ADU shall obtain a building permit as applicable.
 14. The property owner must obtain a South Ogden City Rental Dwelling Business License for ADUs for which they receive any monetary compensation.
 15. ADUs may be inspected upon receipt of complaints by any appropriate department of South Ogden City or other governmental agency to ensure compliance with building, fire, health, and safety codes.
 16. No ADU shall be approved without all required inspections and approvals of the City Building Inspector in compliance with UCA 10-9a-511.5 and its subsequent amendments.

17. No Rental Dwelling Business License shall be granted to an ADU without providing evidence of a Certificate of Occupancy.
18. Prior Uses: No ADU existing prior to the enactment of this Section shall be "grandfathered" or considered legal solely based on the fact they were used as such. No ADU dwelling unit is allowed except as provided in this Section. Any portion of the primary residence or ADU that is sectioned off so that any occupant of said dwelling does not have access to any portion of the home, and contains separate living quarters and/or a kitchen, regardless of the relationship of the occupants, shall be prohibited unless it meets all of the requirements and standards of this Section, and an application has been made pursuant to the requirements and conditions of this Section.
19. The ownership of an ADU shall not be separated from the principal dwelling.
20. The decision by South Ogden City staff to not issue a permit for an ADU may be appealed to the Appeal Authority as per 10-4-3 of this code.

Planning Commission Report



Subject: Discussion on ADUs:
(1) Recent Utah Legislative Changes and Subsequent Modifications to Utah LUDMA Requirements;
(2) Implementing Portions of the South Ogden General Plan that address ADUs

Author: Mark Vlasic

Department: City Planner

Date: July 13, 2023

Introduction

1) Recent Legislative / LUDMA Changes Related to Internal ADUs

In March 2021 **H.B. 82** was passed by the State of Utah, requiring that all municipal codes be amended to comply with the new state law related to Internal ADUs (IADUs).

The bill addressed “internal” ADUs, e.g. accessory dwelling units that are located within or attached to the primary residence the premise that an accessory dwelling unit inside someone’s home, and do not address standalone ADUs or Ads attached to garages and other secondary structures on a residential property. The bill permits internal ADUs in all municipalities and includes several changes to allow make it easier to create accessory dwelling units by removing some of the obstacles that often prevent such uses from being permitted.

In May 2023 **SB 174** was passed, which changes three areas of the Land Use, Development, and Management Act (LUDMA) related to Internal ADUs as follow:

- It creates a new process that all municipalities and counties must follow for subdividing residential lots.
- **It modifies the Internal Accessory Dwelling Unit (IADU) provisions enacted in HB 82 (2021).**
- Lastly, the bill creates a penalty for cities and counties who fail to comply with MIHP reporting requirements beginning in 2024.

A copy of the portion that addresses IADUs (highlighted above) is attached. To summarize, the updated act:

- removes restrictions on unit size, lot size, street frontage, and internal connectivity.
- maintains some local control regarding design, parking, utilities, safety, occupancy, including the following:

- clarifies that attached garages (which share a common wall) are part of the primary dwelling for the purposes of the IADU provisions.
- prohibits local governments from regulating internal connectivity between the IADU and the primary dwelling within the structure of the residence.
- states that municipal architectural element requirements for IADUs must be consistent with the regulations applied to other single-family units.
- clarifies that municipalities can require one parking space in addition to the number of parking spaces required by the governing land use ordinance unless the municipality requires four or more off-street parking spaces within the setback.
- states that the 25% of residential land use exception from the IADU provisions does not apply to new construction with a final plat approved on or after October 1, 2021.

Since South Ogden currently has an ADU code in place, staff is reviewing it to ensure it meets the recent state code revisions.

(3) Implementing Portions of the South Ogden General Plan that address ADUs

South Ogden is in the final stages of completing and adopting the *South Ogden General Plan 2023*. The plan is divided into seven chapters which together provide a clear vision for the future of the city. The plan also includes policies for making decisions related to the general plan, and a series of goals, objectives and strategies for meeting them.

Utah Code 10-9a-403 requires that municipalities include within their General Plan a Moderate-Income Housing element, which should include the following:

- Provide for a realistic opportunity to meet the need for additional moderate-income housing within the next five years.
- Three or more moderate income housing strategies (as defined in Utah Code) for implementation.
- An implementation plan.

The Housing Chapter of the South Ogden General Plan goes beyond those minimum requirements, including the following five strategies for 2023:

STRATEGY 1: Demonstrate utilization of a moderate-income housing set aside from a community reinvestment agency, redevelopment agency, or community development and renewal agency to create or subsidize moderate income housing.

STRATEGY 2 : Preserve existing and new moderate-income housing and subsidized units by utilizing a landlord incentive program, providing for deed restricted units through a grant program, or establishing a housing loss mitigation fund.

STRATEGY 3 : Create or allow for, and reduce regulations related to, internal or detached accessory dwelling units in residential zones.

STRATEGY 4: Zone or rezone for higher density or moderate-income residential development in commercial or mixed-use zones near major transit investment corridors, commercial centers, or employment centers.

STRATEGY 5: Rezone for densities necessary to facilitate the production of moderate-income housing (Menu Item A).

As highlighted in bold text above, Strategy 3 addresses the allowance and or reduction of regulations to promote internal and external ADU requirements. The strategy is further defined as follows:

South Ogden has created regulations related to internal accessory dwelling units (ADUs) in residential zones. In 2021, South Ogden amended City code to allow for the interior ADUs as permitted uses in single-family residential, two-family residential, and multiple-family residential zones. In addition, the City created an “Accessory Dwelling Unit” section in their municipal code (Adopted 9/21/2021) to provide reasonable regulations for supplementary living accommodations in internal ADUs located in residential areas of the City.

IMPLEMENTATION

- *Begin to track building permits and rental licenses related to ADUs (Spring 2023).*
- *Review “Accessory Dwelling Unit” code with City Council and Planning Commission to determine the feasibility of extending policy to allow for attached and detached ADUs (Winter 2023).*
- *Work with the Planning Commission and City Council on drafting and adopting ADU code amendment (Spring 2024).*

Discussion

Staff has reviewed the existing IADU code to determine whether it meets recent legislative changes and subsequent changes to LUDMA which went into effect in May 2023. Staff believes that only minor modifications are required to meet the revised code.

The City Council has asked that the planning commission undertake a more extensive review and discussion of ADU’s, with a particular focus on meeting Strategy 3 of the Housing Chapter of the 2023 General Plan, to determine the feasibility of extending the IADU code to attached and detached ADUs.

The planning commission has undertaken similar discussions related to ADUs over the past several years. In order to help facilitate new discussions, an ADU Refresher Course” presentation is provided (see attachment), which includes four recent codes developed by similar municipalities for similar purposes.

Next Steps

Staff is prepared to prepare new or revised codes to meet direction provided by the Planning Commission once discussions are completed. These may eventually be presented to the City Council for further consideration upon the direction of the Planning Commission.



SOUTH OGDEN ACCESSORY DWELLING UNIT ORDINANCE DISCUSSION

Planning Commission

13 JULY 2023

ACCESSORY DWELLING UNITS (ADU)

For many Utahns, finding an affordable home is harder than ever. As a result, state policymakers have become increasingly involved in the search for solutions for improving access and supply of affordable housing.

ACCESSORY DWELLING UNITS (ADU)

Accessory dwelling units (ADUs) — small rental units that can be added to existing properties and ease housing shortages — are at the forefront of these efforts. ADUs are an attractive option because they represent a type of housing that are typically hundreds of dollars less than apartments in the same neighborhood. They are also gaining popularity because they can potentially provide a reasonable fit and only limited impacts in established neighborhoods.

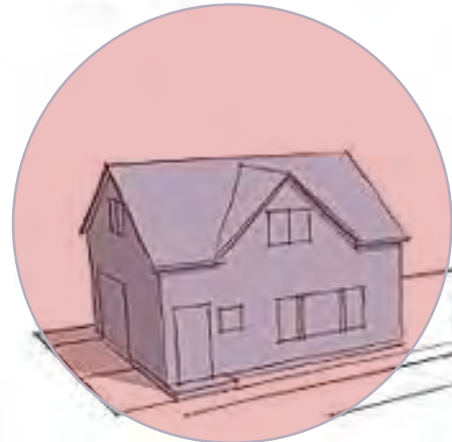
TYPES OF ADUs



Internal



Attached



Detached

**ONLY INTERNAL ADUS
(IADU) LOCATED WITHIN
EXISTING HOMES ARE
PERMITTED IN SOUTH
OGDEN**

PROS & CONS OF ADUS

PROS

Versatile Space & Form

They may be located internally within the primary residence, attached to it or detached from it on the same site

Value

Some studies indicate that having an ADU on your property adds value to the home

Income

A popular reason for building an ADU is the rental income opportunity

PROS & CONS OF ADUS

CONS

Loss of Space

When using an existing space, such as a garage or backyard area, you ultimately suffer the loss of that space

Cost

Building an ADU is a considerable cost

Disruption

An ADU will affect the homeowners' daily life

STATE ADU REGULATIONS

- Recent state legislation (2023) mandates that all Internal ADUs shall be permitted uses
- It also removes restrictions on unit size, lot size, street frontage, and internal connectivity for IADUs
- Municipalities still have some control regarding the design, parking, utilities, safety and occupancy requirements of IADUs

OTHER MUNICIPALITIES

- Staff previously reviewed ADU ordinances from 25 other Utah communities. Staff has since undertaken a more limited assessment of ADU trends and issues in comparable cities, with the following findings:
 - Most have removed IADUs as a conditional use
 - The size of detached ADU additions is a common concern
 - “Grandfathered” units and building code compliance are also issues
 - Some communities desire to remove/revise parking and/or owner-occupancy requirements

OTHER MUNICIPALITIES

- Staff has specifically reviewed recent and on-going ADU code modifications for four communities of comparable size, each of which have addressed allowing attached and detached ADUs:
 - West Point
 - North Logan
 - Heber
 - Tremonton

1-WEST POINT ADU ORDINANCE

- Comprehensive revision of IADU ordinance allows all types of ADUs
 - Internal
 - Attached
 - Detached
- All are permitted (no conditional use requirements)
- Each type has slightly different site requirements
 - IADU requirements are the least onerous, followed by attached ADUs

2- NORTH LOGAN ADU ORDINANCE

- Comprehensive revision of IADU ordinance that allows Internal and Detached ADUs
 - Attached ADU is not specified
- IADUs are permitted according to state requirements
- Detached are permitted as a conditional use
 - Detached accessory dwelling unit shall not exceed 50% of the building of the single-family dwelling, up to a maximum Gross Area of 1,000 square feet.
 - If the Accessory Dwelling Unit is built entirely over a garage for the primary structure, the entire structure shall not exceed a maximum Gross Area of 1,500 square feet.

3-HEBER ADU ORDINANCE

- Ordinance does not specify the type of ADU that is permitted
 - Requirements extend to internal, attached and detached equally
- Requirements are simple and easy to understand
- Permits the largest ADUs (up to 1,500 SF) as long as site and building code requirements are met

4-TREMONTON ADU ORDINANCE

- **Similar to North Logan Ordinance**
- **IADUs are permitted according to state requirements**
- **Detached are permitted as a conditional use**
 - Attached ADU is not specified
 - Detached accessory dwelling unit shall not exceed 50% of the building of the single family dwelling, up to a maximum Gross Area of 1,000 square feet.
 - If the Accessory Dwelling Unit is built entirely over a garage for the primary structure, the entire structure shall not exceed a maximum Gross Area of 1,500 square feet.

QUESTION 1

- Should South Ogden revise and expand the ADU Ordinance to include attached and detached units?
 - If not, how does this impact the housing chapter of the general plan, which includes a specific strategy to consider such changes?

QUESTION 2

- Are all types of detached ADUs appropriate? Are some more appropriate than others?
 - Many communities in Utah are now allowing for detached ADUs, as this is a relatively easy way to meet affordable housing requirements.
 - If attached and detached ADUs are determined not to be appropriate, what is the rationale(s) for reaching this conclusion?

QUESTION 3

- IADUs are a permitted use in the current code. If attached and detached units are to be allowed, should they also be permitted uses?

QUESTION 4

- If attached and detached ADUs are to be allowed, where should they be permitted ?
 - In all residential zones, only zones with lots of space, same zones as IADUs, only areas with access to transit and services?
 - Communities such as West Point and Salem have created size restrictions on detached ADUs based on lot size – is this a good idea?
 - Mixed-use/downtown/transit-oriented areas commonly remove certain requirements such as parking

QUESTION 5

- What specific parameters should be considered for the ordinance?
 - Size, height, kitchen/bathroom requirements, materials, rooflines
 - Parking requirements, setbacks
 - Owner-occupancy requirements
 - Process, administration, and review (permitted vs conditional use)

OTHER CONSIDERATIONS

Code changes only go so far. If ADUs are allowed, should South Ogden further to encourage them?

EXAMPLES:

- Simplify the zoning and application process
- Prepare educational and marketing materials to clarify the application process and building requirements
- Incentivize ADU development – possibilities include identifying loan options, providing financial grants, waiving application and permit fees

ADU EXAMPLES



- A** External ADU – Detached / Located in Rear Yard (New)
- B** External ADU – Detached / Located in Rear Yard (Converted Garage)
- C** External ADU – Detached / Located Above Side Yard Garage (Replaces Existing Garage)
- D** External ADU – Detached / Located Above Rear Yard Garage (New / Alley Access)



E External ADU – Detached / Located in Rear Yard (Converted Garage)

F External ADU – Attached to Primary Residence / Side Yard Addition

G External ADU – Detached / Located in Rear Yard



- H** Detached/Located in Rear Yard (Converted Garage)
- J** External ADU – Attached to Primary Residence / Rear Yard Addition
- K** Internal ADU – In Basement (Converted Attached Garage)
- L** External ADU – Detached/Located Above Rear Yard Garage (New / Alley Access)
- M** Internal ADU – In Basement AND Detached/Located in Rear Yard (Converted Garage)

[Home](#)[Utah Code](#)[Title 10](#)[Chapter 9a](#)[Part 5](#)[Section 530](#)[Historical Code](#)[<< Previous Section \(10-9a-529\)](#)[Download Options](#) [PDF](#) | [RTF](#) | [XML](#)[Next Section \(10-9a-531\) >>](#)[Index Utah Code](#)[Title 10 Utah Municipal Code](#)[Chapter 9a Municipal Land Use, Development, and Management Act](#)[Part 5 Land Use Regulations](#)[Section 530 Internal accessory dwelling units. *\(Effective 5/3/2023\)*](#)*Effective 5/3/2023*

10-9a-530. Internal accessory dwelling units.

(1) As used in this section:

(a) "Internal accessory dwelling unit" means an accessory dwelling unit created:

- (i) within a primary dwelling;
- (ii) within the footprint of the primary dwelling described in Subsection (1)(a)(i) at the time the internal accessory dwelling unit is created; and
- (iii) for the purpose of offering a long-term rental of 30 consecutive days or longer.

(b) (i) "Primary dwelling" means a single-family dwelling that:

- (A) is detached; and
- (B) is occupied as the primary residence of the owner of record.

(ii) "Primary dwelling" includes a garage if the garage:

- (A) is a habitable space; and
- (B) is connected to the primary dwelling by a common wall.

(2) In any area zoned primarily for residential use:

(a) the use of an internal accessory dwelling unit is a permitted use;

(b) except as provided in Subsections (3) and (4), a municipality may not establish any restrictions or requirements for the construction or use of one internal accessory dwelling unit within a primary dwelling, including a restriction or requirement governing:

- (i) the size of the internal accessory dwelling unit in relation to the primary dwelling;
- (ii) total lot size;
- (iii) street frontage; or
- (iv) internal connectivity; and

(c) a municipality's regulation of architectural elements for internal accessory dwelling units shall be consistent with the regulation of single-family units, including single-family units located in historic districts.

(3) An internal accessory dwelling unit shall comply with all applicable building, health, and fire codes.

(4) A municipality may:

(a) prohibit the installation of a separate utility meter for an internal accessory dwelling unit;

(b) require that an internal accessory dwelling unit be designed in a manner that does not change the appearance of the primary dwelling as a single-family dwelling;

(c) require a primary dwelling:

- (i) regardless of whether the primary dwelling is existing or new construction, to include one additional on-site parking space for an internal accessory dwelling unit, in addition to the parking spaces required under the municipality's land use regulation, except that if the municipality's land use ordinance requires four off-street parking spaces, the municipality may not require the additional space contemplated under this Subsection (4)(c)(i); and
- (ii) to replace any parking spaces contained within a garage or carport if an internal accessory dwelling unit is created within the garage or carport and is a habitable space;

(d) prohibit the creation of an internal accessory dwelling unit within a mobile home as defined in Section 57-16-3;

(e) require the owner of a primary dwelling to obtain a permit or license for renting an internal accessory dwelling unit;

(f) prohibit the creation of an internal accessory dwelling unit within a zoning district covering an area that is equivalent to:

(i) 25% or less of the total area in the municipality that is zoned primarily for residential use, except that the municipality may not prohibit newly constructed internal accessory dwelling units that:

- (A) have a final plat approval dated on or after October 1, 2021; and
- (B) comply with applicable land use regulations; or

(ii) 67% or less of the total area in the municipality that is zoned primarily for residential use, if the main campus of a state or private university with a student population of 10,000 or more is located within the municipality;

(g) prohibit the creation of an internal accessory dwelling unit if the primary dwelling is served by a failing septic tank;

(h) prohibit the creation of an internal accessory dwelling unit if the lot containing the primary dwelling is 6,000 square feet or less in size;

(i) prohibit the rental or offering the rental of an internal accessory dwelling unit for a period of less than 30 consecutive days;

(j) prohibit the rental of an internal accessory dwelling unit if the internal accessory dwelling unit is located in a dwelling that is not occupied as the owner's primary residence;

(k) hold a lien against a property that contains an internal accessory dwelling unit in accordance with Subsection (5); and

(l) record a notice for an internal accessory dwelling unit in accordance with Subsection (6).

(5) (a) In addition to any other legal or equitable remedies available to a municipality, a municipality may hold a lien against a property that contains an internal accessory dwelling unit if:

(i) the owner of the property violates any of the provisions of this section or any ordinance adopted under Subsection (4);

(ii) the municipality provides a written notice of violation in accordance with Subsection (5)(b);

(iii) the municipality holds a hearing and determines that the violation has occurred in accordance with Subsection (5)(d), if the owner files a written objection in accordance with Subsection (5)(b)(iv);

(iv) the owner fails to cure the violation within the time period prescribed in the written notice of violation under Subsection (5)(b);

(v) the municipality provides a written notice of lien in accordance with Subsection (5)(c); and

(vi) the municipality records a copy of the written notice of lien described in Subsection (5)(a)(v) with the county recorder of the county in which the property is located.

(b) The written notice of violation shall:

(i) describe the specific violation;

(ii) provide the owner of the internal accessory dwelling unit a reasonable opportunity to cure the violation that is:

- (A) no less than 14 days after the day on which the municipality sends the written notice of violation, if the violation results from the owner renting or offering to rent the internal accessory dwelling unit for a period of less than 30 consecutive days; or
- (B) no less than 30 days after the day on which the municipality sends the written notice of violation, for any other violation;

(iii) state that if the owner of the property fails to cure the violation within the time period described in Subsection (5)(b)(ii), the municipality may hold a lien against the property in an amount of up to \$100 for each day of violation after the day on which the opportunity to cure the violation expires;

(iv) notify the owner of the property:

- (A) that the owner may file a written objection to the violation within 14 days after the day on which the written notice of violation is post-marked or posted on the property; and
- (B) of the name and address of the municipal office where the owner may file the written objection;

(v) be mailed to:

- (A) the property's owner of record; and
- (B) any other individual designated to receive notice in the owner's license or permit records; and

(vi) be posted on the property.

(c) The written notice of lien shall:

(i) comply with the requirements of Section 38-12-102;

(ii) state that the property is subject to a lien;

(iii) specify the lien amount, in an amount of up to \$100 for each day of violation after the day on which the opportunity to cure the violation expires;

(iv) be mailed to:

- (A) the property's owner of record; and
- (B) any other individual designated to receive notice in the owner's license or permit records; and

(v) be posted on the property.

(d) (i) If an owner of property files a written objection in accordance with Subsection (5)(b)(iv), the municipality shall:

(A) hold a hearing in accordance with Title 52, Chapter 4, Open and Public Meetings Act, to conduct a review and determine whether the specific violation described in the written notice of violation under Subsection (5)(b) has occurred; and

(B) notify the owner in writing of the date, time, and location of the hearing described in Subsection (5)(d)(i)(A) no less than 14 days before the day on which the hearing is held.

(ii) If an owner of property files a written objection under Subsection (5)(b)(iv), a municipality may not record a lien under this Subsection (5) until the municipality holds a hearing and determines that the specific violation has occurred.

(iii) If the municipality determines at the hearing that the specific violation has occurred, the municipality may impose a lien in an amount of up to \$100 for each day of violation after the day on which the opportunity to cure the violation expires, regardless of whether the hearing is held after the day on which the opportunity to cure the violation has expired.

(e) If an owner cures a violation within the time period prescribed in the written notice of violation under Subsection (5)(b), the municipality may not hold a lien against the property, or impose any penalty or fee on the owner, in relation to the specific violation described in the written notice of violation under Subsection (5)(b).

(6) (a) A municipality that issues, on or after October 1, 2021, a permit or license to an owner of a primary dwelling to rent an internal accessory dwelling unit, or a building permit to an owner of a primary dwelling to create an internal accessory dwelling unit, may record a notice in the office of the recorder of the county in which the primary dwelling is located.

(b) The notice described in Subsection (6)(a) shall include:

- (i) a description of the primary dwelling;
- (ii) a statement that the primary dwelling contains an internal accessory dwelling unit; and
- (iii) a statement that the internal accessory dwelling unit may only be used in accordance with the municipality's land use regulations.

(c) The municipality shall, upon recording the notice described in Subsection (6)(a), deliver a copy of the notice to the owner of the internal accessory dwelling unit.

Amended by Chapter 501, 2023 General Session

[<< Previous Section \(10-9a-529\)](#)[Download Options](#) [PDF](#) | [RTF](#) | [XML](#)[Next Section \(10-9a-531\) >>](#)

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17.70.060 Accessory dwelling units.

A. *Purpose.* Accessory dwelling units (ADUs) in single-family residential zones are an important tool in the overall housing goals and needs of the city and allow for alternative and flexible housing options in owner-occupied single-family residences.

B. *Accessory Dwelling Units Defined.* An accessory dwelling unit (ADU) is a second dwelling unit in an owner-occupied single-family property that is clearly incidental and accessory to the main dwelling on the property. ADUs can be either internal, detached or attached.

1. *ADU (Internal).* "Internal ADU" means an ADU created (a) within a primary dwelling unit; (b) within the footprint of the primary dwelling unit at the time the internal ADU is created; and (c) for the purpose of offering a long-term rental of 30 consecutive days or longer. Internal ADUs must meet the standards in Utah Code § [10-9a-530](#).

2. *ADU (Detached).* "Detached ADU" means an ADU located in an accessory building on the property and not attached to or within the principal dwelling unit.

3. *ADU (Attached).* "Attached ADU" means a new ADU is constructed as a physical expansion (i.e., addition) of the primary dwelling and is attached to the single-family dwelling unit by one or more common walls.

C. *Permitted and Conditional Uses.* See use table in WCPP [17.60.050](#) for specific zoning designations that include permitted and conditional uses. If the ADU is not designated within a particular zone on the table, then it is prohibited.

D. *General Standards.*

1. ADU permit application shall be required for all internal, attached, and detached units. Only applications deemed complete by the community development director or designee will be processed. Complete applications include appropriate application forms reflecting the standards of the city, plans, texts, and signatures as required on the form available in the community development department and on the city's website. A letter or email confirming the completeness of the application may be requested by the applicant. All applications shall be accompanied by the appropriate fee as established from time to time by resolution of the city council.

2. Only one ADU per property is permitted.

3. ADUs shall meet all building codes and obtain all required permits prior to occupancy of the ADU.

4. The applicant shall have a fee simple title to the property.

5. The ADU shall have a separate entrance that faces away from the street and that does not disrupt the single-family appearance of the existing structure.

6. The ADU shall have a minimum of one bedroom and a three-quarter bath.

7. The ADU shall have a kitchen.
8. No vehicles shall be parked on the front lawn or other landscaped areas.
9. The property shall be neatly maintained and shall meet all current codes regarding property maintenance and public health standards.
10. The applicant has not been notified or fined by the city for any code violations relating to this property or any other property within the previous 12 months.
11. *Owner Occupancy.* The city shall only permit an accessory dwelling unit when an owner occupant lives on the property within either the principal or accessory dwelling unit. Owner occupancy shall not be required when:
 - a. The owner has a bona fide, temporary absence of three years or less for activities such as military service, temporary job assignments, sabbaticals, or voluntary service (indefinite periods of absence from the dwelling shall not qualify for this exception); or
 - b. The owner is placed in a hospital, nursing home, assisted living facility or other similar facility that provides regular medical care, excluding retirement living facilities or communities.
12. The ADU must be rented for periods of 30 consecutive days or more.
13. All ADUs shall connect to the same (water, gas, sewer, etc.) utility lines as the primary dwelling.

E. *Internal ADU Standards.*

1. Internal ADUs shall maintain the outward appearance of a single-family residence, so that the appearance is not altered in a manner to appear as a duplex with such features as two front doors and two garages or carports facing the street.

F. *Attached ADU Standards.*

1. Attached ADUs shall maintain the outward appearance of a single-family residence, so that the appearance is not altered in a manner to appear as a duplex with such features as two front doors and two garages or carports facing the street.
2. The total area of an attached ADU shall not exceed 50 percent of the square footage of the habitable area of the building footprint of the primary residence and in no case exceed 800 square feet.

G. *Detached ADU Standards.*

1. Detached ADUs shall be placed on a permanent foundation.
2. Detached ADUs shall have a similar appearance as the primary unit.
3. Detached ADUs may not be built within a recorded easement.

4. For detached ADUs, the maximum size limit shall be based on the minimum lot size as specified in Table 17.70.060-1.
5. Mobile homes, recreational vehicles, or shipping containers shall not be considered a detached ADU.
6. An ADU shall not be sold separately or subdivided from the principal dwelling unit or lot unless compliant with subdivision regulations.
7. Detached ADUs shall follow the same regulations for lot coverage as outlined in WPCC [17.70.030\(A\)\(2\)](#).
8. No basements are allowed in detached ADUs.
9. *Fire Regulations.*
 - a. The maximum distance from a fire hydrant to the front entrance of the detached ADU shall not be greater than 500 feet as the “hose lies.”
 - b. No portion of the detached ADU shall be further away than 150 feet from the public road.

Table 17.70.060-1.

	Internal ADU	Attached ADU	Detached Single-Story ADU
Location	Part of Primary Dwelling	Attached to Primary Dwelling	Rear Yard Area
Minimum Lot Size	6,000 sf	6,000 sf	10,000 sf
Size Limit, Habitable	No Limitation	50% up to 800 sf	650 sf (on lots less than 12,000 sf)
			800 sf (on lots greater than 12,000 sf)
Maximum Height Limit	Same as Primary Dwelling	Same as Primary Dwelling	No Taller Than the Primary Dwelling
Minimum Side Setback	Same as Primary Dwelling	Same as Primary Dwelling	10'
Minimum Rear Setback	Same as Primary Dwelling	Same as Primary Dwelling	10'
Off-Street Parking	1	1	2

[Ord. 06-21-2022A § 1; Ord. 12-21-2021A § 1 (Exh. A); Ord. 08-17-2021B § 2 (Exh. A)].

The West Point City Code is current through Ordinance 01-17-2023D, passed January 17, 2023.

Disclaimer: The City Recorder's office has the official version of the West Point City Code. Users should contact the City Recorder's office for ordinances passed subsequent to the ordinance cited above.

[City Website: www.westpointcity.org](http://www.westpointcity.org)

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CHAPTER 1.30

ACCESSORY DWELLINGS UNITS

Sections:

- 1.30.005 Purpose.
- 1.30.010 Requirements For Internal Accessory Dwelling Units In Single Family Residence
- 1.30.015 Permit Required.
- 1.30.020 Submission of Application.
- 1.30.025 Form and Contents of Required Documents.
- 1.30.030 Public Notice.
- 1.30.035 Review and Approval Procedures.
- 1.30.040 Approval Standards.
- 1.30.045 Entitlements.
- 1.30.050 Appeals.

1. Only one Internal Accessory Dwelling Unit shall be allowed per single-family residence. Both the single-family dwelling and Internal Accessory Dwelling Unit shall be owned by the same person(s) or entity and they must share a single water meter, and sewer lateral. An Internal Accessory Dwelling Unit may not be established if the primary dwelling is served by a failing septic tank. A single-family dwelling and accessory dwelling unit shall receive one monthly bill from the City for municipal services that shall be sent to the owner of the Lot on which the primary Single-Family Residence and Accessory Dwelling Unit are located.
2. The Internal Accessory Dwelling Unit must be designed in a manner that does not change the appearance of the primary dwelling as a single-family dwelling.
3. There shall be provided at least one off street parking space for the Internal Accessory Dwelling Unit in addition to two spaces required for the homeowners (three in all). Any existing parking spaces contained within a garage or carport must be replaced if the Internal Accessory Dwelling Unit is created within the garage or carport. All parking intended to accommodate an internal accessory dwelling unit shall be paved with surfacing material of asphalt or concrete composition. Any additional vehicular access to public roads must conform to North Logan Design Standards Technical Manual Standards.

- 12C-515 Requirements For Accessory Dwelling Units In Residential Zones
 - 12C-515.2 Conditions For Detached Accessory Dwelling Units
 - 12C-515.3 Procedures For Establishing A Detached Accessory Dwelling Unit
 - 12C-515.4 Procedures For Revoking A Detached Accessory Dwelling Unit License Or Conditional Use Permit
 - 12C-515.5 Owners Not Occupying Residence For Prolonged Periods

1.30.005 Purpose. The purpose of permitting an accessory dwelling unit is to:

- A. Provide homeowners with a means of obtaining, through tenants in an accessory dwelling unit, rental income, companionship, security and/or services, and thereby to enable them to stay more comfortably in homes and neighborhoods they might otherwise be forced to leave;
- B. Add inexpensive rental units to the housing stock to meet the needs of smaller households, both old and/or young;
- C. Make housing units available to moderate and/or lower income households who might otherwise have difficulty finding housing within the city;
- D. Develop housing units in single-family neighborhoods that serve the needs of the residents through a variety of stages in the life cycle, thereby lessening fluctuations in neighborhood demand for services.

The requirements for permitting Internal Detached Accessory dwelling units per Utah State Statute are addressed Section 1.30.010 - Requirements For Internal Accessory Dwelling Units In Single Family Residence.

in are allowed as a conditional use in residential zones. All Detached Accessory Dwelling Units shall conform to the regulations specified herein and are only allowed when in total compliance with these regulations. Additionally, all dwellings with Detached Accessory Dwelling Units shall also conform to other development regulations for residences in accordance with this ordinance.

12C-515.2 Conditions For Detached Accessory Dwelling Units

- A. Detached accessory dwelling units are only allowed by conditional use permit. The Planning Commission shall ensure the following conditions are met before granting a conditional use permit for a detached accessory dwelling unit:
1. There shall be provided at least two paved asphalt or concrete off-street parking spaces for the detached accessory dwelling unit in addition to two spaces required for the homeowners (four in all). Parking needed to meet this requirement shall not exceed twenty-five percent (25%) of the area between the front of the residence and the front property line. Any additional vehicular access to public roads must conform to North Logan Design Standards Technical Manual Standards.
 2. Because building codes generally do not require modifications to a structure to make it conform to current building codes unless the structure is being remodeled or the classification of the occupancy of the structure is changing and since establishing a detached accessory dwelling unit is not being considered by North Logan City to be a change in occupancy classification (i.e. the house is still a single family dwelling unit), the requirements for establishing a detached accessory dwelling unit, with regard to current

building codes are clarified in this paragraph.

Any new construction, remodeling or renovation done to accommodate the detached accessory dwelling unit shall conform to the building code requirements current at the time of application. In addition, the following shall also conform to the building code requirements current at the time of application and shall apply to the approved detached accessory dwelling unit.

- a. Emergency rescue and escape openings from all bedrooms and basement areas shall be as required by the building code for new construction;
- b. Smoke and carbon monoxide detectors as required by the building code for new construction;
- c. Arc-fault circuit interrupters as required by the National Electric Code for new construction;
- d. Ground-fault circuit interrupter protection for personnel as required by the National Electric Code for new construction;
- e. The only exit from the accessory dwelling unit may not pass through a garage;
- f. Combustion air for fuel burning appliances as required by the mechanical and/or fuel gas codes for new construction; and
- g. Equipment grounding for both permanently wired and cord and plug connected equipment shall be as required by the National Electric Code for new construction. As an alternative for receptacle outlets, GFCI protection of receptacle outlets without equipment grounding conductors may be provided in accordance with the National Electric Code.

The residence (single-family dwelling), including the detached accessory dwelling unit shall be considered a single-family residence rather than a “duplex” as defined by the applicable building codes. These requirements are added in order to establish minimal life safety requirements that are appropriate for adding a detached accessory dwelling unit. The applicant shall have the premises inspected by the North Logan City Building Department and include a copy of the results of that inspection with the application for a conditional use permit. If deficiencies are noted by the Building Department’s inspector, a conditional use permit may be approved by the Planning Commission prior to the work being done to correct the deficiencies, but occupancy of the detached accessory dwelling unit shall not take place until all deficiencies are corrected and re-inspected by a North Logan City building inspector.

3. The Detached Accessory Dwelling Unit shall only be allowed in a detached dwelling located on the same owner-occupied lot as the single-family dwelling. Only one detached accessory dwelling unit shall be allowed per single-family residence. Both the single-family dwelling and any detached accessory dwelling unit shall be owned by the same person(s) or entity and they must share a single water meter, and sewer lateral. A single family dwelling and accessory dwelling unit shall receive one monthly bill from the City for municipal services that shall be sent to the owner of the Lot on which the primary Single Family Residence and Accessory Dwelling Unit are located. The proposed detached accessory dwelling unit shall not exceed 50% of the building footprint (including garage) of the single family dwelling, up to a maximum Gross Area of 1,000 square feet. If the Accessory Dwelling Unit is built entirely over a garage for the primary structure, the entire structure shall not exceed a maximum Gross Area of 1,500 square feet.

4. Other appropriate conditions peculiar to the dwelling may be required by the Planning Commission if appropriate to guard the health and welfare of the occupants or the residents in the neighborhood.
- B. Detached accessory dwelling units shall be approved as such by the North Logan City Planning Commission.
 - C. A detached accessory dwelling unit conditional use permit shall not run with the land but shall be valid only for the home owners to whom it was originally granted. Subsequent owners must reapply for a conditional use permit to be allowed a detached accessory dwelling unit on the premises. The conditional use permit shall terminate and shall be void on the sale of the residence.
 - D. Any detached accessory dwelling unit shall be a permanent structure. Trailers, mobile homes, and other portable structures shall not be permitted as a detached accessory dwelling unit. The city's building official shall make the determination of whether or not a structure is permanent.
 - E. The improvements or construction of any detached accessory dwelling unit shall be designed so that the appearance of the buildings fits with the surrounding neighborhood.

12C-515.3 Procedures For Establishing A Detached Accessory Dwelling Unit

- A. Application for a conditional use permit for a detached accessory dwelling unit shall be made to the Planning Commission in accordance with the conditional use permit procedures given in this title. The application shall include the following:
 1. A notarized letter accompanying the application from the owner(s) stating that the owner will occupy the primary single family residence or Detached Accessory Dwelling Unit on the premises except for bona fide absences;
 2. A floor plan and site plan (to scale) showing any proposed changes to the buildings and/or how the accessory dwelling unit is to be established;
 3. A fee as set forth by the then prevailing fee schedule for a conditional use permit application.
- B. Within thirty (30) days of the receipt of an application, the Planning Commission shall hold a public hearing to receive public input regarding the application. The legal notice of such public hearing shall be published according to State guidelines, and shall be posted on the City's official website. The applicant is also required to provide a list of property owners within a 300-foot radius of the exterior boundary of the proposed accessory dwelling property and a 600-foot distance on both sides of the street on which the residence is located. The City will use this list to send out a copy of the public notice for the accessory dwelling hearing to all property owners within ten (10) days of the public hearing.

- C. After a conditional use permit has been granted to the owners of the residence for a detached accessory dwelling unit the applicant shall pay any fees established for the accessory dwelling unit and any extraordinary costs to the city not otherwise intended to be covered by the fee for the conditional use permit or the inspection fee. Once the fees have been paid the city shall

issue an appropriate detached accessory dwelling unit written approval letter to the owners/applicants.

HISTORY

Adopted by

Ord. [10-01](#) on

2/17/2010

Amended by

Ord. [19-11](#) on

9/4/2019

Amended by

Ord. [21-04](#) on

7/14/2021

12C-515.4 Procedures For Revoking A Detached Accessory Dwelling Unit License Or Conditional Use Permit

A detached accessory dwelling unit approval and the associated conditional use permit shall be revocable for the non-compliance with any of the provisions of this ordinance or any other ordinance of the city. The city shall notify the owner in writing of its intent to revoke the conditional use permit, and the reasons therefore, at least fourteen (14) days prior to the action being taken. The owner shall have the opportunity to correct any problems that caused the notice of intent to revoke to be issued during said fourteen-day period and show proof of such correction to have the license remain in force. The owner shall have the right to appeal, in writing, any decision regarding the permit to the City Council. The City Council shall consider any appeal on a permit revocation within thirty (30) days of receipt of the appeal. In the event of an appeal the permit shall remain in effect until after the appeal is considered by the City Council.

HISTORY

Adopted by

Ord. [10-01](#) on

2/17/2010

Amended by

Ord. [21-04](#) on

7/14/2021

12C-515.5 Owners Not Occupying Residence For Prolonged Periods

- A. The city recognizes that people in the community often vacate their residences for longer periods of time than merely vacations. For examples, university professors take sabbatical leaves of absence and/or are gone for extended periods of time; or people serve church missions and/or are gone from their residences for twelve to twenty-four months at a time. In these cases, the homeowners normally return to their homes. It is important that there be some means for properly authorizing the continuance of a Detached Accessory Dwelling Unit Conditional Use Permit for

extended periods of time when the owners are not occupying the residence, for the above stated or similar reasons. A detached accessory dwelling unit may be continued through the time that the owner is temporarily not living in the residence if the following conditions are met:

1. The owner(s) shall apply for a continuance of their accessory dwelling unit permit during their absence by notifying the City Treasurer of their intent in writing. They shall include in that request their anticipated length of absence and estimated return date, a forwarding address, phone number and email address where they may be contacted by the city if there are any problems (that address shall be updated as needed through the duration of the absence), and the names, phone numbers and email addresses of those who will act in their stead as the “surrogate” owners of the property in their absence.
 2. The owners shall provide any information relative to any changes in the use of the residence, i.e. any changes that are different from the conditional use permit that established the accessory dwelling unit.
- B. If the owners of the residence elect to leave their home in the care of the residents that occupy the home as the second family living in the detached accessory dwelling unit; and if they choose not to lease the main part of the residence that the owners are temporarily vacating; then just one family will be living in the residence and there is no longer any need to have the residence licensed as a detached accessory dwelling unit. The license can then lapse while the owners are

not living in the residence and the license may be re-established upon their return using the existing conditional use permit and by renewing the detached accessory dwelling unit license.

- C. If the owners of the residence sell the residence, return from the location that caused their temporary absence and do not occupy the residence upon their return, or otherwise show an intent to not return to the residence within forty (40) months, the status of the residence with a detached accessory dwelling unit and the related permit shall be terminated by the Planning Commission.

HISTORY

Adopted by Ord. 01-07 on 1/1/2001

Amended by Ord. 10-01 on 2/17/2010

Amended by Ord. 19-11 on 9/4/2019

Amended by Ord. 21-04 on 7/14/2021

18.68.611 Accessory Dwelling Units (ADUs)

The zoning administrator may grant a permit for an Accessory Dwelling Unit subject to the following conditions:

- A. No more than one ADU may be permitted accompanying each Single Family Detached.
- B. Either the ADU or the principal residence shall be occupied by the owner of the property except for temporary bona fide absences.
- C. ADUs are permitted only in owner-occupied single-family dwellings or owner-occupied Single Family Detached.
- D. There shall be no external evidence of occupancy by more than one family. The ADU shall be clearly incidental to the primary use of the dwelling for dwelling purposes and shall not change the character of the building from that of a dwelling.
- E. Each unit shall have the same address as the main structure. Homes with an ADU may designate mail to its renters by Apartment Number, to wit, Apartment #1 or Apartment #2.
- F. A Single Family Detached with an ADU shall provide at least two (2) off-street parking spaces for the principal dwelling, and at least one (1) off-street parking space for the ADU.
 - 1. The required ADU off-street parking spaces are required to be hard surfaced with concrete or asphalt.
 - 2. Garage or car port spaces do count as approved spaces.
 - 3. Required ADU parking stalls may be located within a front, rear or side yard setback area, provided such placement does not displace required landscaping.
- G. A Single Family Detached with an ADU shall have one but no more than two (2) meters for each water, and gas service. Each meter shall be in the property owner's name. There shall only be one (1) electric meter per building.
- H. All construction and remodeling to accommodate the ADU shall be in accordance with both the International Residential and Building Codes, as amended, in effect at the time of construction or remodeling.
- I. Landscaping:
 - 1. The lot on which the ADU is located shall have a landscaped yard in accordance with Chapter 18.76.020.
 - 2. The lot on which the ADU is located shall have street trees in accordance with Chapter 12.20.
- J. ADU size requirements are:
 - 1. Minimum size: no minimum size.
 - 2. Maximum size: no maximum size for ADUs located within a main building; ADUs located within an accessory building shall not exceed 1,500 square feet and shall comply with Section 18.68.060.
- K. ADUs must include the following:
 - 1. A kitchen separate from the main dwelling.
 - 2. Sanitation facilities (full bathroom) separate from the main dwelling.
- L. A person desiring an ADU shall:

1. Obtain a Building Permit from the City and include the following in addition to standard submittal requirements for a permit:

- a. Site plan drawn accurately to scale that shows property lines and dimensions, the location of existing buildings or additions, dimensions from buildings or additions to property line, and the location of parking stalls, and utility meters.
- b. Include detailed floor plans drawn to scale with labels on rooms indicating uses or proposed uses.

2. For ADUs that are rented, obtain a City business license. ADUs licensed within the City may be inspected annually as part of the business license renewal for compliance with building, fire, and health codes by any appropriate department of the City or other governmental agency to ensure compliance with building, fire and health and safety codes. No ADU shall be approved without all such required inspections and approval of the City Building Department. ADUs that were constructed legally previous to the adoption of this Code shall meet the building and safety codes required at the time of construction. No ADU business license shall be granted without providing evidence of a Certificate of Occupancy.

3. Record Notice of Compliance Agreement at time of building permit application and/or business licensure.

M. Prior Uses: No ADU existing prior to the enactment of this Section shall be "grandfathered", or considered legal solely because they were previously used as such.

N. Other Apartments Prohibited: There shall be no other type of accessory apartment allowed except as provided in this Section. Any portion of a home or dwelling unit that has been sectioned off so that any occupant in the dwelling does not have access to any portion of the home, and contains separate living quarters and/or a kitchen, regardless of the relationship of the occupants, shall be prohibited unless it meets all of the requirements and standards of this Section, and an application has been made pursuant to the requirements and conditions of this Section.

O. Decisions of the zoning administrator not to issue a permit for an ADU are appealable to the Appeal Authority.

P. The ownership of an ADU shall not be separated from a principal dwelling.

HISTORY

Amended by Ord. [2021-32](#) on 10/5/2021

CHAPTER 1.30

ACCESSORY DWELLINGS UNITS

Sections:

1.30.005 Purpose.

1.30.010 Requirements for Internal Accessory Dwelling Units.

1.30.015 Requirements for Detached Accessory Dwelling Units.

1.30.020 Procedures for Revoking A Detached Accessory Dwelling Unit Conditional Use Permit.

1.30.025 Owners Not Occupying Residence for Prolonged Periods.

1.30.005 Purpose. The purpose of permitting an accessory dwelling unit is to:

- A. Provide homeowners with a means of obtaining, through tenants in an accessory dwelling unit, rental income, companionship, security and/or services, and thereby to enable them to stay more comfortably in homes and neighborhoods they might otherwise be forced to leave;
- B. Incentivize the development of accessory dwelling units through the use of a clear, simple and streamlined permitting process;
- C. Add inexpensive rental units to the housing stock to meet the needs of smaller households, both old and/or young;
- D. Make housing units available to moderate and/or lower income households who might otherwise have difficulty finding housing within the city;
- E. Develop housing units in single-family neighborhoods that serve the needs of the residents through a variety of stages in the life cycle, thereby lessening fluctuations in neighborhood demand for services.

The requirements for permitting internal accessory dwellings units per Utah State Statute are addressed in Section 1.30.010 - Requirements for Internal Accessory Dwelling Units in Single Family Residences.

The requirements for permitting detached accessory dwelling units are addressed Section 1.3.015 - Requirements for Detached Accessory Dwellings as conditional uses in all residential zones. detached accessory dwelling units shall conform to the regulations specified therein, and are only allowed when in compliance with those regulations. Additionally, all primary dwellings with detached accessory dwelling units shall also conform to other development regulations for residences in accordance with this ordinance.

1.30.010 Requirements for Internal Accessory Dwelling Units

- A. Only one Accessory Dwelling Unit shall be allowed per single-family residence. Both the single-family dwelling and the Internal Accessory Dwelling Unit shall be owned by the same person(s) or entity and must share a single water meter and sewer lateral. An

Internal Accessory Dwelling Unit may not be established if the primary dwelling is served by a failing sewer connection. A single-family dwelling and accessory dwelling unit shall receive a single monthly bill from the City for municipal services that shall be sent to the owner of the lot on which the primary single-family residence and the accessory dwelling unit are located.

- B. The accessory dwelling unit shall have less square footage than the principal dwelling. If the attached accessory dwelling unit shall be in the basement of the principal dwelling, the accessory dwelling shall be permitted to occupy the entirety of the basement of the principal dwelling unit regardless of square footage.
- C. The Internal Accessory Dwelling Unit must be designed in a manner that does not change the appearance of the primary dwelling as a single-family dwelling.
- D. The accessory dwelling unit shall have at least one (1) off-street parking space for the accessory unit, above the minimum spaces required for a principal dwelling unit. Accessory dwelling unit parking may not be in tandem with the required parking of the principal dwelling unit. One additional off-street parking space shall be required for the accessory dwelling units with two (2) or more bedrooms. No parking spaces may be located within the front or side yard setbacks adjacent to a street, unless approved by the Planning Commission. The minimum dimensions of parking space shall be ten (10) feet by twenty (20) feet and shall be a hard surface of concrete or asphalt.
- E. A new principal dwelling approved internal accessory dwelling unit shall have a separate, accessible entrance or stairway, and may use existing entrances on any side of the structure that faces a street, or a side or rear entrance. To preserve the single-family residential appearance of a neighborhood, dwellings with two (2) front doors located side-by-side shall not be allowed to provide separate entrances for each unit with the exception of dwellings where the second door provides direct access to the dwelling basement.
- F. Interior access between the principal dwelling unit and an attached accessory dwelling unit shall be maintained unless sufficient means of egress have been determined during a building inspection.
- G. An internal accessory dwelling unit shall provide living areas that include a kitchen and a bathroom separate from the principal dwelling unit.
- H. The size of an internal accessory dwelling unit detached from the principal dwelling unit shall be at least two hundred (200) square feet and shall not exceed six hundred (600) square feet.
- I. Internal accessory dwelling units may be allowed within or attached to the principal single-family dwelling (basement or addition), over the attached garage, or in a detached accessory structure (detached garage, cottage home, guesthouse) if the accessory dwelling unit meets the following setbacks.
- J. Internal accessory dwelling units as an addition to a principal dwelling unit shall meet all minimum setback standards required for the principal dwelling unit.
- K. Internal accessory dwelling units shall meet the minimum of side yard required by the zone for the principal dwelling unit and a rear yard setback of ten (10) feet. If there are

no windows, doors, or other openings adjacent to the property line, the setback may be reduced to five (5) feet, but in no case shall a structure be built upon an easement or public utility easement.

- L. An internal accessory dwelling unit within the side yard of the principal dwelling unit is required to meet the same front, side, and rear yard setback as the principal dwelling unit.
- M. An internal accessory dwelling unit located in an accessory structure may only be located on a second story if the structure meets the same minimum standards in the zone for height, as well as the front, side, and rear setback as the principal dwelling unit.
- N. Principal dwelling units with an accessory dwelling unit may have separate meters for the water, gas, and electricity utility service of each unit. Each separate utility meter shall be in the property owner's name, as shown on the Box Elder County tax assessment rolls, and the property owner shall be responsible for payment of all utilities.
- O. Internal accessory dwelling units shall be permanently connected to the City's culinary water system and sanitary sewer system and other permanent utility connections for natural gas and electricity as approved by the Building Official.
- P. The principal dwelling unit and the accessory dwelling unit shall have the same address number, but shall refer to the accessory dwelling unit, as unit B. Addresses shall be located in a visible location on the street frontage side of the home.
- Q. All construction and remodeling shall comply with building codes and ordinance requirements in effect at the time of construction or remodeling, in accordance with Utah State Code section 10-9a-511.5, the Building Official may require the reasonable installation of:
 - 1. a smoke detector and carbon monoxide detectors, that is plugged in or battery operated;
 - 2. a ground fault circuit interrupter protected outlet on existing wiring;
 - 3. street addressing;
 - 4. an electrical system or a plumbing system, if the existing system is not functioning or is unsafe as determined by an independent electrical or plumbing professional who is licensed in accordance with Title 58, Occupations and Professions;
 - 5. Hand or guard rails;
 - 6. Occupancy separation doors as required by the International Residential Code, or a window in an existing bedroom be fully openable if the openable area is less than required by current State Construction Code.

R. No Accessory Dwelling Unit shall be created, established, maintained, or occupied unless the principal dwelling unit or accessory dwelling unit is “owner occupied” by the property owner as a “full-time resident” of the home. For the purpose of this Section, “owner occupied” is defined as the individual(s) as shown on the Box Elder County tax assessment rolls, and “full-time resident” is defined as living at the premise for at least eight (8) months during a twelve (12) month period.

S. The occupants of an accessory dwelling unit shall be limited to a “Single-Family,” as defined in Chapter 1.03 Definitions.

T. Not Intended for Sale. The internal accessory dwelling unit shall not be eligible to be subdivided from the lot of the principal dwelling or detached by deed from the existing lot. Accessory dwelling units shall only be rented or leased.

1.30.15 Requirements for Detached Accessory Dwelling Units

A. Detached accessory dwelling units are only allowed by conditional use permit. The Planning Commission shall follow the procedures described in Section 1.30.015 Conditional Use Permit of the Municipal Code. When considering each application. The following specific conditions shall be met before granting a conditional use permit for a detached accessory dwelling unit:

1. Only one Accessory Dwelling Unit shall be allowed per single-family residence. Both the single-family dwelling and the Internal Accessory Dwelling Unit shall be owned by the same person(s) or entity and must share a single water meter and sewer lateral. An Internal Accessory Dwelling Unit may not be established if the primary dwelling is served by a failing sewer connection.
2. A single-family dwelling and accessory dwelling unit shall receive a single monthly bill from the City for municipal services that shall be sent to the owner of the lot on which the primary single-family residence and the accessory dwelling unit are located.
3. The accessory dwelling unit shall have less square footage than the principal dwelling. If the attached accessory dwelling unit shall be in the basement of the principal dwelling, the accessory dwelling shall be permitted to occupy the entirety of the basement of the principal dwelling unit regardless of square footage.
4. A detached accessory dwelling unit may be allowed if specifically permitted within the use table of the Zoning District. No accessory dwelling unit shall be allowed in any multi-family attached dwelling, multi-family stacked dwelling, multi-family twin home dwelling, multi-family lot, or on any lot that cannot satisfy parking, setback or other site design requirements, nor on a single-family lot that is classified as a non-conforming use

5. Only one Accessory Dwelling Unit shall be allowed per single-family residence. Both the single-family dwelling and the detached accessory unit shall be owned by the same person(s) or entity and must share a single water meter and sewer lateral.
6. The accessory dwelling unit shall have at least one (1) off-street parking space for the accessory unit, above the minimum spaces required for a principal dwelling unit. Accessory dwelling unit parking may not be in tandem with the required parking of the principal dwelling unit. One additional off-street parking space shall be required for the accessory dwelling units with two (2) or more bedrooms. No parking spaces may be located within the front or side yard setbacks adjacent to a street, except for within a driveway approved by the Planning Commission. The minimum dimensions of parking space shall be ten (10) feet by twenty (20) feet and shall be a hard surface of concrete or asphalt.
7. A new principal dwelling with a detached accessory dwelling unit shall have a separate, accessible entrance or stairway. An accessory dwelling unit approved in an existing principal dwelling may use existing entrances on any side of the structure that faces a street, or a side or rear entrance.
8. To preserve the single-family residential appearance of a neighborhood, dwellings with two (2) front doors side by side shall not be allowed to provide separate entrances for each unit with the exception of dwellings where the second door provides direct access to the dwelling basement.
9. A detached accessory dwelling unit shall provide living areas that include a kitchen and a bathroom separate from the principal dwelling unit.
10. The size of The size of a detached accessory dwelling unit shall be at least two hundred (200) square feet and shall not exceed six hundred (600) square feet.
11. Detached accessory dwelling units may be allowed over the attached garage, or in a detached accessory structure (detached garage, cottage home, guesthouse) if the accessory dwelling unit meets the following setbacks.
12. A detached accessory dwelling unit within the side yard of the principal dwelling unit is required to meet the same front, side, and rear yard setback as the principal dwelling unit.
13. Detached accessory dwellings shall meet the following utility requirements:
 - a. Principal dwelling units with an accessory dwelling unit may have separate meters for each water, gas, and electricity utility service. Each separate utility meter shall be in the property owner's name, as shown on the Box Elder County tax assessment rolls, and the property owner shall be responsible for payment of all utilities.
 - b. Detached dwelling units shall be permanently connected to the City's culinary water system and sanitary sewer system and other

permanent utility connections for natural gas and electricity as approved by the Building Official.

- c. Detached accessory dwelling units shall pay Tremonton City impact fees.
 - d. Detached accessory dwelling units shall be attached to a site-built permanent foundation that meets building codes.
 - e. Detached accessory dwelling units shall be constructed with materials that are weather-resistant and meet all other code requirements.
 - f. The principal dwelling unit and the accessory dwelling unit shall have the same address number, but shall refer to the accessory dwelling unit, as unit B. Addresses shall be located in a visible location on the street frontage side of the home.
14. All construction and remodeling shall comply with building codes and ordinance requirements in effect at the time of construction or remodeling, in accordance with Utah state code section 10-9a-511.5, the Building Official may require the reasonable installation of:
- a. Smoke and carbon monoxide detectors, either direct-plug or battery operated;
 - b. A ground fault circuit interrupter protected outlet on existing wiring;
 - c. Street addressing;
 - d. An electrical system or a plumbing system, if the existing system is not functioning or is unsafe as determined by an independent electrical or plumbing professional who is licensed in accordance with Title 58, Occupations and Professions;
 - e. Hand or guard rails;
 - f. Occupancy separation doors as required by the International Residential Code, or a window in an existing bedroom be fully openable if the openable area is less than required by current State Construction Code.
15. No Accessory Dwelling Unit shall be created, established, maintained, or occupied unless the principal dwelling unit or accessory dwelling unit is "owner occupied" by the property owner as a "full-time resident" of the home.
- a. For the purpose of this Section, "owner occupied" is defined as the individual(s) as shown on the Box Elder County tax assessment rolls, and "full-time resident" is defined as living at the premise for at least eight (8) months during a twelve (12) month period. Owner

occupancy for an Accessory Dwelling Unit shall be suspended for a period no more than three (3) years for a temporary job assignment, sabbatical, or voluntary service when the following criteria apply:

- The owner was living in the dwelling immediately prior to leaving for the temporary job assignment, sabbatical, or voluntary service; and
- The owner intends to make the dwelling his/her primary place of residence upon returning from the temporary job assignment, sabbatical, or voluntary service.
- Dwelling Unit Occupancy. The occupants of an accessory dwelling unit shall be limited to a "Single-Family," as defined in Chapter 1.03 Definitions.

16. Not Intended for Sale. The accessory dwelling unit shall not be eligible to be subdivided from the lot of the principal dwelling or detached by deed from the existing lot. Accessory dwelling units shall only be rented or leased.

B. Procedures For Establishing a Detached Accessory Dwelling Unit

1. Application for a conditional use permit for a detached accessory dwelling unit shall be made to the Planning Commission in accordance with the conditional use permit procedures given in this title. The application shall include the following:
 - a. Context Plan. A context plan including the existing features on the lot and within thirty (30) feet of the lot. Existing features include but are not limited to, dwellings, roads, ingress, and egress points. An aerial photo from Google Earth or Box Elder County Web Map <https://gis.boxeldercounty.org/webmap/> may serve as the basis for the context plan.
 - b. Site Plan. A site plan with a scale no less than one (1) inch equal to twenty (20) feet that is drawn or contain the following information:
 - A title block containing the following information applicant's name, address and phone number; subdivision name and lot number; square footage of the lot.
 - Boundaries and dimensions of the entire lot.
 - Locations and dimensions of all existing and proposed dwellings and structures on the lot, including overhangs, porches, stairwells, and balconies, and the locations of all structures on adjoining properties.
 - Locations and dimensions of all existing and proposed parking spaces on the lot.

- Location and size of existing utilities and proposed location of utilities.
 - Location of existing fire hydrants.
 - Detailed floor plans of the principal dwelling and accessory dwellings with labels on rooms indicating uses or square footage of the dwellings and the entrances for the dwellings.
 - Elevations of all dwellings, and other structures viewed from all sides indicating heights of structures, and color of all materials.
2. Within thirty (30) days of the receipt of an application to the Zoning Administrator, the Planning Commission shall hold a public hearing to receive public input regarding the application. The legal notice of such public hearing shall be published according to State statutes, and shall be posted on the City's official website and the Utah Public Notice website
 3. The applicant is also required to provide a list of property owners within a 300-foot radius of the exterior boundary of the proposed accessory dwelling property and a 600-foot distance on both sides of the street on which the residence is located. The City will use this list to send out a copy of the public notice for the accessory dwelling hearing to all property owners within ten (10) days of the public hearing.
 4. Approval of an Accessory Dwelling Unit Permit shall be in the form of a letter to the applicant, which, together with the approved submitted materials, shall constitute the Conditional Use Permit. After a conditional use permit has been granted, the applicant shall pay any fees established for the accessory dwelling unit and any extraordinary costs to the city not otherwise intended to be covered by the fee for the conditional use permit or the inspection fee. Once the fees have been paid the city shall issue an appropriate detached accessory dwelling unit, written approval letter to the owners/applicants.
 5. If the Planning Commission denies an Accessory Dwelling Unit Application, explicit and careful Findings of Fact shall be enumerated for the record as to why the reasonably anticipated detrimental impacts of a proposed Accessory Dwelling Unit could not be mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards.

1.30.020 Procedures for Revoking A Detached Accessory Dwelling Unit License or Conditional Use Permit. Approval of the detached accessory dwelling unit and the associated conditional use permit shall be revocable for the non-compliance with any of the provisions of this ordinance or any other ordinance of the city. The city shall notify the owner in writing of its intent to revoke the conditional use permit, and the reasons therefore, at least fourteen (14) days prior to the action being taken. The owner shall

have the opportunity to correct any problems that caused the notice of intent to revoke to be issued during said fourteen-day period and show proof of such correction to have the license remain in force. The owner shall have the right to appeal, in writing, any decision regarding the permit to the City Council. The City Council shall consider any appeal on a permit revocation within thirty (30) days of receipt of the appeal. In the event of an appeal the permit shall remain in effect until after the appeal is considered by the City Council.

1.30.025 Owners Not Occupying Residence for Prolonged Periods. The city recognizes that some residents and homeowners may not be able to occupy their residence for longer periods of time than the typical vacation or holidays. For instance, they may take a sabbatical or leave of absence, be temporarily relocated to a different job site, or otherwise be unable to occupy their homes on a temporary basis. In order to address the requirements under these circumstances, the following is a description of the procedures for continuing a Detached Accessory Dwelling Unit Conditional Use Permit under such conditions.

1. A detached accessory dwelling unit may be continued through the time that the owner is temporarily not living in the residence if the following conditions are met:
 - a. The owner(s) shall apply for a continuance of their accessory dwelling unit permit during their absence by notifying the City Treasurer of their intent in writing. They shall include in that request their anticipated length of absence and estimated return date, a forwarding address, phone number and email address where they may be contacted by the city if there are any problems (that address shall be updated as needed through the duration of the absence), and the names, phone numbers and email addresses of those who will act in their stead as the “surrogate” owners of the property in their absence.
 - b. The owners shall provide any information regarding changes in the use of the residence, i.e. any changes that are different from the conditional use permit that established the accessory dwelling unit.
2. If the owners of the residence elect to leave their home in the care of the residents that occupy the home as the second family living in the detached accessory dwelling unit; and if they choose not to lease the main part of the residence that the owners are temporarily vacating; then just one family will be living in the residence and there is no longer any need to have the residence licensed as a detached accessory dwelling unit. The license can then lapse while the owners are not living in the residence and the license may be re-established upon their return using the existing conditional use permit and by renewing the detached accessory dwelling unit license.
3. If the owners of the residence sell the residence, return from the location

that caused their temporary absence and do not occupy the residence upon their return, or otherwise show an intent to not return to the residence within forty (40) months, the status of the residence with a detached accessory dwelling unit and the related permit shall be terminated by the Planning Commission.