



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

TUESDAY, NOVEMBER 7, 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 Sallee Orr, Brent Strate, and Susan Stewart

COUNCIL MEMBERS EXCUSED

Mike Howard and Jeanette Smyth

STAFF MEMBERS PRESENT

City Manager Matt Dixon, Assistant City Manager Doug Gailey, Parks and Public Works Director Jon Andersen, Planner Mark Vlasic, Communications and Events Specialist Jamie Healy, and Recorder Leesa Kapetanov

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/CC231107_1805.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 Stewart so moved, followed by a second from Council Member Orr. Council Members Stewart and Orr voted aye.

Note: Council Member Strate was not present for the vote. He joined the meeting at 5:12 pm.

II. REVIEW OF AGENDA

- Council Member Orr asked a question about the Compass Minerals agreement
00:00:10

III. DISCUSSION ITEMS

A. Review of ADU Ordinance

- City Planner Mark Vlasic made a visual presentation concerning ADUs (see Attachment A).
00:02:52

B. Dog Park

Public Works Director Jon Andersen explained the dog park would be open until December 1, weather permitting, and signs would be put up explaining the policy. The dates and signs would also apply to the tennis and pickle ball courts. They would all re-open on April 1, 2024.
00:51:44

- Discussion on paving the parking lot at the dog park
00:52:22

IV. ADJOURN

- At 5:58 pm, Mayor Porter called for a motion to adjourn the work session

Council Member Stewart so moved, followed by a second from Council Member Orr. All present voted aye.
00:53:38

COUNCIL MEETING MINUTES

COUNCIL MEMBERS PRESENT

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

COUNCIL MEMBERS EXCUSED

Jeanette Smyth

STAFF MEMBERS PRESENT

City Manager Matt Dixon, Assistant City Manager Doug Gailey, Parks and Public Works Director Jon Andersen, Communications and Events Specialist Jamie Healy, and Recorder Leesa Kapetanov

MEMBERS OF THE PUBLIC PRESENT

Celecia Peterson, Colton Peterson, Wyatt Peterson, Julee Brown, Doug Stephens, Christopher Pruess, Susan Roane, Henry Roane

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/CC231107_1903.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 Stewart so moved. The motion was seconded by Council Member Orr. In a voice vote Council Members Orr, Strate, and Stewart all voted aye.

Note: Council Member Howard was not present for this vote. He joined the meeting at 6:06 pm.

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. PRESENTATION

- Mayor Porter presented the very first Spirit of South Ogden Award to Colton Peterson for shoveling snow in his neighborhood for those unable to do so

00:01:07

III. PUBLIC COMMENT

- Christopher Pruess 00:04:15 Commented on a fiber optic box in his yard

IV. RESPONSE TO PUBLIC COMMENT

- City Manager Dixon responded to Mr. Pruess' comments
00:07:40
- The mayor asked and was told there had been no online public comments
00:10:24

V. CONSENT AGENDA

A. Approval of October 17, 2023 Council Minutes

- The mayor asked if there were any corrections or comments for the minutes. No one responded. He then called for a motion to approve the consent agenda.

00:10:35

Council Member Howard so moved. The motion was seconded by Council Member Stewart. Council Members Howard and Stewart voted aye. Council Members Strate and Orr abstained as they had not been present at the meeting the minutes covered.

VI. DISCUSSION/ACTION ITEMS

A. Consideration of Ordinance 23-20 – Amending South Ogden City Code Title 8 Chapter 5 Concerning Flood Damage Prevention to Bring It In Compliance With FEMA Requirements

- Overview by Public Works Director Jon Andersen
00:11:17
- Questions/Discussion There was no discussion on this item.
- Mayor Porter called for a motion to adopt Ordinance 23-20
00:13:43

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

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

Ordinance 23-20 was adopted.

B. Consideration of Resolution 23-42 – Approving an Agreement with Compass Minerals for Road Salt

- Staff overview

00:14:04

- There was no discussion on this item
- The mayor called for a motion to approve Resolution 23-42

00:15:28

Council Member Howard so moved. Council Member Strate seconded the motion. After determining there was no further discussion, the mayor called the vote:

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

The agreement with Compass Minerals was approved.

C. Consideration of Resolution 23-43 – Ratifying Completed Work and Approving an Agreement with Royal Plumbing and Heat for HVAC Replacement at Station 82

- Staff overview by Public Works Director Jon Andersen

00:15:47

- Questions/Discussion 00:17:33
- Mayor Porter called for a motion to approve Resolution 23-43

00:18:37

Council Member Howard so moved, followed by a second from Council Member Orr. There was no further discussion. The mayor made a roll call vote:

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

Resolution 23-43 was adopted.

D. Consideration of Cancelling November 21, 2023 Council Meeting Due to Thanksgiving Holiday

- Mayor Porter reminded those present that November 21 was Election Day as well as close to Thanksgiving. After discussion, it was the consensus of the Council that the November 21, 2023 Council Meeting should be cancelled.

00:18:53

VII. REPORTS/DIRECTION TO CITY MANAGER

A. City Council Members

- Council Member Howard- 00:19:53
- Council Member Orr- 00:21:07

Council Member Orr requested that noise from the pickle ball courts be placed on the agenda for discussion.

- Council Member Stewart- 00:23:32
- Council Member Strate- 00:24:45

B. City Manager- 00:26:00

C. Mayor- 00:31:00

- City Manager Dixon additional comments
00:33:21

VI. ADJOURN

- At 6:39 pm, the mayor called for a motion to adjourn.
00:34:43

Council Member Strate so moved. Council Member Howard seconded the motion. All present voted aye.

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, November 7, 2023.


Leesa Kapetanov, City Recorder

December 5, 2023
Date Approved by the City Council

Attachment A

Visual Presentation by Planner Mark Vlasic



SOUTH OGDEN ACCESSORY DWELLING UNIT ORDINANCE REVISIONS

City Council Work Session
7 November 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.

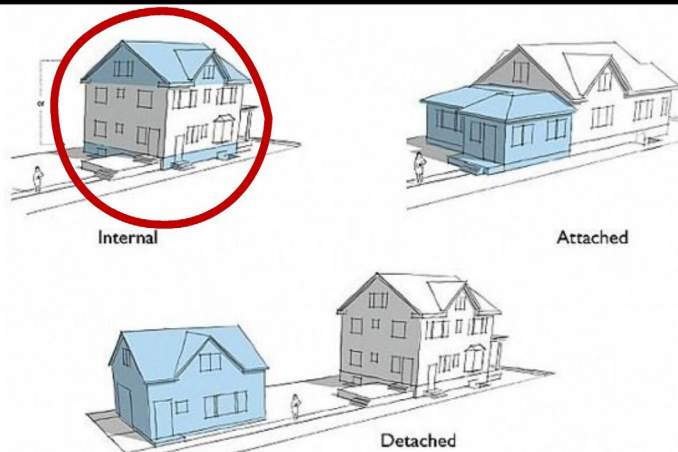
ACCESSORY DWELLING UNITS (ADU)

Accessory dwelling units (ADUs) are small residential units that can be added to existing properties. The small size and location on existing properties make ADUs an attractive affordable housing

ADUs typically rent for hundreds of dollars less than apartments, and can be a good fit in lower-density residential neighborhoods with only limited impacts.

THE 3 TYPES OF ADUs

ONLY INTERNAL ADUs
(IADUs) ARE CURRENTLY
PERMITTED IN SOUTH
OGDEN



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 Internal ADU – In Basement AND Detached/Located in Rear Yard (Converted Garage)

NOTE: Proposed code changes permit only one ADU on a single residential lot

PROS & CONS OF ADUS

PROS

Versatile Space & Form

ADUs may be located internally within the primary residence, attached to it, or detached as a stand-alone unit on the same lot

Value

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

Income

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

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 can be a considerable cost

Disruption

An ADU will affect the homeowners' daily life

UTAH ADU REGULATIONS

- Recent state legislation (2023) mandates that all Internal ADUs shall be permitted uses in all municipalities and counties
- The legislation removes IADU restrictions on unit size, lot size, street frontage requirements and internal
- Municipalities maintain some control regarding design, parking requirements, utilities, safety and occupancy requirements of IADUs

HOW OTHER MUNICIPALITIES ARE DEALING WITH ADUS

- Staff previously reviewed ADU ordinances from 25 other Utah communities. A more detailed assessment of ADU trends has since been undertaken, with the following findings:
 - Many communities consider ADUs low-impact opportunities that can help meet affordable housing targets
 - The general trend is to “go beyond” state statutes to include attached and detached ADUS
 - Most communities have removed all ADUs as a conditional use
 - A common concern is the maximum size of detached ADUs
 - Dealing with “grandfathered” ADUs and building code compliance are also concerns
 - Some communities with good transit and bus service have eliminated or reduced ADU parking requirements, floor area limits, and others are considering eliminating owner-occupancy mandates to encourage more ADUs

4 EXAMPLES

- Recent and on-going ADU code modifications for four communities of comparable size have been specifically reviewed, each of which have also considered 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 ADUs 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

- **Does not specify the type of ADU that is permitted**
 - internal, attached and detached ADUs are treated equally
- **Requirements are simple and easy to understand**
- **Permit the largest ADUs of those investigated (up to 1,500 SF), as long as planning 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 primary residence, up to a maximum gross floor 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.

COMPARISON OF EXISTING AND PROPOSED SOUTH OGDEN ADU ORDINANCE

CURRENT ADU CODE

Permits Internal Accessory Dwelling Units (ADUs)

- Not permitted on lots under 6,000 square feet.
- Limits the IADU to the footprint of the primary residence at the time of application.
 - Additions to accommodate an IADU are not allowed

PROPOSED REVISIONS

Permits Internal Accessory Dwelling Units (ADUs)

- No minimum lot size for internal ADUs if all applicable zoning and permitting requirements are met.
- No maximum size for internal ADUs if all applicable planning, zoning and permitting requirements are met.
- Internal ADU additions must meet the setback and height requirements of the primary building.

COMPARISON OF EXISTING AND PROPOSED SOUTH OGDEN ADU ORDINANCE

CURRENT ADU CODE

Attached ADUs not permitted



PROPOSED ADU CODE REVISIONS

Permits Attached ADUs

- No minimum lot size if all applicable zoning and permitting requirements are met.
- No maximum size for attached ADUs if all applicable planning, zoning and permitting requirements are met.
- Must meet setback and height requirements of the primary building.

COMPARISON OF EXISTING AND PROPOSED SOUTH OGDEN ADU ORDINANCE

CURRENT ADU CODE

Detached ADUs not permitted



PROPOSED ADU CODE REVISIONS

Permits Detached ADUs

- Residential lots greater than 10,000 square feet.
- Unit may not exceed 1,200 square feet.
- Must meet setback and height requirements of garages and other accessory buildings permitted in the specific zone.

COMPARISON OF EXISTING AND PROPOSED SOUTH OGDEN ADU ORDINANCE

CURRENT ADU CODE

- Only permitted in residential areas
- Only one ADU within each single-family dwelling
- Must be occupied by the owner of the property except for temporary bona-fide absences
- Must be clearly incidental to the primary dwelling
- Must have the same address as the main structure. No allowance for a unit number indicated.
- May not be used as a short-term rental.
- Must provide at least one off-street parking space in addition to required parking for the primary residence.

PROPOSED ADU CODE REVISIONS

- Only in residential areas of the city
- Only one ADU on a single lot
- Must be occupied by the owner of the property except for temporary bona-fide absences
- Must be clearly incidental to the primary dwelling
- Must have the same address as the main structure. May designate ADU with a unit number.
- May not be used as a short-term rental.
- Must provide at least one off-street parking space in addition to required parking for the primary residence.

COMPARISON OF EXISTING AND PROPOSED SOUTH OGDEN ADU ORDINANCE

CURRENT ADU CODE

- Only one meter per utility service under property owner's name.
- Constructed according to applicable building codes.
- Must include a kitchen and bathroom separate from those of the main dwelling.
- Building permit per code requirements.
- Rental Dwelling Business License required when renting unit for monetary compensation.
- May be inspected when building, fire, and health complaints are lodged.
- Inspections and approvals by the City Building Inspector are not specified.
- Must secure a Certificate of Occupancy.

PROPOSED ADU CODE REVISIONS

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- Constructed according to applicable building codes.
- Must include a kitchen and bathroom separate from those of the main dwelling.
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- Requires inspections and approvals by the City Building Inspector.
- Must secure a Certificate of Occupancy.

COMPARISON OF EXISTING AND PROPOSED SOUTH OGDEN ADU ORDINANCE

CURRENT ADU CODE

- No ADU existing prior to adoption of the ordinance may be "grandfathered" or considered legal solely because they were previously used as such.
- ADU ownership shall not be separated from the principal dwelling.
- Decision can be appealed to the Appeal Authority.
- Record of ADU is not required to be filed with Weber County

PROPOSED ADU CODE REVISIONS

- No ADU existing prior to adoption of the ordinance may be "grandfathered" or considered legal solely because they were previously used as such
- ADU ownership shall not be separated from the principal dwelling.
- Decision can be appealed to the Appeal Authority.
- ADU must be recorded with Weber County.

WHERE WILL ADUS BE ALLOWED?

