

ORDINANCE 2020-07

AN ORDINANCE OF NORTH OGDEN CITY AMENDING THE ZONING ORDINANCE OF NORTH OGDEN CITY TO ADJUST THE SETBACK STANDARDS FOR ACCESSORY BUILDINGS IN RESIDENTIAL ZONES

- WHEREAS;** There are accessory building setback standards in residential zones; and
- WHEREAS;** The accessory building setback standards vary between the RE-20 zone and the R-1 and RCC zones; and
- WHEREAS;** The current accessory building setback standards have two thresholds based upon whether an accessory building is a large accessory building; and
- WHEREAS;** The standards are in place in order to provide a reasonable setback from adjoining properties and maintain the reasonable use of property; and
- WHEREAS;** Accessory dwelling unit standards are unique from accessory building standards and have been modified to reflect those differences; and
- WHEREAS;** The General Plan goals support the reasonable use of property while maintaining high quality design standards; and
- WHEREAS;** The North Ogden City Planning Commission has reviewed these standards and conducted a public hearing on the amendment and recommends adoption of this amendment.

NOW THEREFORE, BE IT ORDAINED by the North Ogden City Council that the North Ogden City zoning ordinance 11-2 Definitions, 11-7A-4 section F, 11-7B-4 section F, 11-7J-4 section E, 11-9-8 section E. Accessory Building Standards, 11-10-31 Standards For Accessory Buildings In Residential Zones, 11-10-34-section O subsection 5: Accessory Dwelling Units, Development Standards for ADU's are amended.

SECTION 1: Text to be amended:

11-2 DEFINITIONS

ARCHITECTURAL METAL: A paneled metal sheet building exterior that is not part of a prefabricated building; does not have a specific coating; consists of all new materials.

11-7A-4: SITE DEVELOPMENT STANDARDS RE-20 Zone

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| F. Accessory building regulations (in feet) (see also CCNO 11-10-31) | |
| 1. Accessory building height | 15 |
| a. Accessory building setback | |
| (1) Accessory building | |
| (A) Interior lot | 3 |
| (B) Corner lot (non-street side) | 3 |
| (C) Corner lot (street side) | 20 |
| (2) Large accessory building | |
| (A) Interior lot | |
| Height Maximum in Feet | Setback Minimum in Feet. |
| 15-17 | 6 |
| 18-19 | 8 |

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| 20-25 | 12 |
| (B) Corner lot (non-street side) | 20 |
| (C) Corner lot (street side) | 20 |
| 2. There shall be provided a minimum spacing between main and accessory; and between accessory buildings of at least | 6 |
| 3. Rear yard coverage by accessory buildings shall not exceed the following | 25% |
| a. On lots less than an acre the minimum rear yard area calculation is based upon the minimum lot width x the rear yard setback and not the actual rear yard dimensions | |
| 4. Building size | |
| a. Maximum size on lots or parcels less than one acre or adjacent to any R-1 zone | 1,500 square feet |
| b. Maximum size on lots or parcels greater than one acre | |
| 1-2 Acres | 2,000 |
| 2-3 Acres | 2,250 |
| 3-4 Acres | 2,500 |
| 4-5 Acres | 2,750 |
| 5+ Acres | 3,000 square feet |
| c. On lots adjacent to any R-1 zone, the accessory building width or length cannot exceed 40% of the total length of the side lot lines or 40% of the rear lot line when those lot lines are within 50 feet of the accessory building. | |
| 5. Building Separation: Large Accessory Building to be 60 feet from any neighboring dwelling on any adjoining parcel | |
| a. If the large accessory building is larger than 2,000 square feet the building setback from rear or side property lines | 30 |
| 6. Building Design and Materials See 11-10-31 | |

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| 7. Nonconforming. If an accessory building setbacks become nonconforming due to a subdivision of the existing lot; the accessory building must be brought into conformity. | |
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11-7B-4: SITE DEVELOPMENT STANDARDS, R-1-12.5, R-1-10, R-1-8, R-1-8(A), R-1-8(AG)
Sections A – E to remain the same. The table under subsection 1 and 3 are combined into one cell.

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| F. Accessory building regulations (in feet) (see also CCNO 11-10-31) | |
| 1. Accessory building height | |
| a. Accessory building setback | |
| (1) Accessory/Large building | |
| (A) Interior lot & Corner lot (non-street side) | |
| Height Maximum in Feet | Setback Minimum in Feet |
| 10 | 3 |
| 11-15 | 8 |
| 15-20 | 15 |
| The ridge or highest point of the roof of an accessory building may be erected to a height no greater than the lesser of: 1. Twenty feet (20'); 2. Eighty percent (80%) of the highest point of the roof of the main residential building, except where the ridge or highest point of the roof of the main residential building is sixteen feet (16') or less the ridge or highest point of the roof of the accessory building may not exceed twelve and one-half feet (12'6"); or 3. For a metal accessory building, twelve and one-half feet (12'6"). | |
| (B) Corner lot (street side) | 20 |
| 2. There shall be provided a minimum spacing between main and accessory buildings of at least | 6 |
| 3. Rear yard coverage by accessory buildings shall not exceed the following | 25% |
| 4. Building Size | |
| a. Maximum Size | One half the square footage of the main |

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| | building main floor to a maximum of 1,000 square feet. The main floor size shall be the main floor living space plus 400 square feet. |
| 5. Building Separation: Large accessory building to be 60 feet from any neighboring dwelling on any adjoining parcel | |
| 6. Maximum Number of Large Accessory Buildings Per Lot | 1 |
| 7. Building Design and Materials See 11-10-31 | |

11-7J-4: SITE DEVELOPMENT STANDARDS, RESIDENTIAL CITY CENTER ZONE RCC
Sections A – D to remain the same. The table under subsection 1 and 3 are combined into one cell.

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| E. Accessory building regulations (in feet) (see also CCNO 11-10-31) | |
| 1. Accessory building height | |
| a. Accessory building setback | |
| (1) Accessory/Large building | |
| (A) Interior lot & Corner lot (non-street side) | |
| Height Maximum in Feet | Setback Minimum in Feet |
| 10 | 3 |
| 11-15 | 8 |
| The ridge or highest point of the roof of an accessory building may be erected to a height no greater than the lesser of: 1. Fifteen feet (15'); 2. For a metal accessory building, twelve and one-half feet (12'6"). | |
| (B) Corner lot (street side) | 20 |
| 2. There shall be provided a minimum spacing between main and accessory buildings of at least | 6 |
| 3. Rear yard coverage by accessory buildings shall not exceed the following | 25% |
| 4. Building Size | |
| a. Maximum Size | One half the square footage of the main building main floor to a maximum of 1,000 square feet. The main floor size shall be the main floor living space plus 400 square feet. |
| 5. Building Separation: Large accessory building to be 60 feet from any neighboring dwelling on any adjoining parcel | |
| 6. Maximum Number of Large Accessory | 1 |

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| Buildings Per Lot | |
| 7. Building Design and Materials See 11-10-31 | |

11-9-8: SITE DEVELOPMENT STANDARDS, HP-1, HP-2, HP-3 Sections A-D to remain the same. The following table is deleted with a new insert.

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| E. Accessory building regulations (in feet) (see also CCNO 11-10-31) | | | | |
| | 1. Accessory Building Smaller than 600 square feet rear and interior side yard setback | 3 | 3 | 3 |
| | 2. Large accessory building greater than 600 square feet: | | | |
| | a. interior lot rear and side yard setback: | 15 | 15 | 15 |
| | b. Corner lot (non-street side) | 15 | 15 | 15 |
| | c. Corner lot (street side) | 20 | 20 | 20 |
| F. There shall be provided a minimum of 6 feet of spacing between main and accessory buildings. | | | | |
| G. In the HP-1 and HP-2 zoning districts, no accessory building shall be greater than 1 story (15 feet) nor more than 25 percent of the footprint square footage of the main building. In the HP-3 zoning district, no accessory building shall be greater than 1 story (15 feet) nor have a footprint larger than the house. No accessory buildings are permitted without a single-family residence or main building. | | | | |
| E. Accessory building regulations (in feet) (see also CCNO 11-10-31) | | | | |
| | 1. Building Separation: Large accessory building to be 60 feet from any neighboring dwelling on any adjoining parcel | | | |
| | 2. Maximum Number of Large Accessory Buildings Per Lot | 1 | | |
| | 3. Building Design and Materials See 11- | | | |

11-10-31: STANDARDS FOR ACCESSORY BUILDINGS IN RESIDENTIAL ZONES

A. Design and Materials: The original design of the building must have been to function as a typical accessory residential structure, such as a storage shed or carport, and not for some other use. Reuse of a metal structure originally designed or used for other purposes, such as shipping or cargo containers, is not allowed unless the exterior of the metal structure is made to be integrated into the design of the main residential building, with a similar residential exterior wall treatment and roofing material as the main building.

1. Metal accessory buildings two hundred (200) square feet or less are allowed in all residential zones.

In the R-1 and RCC zones, accessory buildings over 200 square feet finished with metal siding are not allowed.

In the RE-20 zone architectural metal and prefab metal buildings are allowed as accessory buildings.

2. In the R-1 and RCC zones accessory buildings may be constructed of horizontal siding, brick, stucco, wood, or similar material as the main building, etc.
3. All accessory buildings larger than 200 square feet must be integrated into the design of the residential building, with a similar residential exterior wall color.
 - a. Roofing materials including metal roofs shall have a similar color as the main building.
 - b. An eave proportionate to the main building is required with a minimum of 12 inches. Aluminum fascia and soffits are allowed.
 - c. Accessory buildings fronting onto a street must have a window(s) that occupy 5% of the façade of the building, or have a person door, or garage door with windows.
4. All accessory buildings shall have a buffer of either a fence or landscaping or a combination of the two.
5. Roof pitches shall be a minimum of a 4/12.

B. Location and Size:

1. No detached accessory building, other than trellises, shall be allowed between the front of the main residential building and the street.
2. A garage or carport attached to the main residential building is allowed between the front of the main residential building and the street if the front yard setback requirement for the zone is maintained and the garage or carport is integrated into the design of the residential building, with a similar residential exterior wall treatment, roof slope, and roofing material as the main building to which it is attached.

A detached garage or carport may be located in the side yard so long as it meets the side and front yard setbacks, is a minimum of 6 feet from the main building, and is integrated into the design of the residential building, with a similar residential exterior wall treatment and roofing material as the main building.

3. Metal accessory buildings must be located in the rear yard and shall not exceed two hundred (200) square feet.
 4. Nonmetal accessory regardless of size may be located in an interior side yard or rear yard provided they meet the required setbacks of the zone.
 5. On a corner lot, an attached or detached accessory building (with or without a roof) that is open on at least three (3) sides may extend into the side yard setback facing a street up to the minimum side yard setback for an interior lot in its respective zone. Such structures are limited to covered or uncovered decks, patios, gazebos, pergolas, and trellises. The finished floor elevation of these structures may not be higher than eighteen inches (18") above finish grade.
- C. Height: The building shall not exceed the maximum height allowed by other sections of the Zoning Ordinance.
- D. Prohibited Use: Accessory buildings shall not be used as living quarters. **Accessory Dwelling Units are not considered accessory buildings.**

11-10-34 O. 5: Accessory Dwelling Units, Development Standards for ADU's

- O. Development Standards: for ADU's
1. The total area of the ADU shall be less than fifty percent (50%) of the total square footage of the primary residence for an attached accessory dwelling unit. The total area of the ADU shall be less than forty percent (40%) of the total square footage of the primary residence for a detached accessory dwelling.
 2. ADUs shall not be located in a front or corner lot side yard and shall meet the same setbacks as required for the primary residence in the zone.
 3. Appearance. The architectural design, color pallet, and materials for an ADU shall be similar to the primary dwelling unit.
 4. ADUs and the primary dwelling must be on the same parcel and may not be subdivided.
 5. The height of an attached ADU may be equal to the main building maximum height. A detached ADU may have a maximum height of 25 feet.
 6. Location: Accessory dwelling units may be allowed as long as the zoning requirements for properties in a single-family neighborhood are met. The ADU shall not be within the building front, rear, or side yard setbacks for the zoning district in which the dwelling lot is located. In addition the following standards apply:
 - a. All accessory dwelling units are allowed over the garage, provided the parking within the garage is not converted, or
 - b. Attached accessory dwelling units are allowed:
 - i. Inside the primary residential dwelling through an internal conversion of the housing unit as an addition or in the basement.
 - ii. By an addition to the house, containing an internal connection between dwelling units provided that the addition will not alter the single-family character of the building
 - c. Detached accessory dwelling units are allowed:
 - i. Over a detached garage.
 - ii. Only in the rear yard.
 - iii. On lots having a minimum area of 20,000 square feet.
 - iv. Shall have a minimum separation from the primary dwelling of 15 feet.
 - v. Subject to 11-7A-4, 11-7B-4, and 11-7J-4 Site Development Standards.

SECTION 2: This ordinance shall take effect upon adoption.

PASSED and ADOPTED this 28th day of April 2020.

North Ogden City:



S. Neal Berube
North Ogden City Mayor

CITY COUNCIL VOTE AS RECORDED:

| | Aye | Nay |
|--|----------|-----|
| Council Member Barker: | <u>X</u> | — |
| Council Member Covering: | <u>X</u> | — |
| Council Member Ekstrom: | <u>X</u> | — |
| Council Member Stoker: | <u>X</u> | — |
| Council Member Swanson: | <u>X</u> | — |
| (In event of a tie vote of the Council): | | |
| Mayor Berube | — | — |

ATTEST:




S. Annette Spendlove, MMC
City Recorder