



# NORTH OGDEN CITY

SETTLED 1851

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## Staff Report to the North Ogden Planning Commission

### SYNOPSIS / APPLICATION INFORMATION

Application Request: Public hearing, consideration, and recommendation on a legislative amendment to consider amending North Ogden Code Title 11-9M-8, D, 4 Accessory Buildings to remove the required 4/12 roof pitch for accessory buildings over two hundred (200) square feet in floor area.

Agenda Date: April 23, 2024, City Council  
April 3, 2024, Planning Commission

Applicant: Rick Scadden

File Number: ZTA 2024-05

### PUBLIC NOTICE:

Mailed Notice:  
Newspaper:  
City Website: March 21, 2024

### STAFF INFORMATION

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### APPLICABLE ORDINANCES

11-9M-8, D, 4 Accessory Buildings

### LEGISLATIVE DECISION

When the City is considering a legislative matter, the Planning Commission is acting as a recommending body to the City Council. The City has wide discretion in taking legislative action. Examples of legislative actions are general plan, zoning map, and land use text amendments. Legislative actions require that the Planning Commission give a recommendation to the City Council. Typically, the criteria for making a decision, related to a legislative matter, require compatibility with the general plan and existing codes.

### BACKGROUND

Rick Scadden applied for a Building Permit for an accessory building pool house. The Planning Department approved the design plans provided with the permit that included the 4/12 roof pitch standard. The City became aware that the accessory building design was changed during an inspection after the construction of the building had begun. The revised plans had not been submitted to the city for reapproval before construction began. The current ordinance, 11-9M-8, D, 4 states that accessory buildings over two hundred (200) square feet in floor area shall have a minimum 4/12 roof pitch. The applicant has applied to amend the ordinance and remove the roof pitch requirement.

### ANALYSIS

The North Ogden City Code for accessory buildings has the purpose and intent to allow for the

construction of accessory buildings and ensure that accessory buildings are designed and built to minimize their impacts on neighboring properties. This includes the design and materials relating to the construction of accessory buildings to integrate a similar design to the main residential building.

Staff's opinion is that the city's current design and material requirements for accessory buildings meet the purpose and intent of the ordinance to minimize their impacts on neighboring properties. However, the Building Code does provide standards on roof pitch design and materials that regulate the safety of buildings regarding snow load and wind speed standards. The City's goal of health and safety is not affected by the applicant's request to remove the accessory building roof pitch requirement.

#### **11-9M-8, D, 4**

~~4. Accessory buildings over two hundred (200) square feet in floor area shall have a minimum 4/12 roof pitch.~~

#### **CONFORMANCE WITH THE GENERAL PLAN**

The Vision for North Ogden in the General Plan reads: "North Ogden will continue to be a community of beautiful homes and friendly people that capitalizes on the impressive setting beneath the slopes of Ben Lomond peak. North Ogden will strive to:

- Assure that North Ogden remains a beautiful place to live, work, and recreate;
- Preserve the essential characteristics of a family-friendly community that assures an enduring legacy, small-town feel, and high quality of life in North Ogden.

Staff believes that the Planning Commission can find that removing the Code language is in conformance with the General Plan, but also that leaving the ordinance meets the intent of the General Plan. The Planning Commission should determine if removing the roof pitch standard for accessory buildings is in the City's best interest.

#### **SUMMARY OF LAND USE AUTHORITY CONSIDERATIONS**

There are some guiding principles that should be considered before there is a change in code standards.

- Is the request a positive change for the City?
- Is there additional language that is appropriate for this ordinance?
- Is the proposal consistent with the General Plan?

#### **RECOMMENDATION**

The Planning Commission recommended unanimously that the ordinance be approved. Staff recommends that the City Council conduct a review of and discussion regarding the proposed ordinance amendment and consider whether they believe the ordinance amendment should be adopted.

#### **EXHIBITS**

- A. Application