

# OGDEN VALLEY CITY

## ORDINANCE

2026-05

**AN ORDINANCE AMENDING ORDINANCE 2026-02 WHICH WAS ADOPTED PURSUANT TO SECTION 10-20-504 OF THE UTAH CODE ADOPTING A TEMPORARY LAND USE ORDINANCE IN ALL ZONES WITHIN THE CORPORATE LIMITS OF OGDEN VALLEY CITY, WEBER COUNTY, UTAH.**

WHEREAS, Ordinance 2026-02 was adopted by the City Council on January 3, 2026; and

WHEREAS, the City Council desires to make edits to the language to clarify the scope of the Moratorium while leaving the effective date of the moratorium on January 3, 2026; and

WHEREAS, the City Council adopts this Ordinance 2026-05 to restate and amend Ordinance 2026-02 as follows:

### **RESTATED AND AMENDED**

WHEREAS, Section 10-20-504 of the Utah Code Annotated, 1953, as amended, allows a municipality to enact an ordinance, establishing a temporary land use regulation for any part or all of the area within a municipality if the municipal legislative body makes a finding of compelling, countervailing public interest; and

WHEREAS, Ogden Valley City incorporated on January 2, 2026; and

WHEREAS, as a new municipality the City Council has not had an opportunity to adopt a General Plan or a land use code which has placed significant pressures on the ability of the City to adequately protect the health, safety and welfare of its citizens and to implement the General Plan; and

WHEREAS, the City Council finds that the City's ordinances, policies and procedures, which include, but are not necessarily limited to, the City's General Plan, zoning ordinance, subdivision ordinance, construction standards, street and traffic plan, water ordinances and policies, trails plan, storm water plan, and other similar documents and policies, need to be adopted in order to address the burgeoning growth that is now occurring and is expected to continue to occur; and

WHEREAS, the City Council finds that accepting development applications for subdivisions, and other large-scale residential developments in all locations within the City during the time that the City is in the process of adopting the General Plan and adopting such ordinances, policies and procedures will frustrate the comprehensive, long-range planning objectives that should characterize this process, and also may result in unfairly benefiting certain landowners while burdening others; and

WHEREAS, the City Council finds that there is a compelling, countervailing public interest in temporarily prohibiting subdivision and other large-scale residential development applications in all areas of the City while the General Plan and Land Use code are adopted; and

WHEREAS, the City Council finds that there is a compelling, countervailing public interest in temporarily prohibiting annexation applications while the General Plan and Land Use code are adopted; and

WHEREAS, this moratorium is not applicable to applications for building permits on lots that are within subdivisions that have received final approval, have a recorded plat, and that are subject to a Development Agreement that designates zoning, or to building permits on existing homes that do not alter the existing footprint of the home (i.e. internal renovations, etc.); and

WHEREAS, this moratorium does apply to any building permits that would add to the footprint of an existing home or building, or add a new outbuilding, as these permits involve set-backs that have yet to be established through the land-use code.

NOW THEREFORE, pursuant to Section 10-20-504, *et seq.* of the Utah Code Annotated 1953, as amended, and for the reasons stated above, the City Council of Ogden Valley City, Weber County, Utah, hereby adopts, passes and publishes the following:

BE IT ORDAINED, by the City Council of Ogden Valley City, Weber County, State of Utah:

*From the date of the adoption of this ordinance until the City Council has adopted an ordinance repealing it in whole or in part, or in six months from the date of adoption, whichever comes first, the following moratorium shall be in place and the following restrictions shall apply:*

***NEW SUBDIVISIONS:*** *No new applications for residential or commercial subdivisions shall be accepted, unless the subdivision application is submitted pursuant to an approved Development Agreement. This ordinance does not affect any development application determined by the County to be vested on or before January 2, 2026, the date of incorporation of the City.*

**ANNEXATION PETITIONS:** *Ogden Valley City will not accept for further consideration any petition for annexation filed during the period this temporary zoning ordinance is in effect.*

**BUILDING PERMITS FOR NEW HOMES OR BUILDINGS:** *No building permits for new homes or new buildings will be issued unless the building permit is for a new home or building on a lot that is within a subdivision that has received final approval, has a recorded plat, and that is subject to a Development Agreement that designates zoning. No other building permits for new homes or buildings will be issued.*

**BUILDING PERMITS FOR EXISTING BUILDINGS:** *This moratorium does apply to building permits that would increase the size of the footprint of an existing building or home, or that proposes to add a new outbuilding (shed, barn, etc.) to an existing lot, as these applications alter set-backs on the lot and will not be considered until the land-use code is adopted. Building permits needed to renovate, fix, or upgrade an existing building, that do not increase the footprint of the existing building, will be allowed.*

**CHANGES OF USE:** *This moratorium applies to conditional use permit applications. No conditional use permits of any kind shall be accepted. Applications for new Short-Term Rental units will be allowed but only in a zone where short-term rentals were allowed in the applicable County zone prior to the incorporation.*

**UTILITIES:** *Notwithstanding this temporary moratorium on new development, essential utility work within the public right-of-way may continue as necessary to maintain public health, safety, and welfare. This allowance includes installation, repair, replacement, and maintenance of existing utility infrastructure such as water, sewer, storm drainage, power, telecommunications, and other franchised or publicly regulated services. Such work shall comply with all applicable permitting, traffic control, and restoration requirements, and shall not be construed to authorize or advance any private development activity otherwise restricted under this moratorium.*

***VESTED APPLICATIONS:*** *This ordinance does not affect any application determined by Weber County to be vested on or before January 2, 2026.*

This ordinance shall be effective to immediately amend Ordinance 2026-02. To be clear, the moratorium start date was the date Ordinance 2026-02 was passed and this Ordinance does not alter the start date. A copy of this ordinance shall be posted at each of three (3) public places within the corporate limits of Ogden Valley and a summary published in accordance with state Code.

PASSED AND ADOPTED by the City Council of Ogden Valley City, Weber County, Utah, this \_\_\_\_\_, day of January, 2026.

	AYE	NAY
Councilmember Don Hickman	_____	_____
Councilmember Kay Hoogland	_____	_____
Councilmember Tia Shaw	_____	_____
Councilmember Peggy Dooling- Baker	_____	_____
Councilmember Chad Booth	_____	_____

APPROVED:

\_\_\_\_\_  
Mayor Janet Wampler

ATTEST:

APPROVED AS TO FORM:

\_\_\_\_\_  
Sharon Robbins, City Recorder

\_\_\_\_\_  
City Attorney

City Seal