



# Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

## Synopsis

### Application Information

<b>Application Request:</b>	Consideration and action on a request to amend the Weber County Land Use Code Title 104 (Zones) Chapter 11 (Commercial Valley Resort Recreation Zone - CVR-1) Section 4 (Conditional Uses) by adding brewpub and reception/banquet facilities as conditional uses. Weber County Land Use Code Title 101 (General Provisions) Section 101-7-7 (Definitions) is also being amended by adding a definition for brewpub.
<b>Type of Decision:</b>	Legislative
<b>Agenda Date:</b>	Tuesday, October 27, 2015
<b>Applicant:</b>	John Lewis
<b>File Number:</b>	ZTA 2015-05

### Staff Information

<b>Report Presenter:</b>	Jim Gentry jgentry@co.weber.ut.us (801) 399-8767
<b>Report Reviewer:</b>	SW

## Applicable Land Use Code

- Weber County Land Use Code Title 104 (Zones) Chapter 11 (Commercial Valley Resort Recreation Zone - CVR-1) Section 4 (Conditional Uses)
- Weber County Land Use Code Title 101 (General Provisions) Section 101-7-7 (Definitions)

## Background

The applicant is proposing to amend the Weber County Land Use Code Title 104 (Zones) Chapter 11 (Commercial Valley Resort Recreation Zone - CVR-1) Section 4 (Conditional Uses) by adding brewpub and reception/banquet facility as conditional uses. The CVR-1 Zone's purpose and intent is:

- To provide locations in the Ogden Valley and at major recreation resort areas, where service facilities and goods normally required by the public in the pursuit of general recreation activities can be obtained.
- In this role, even though the area is primarily commercial in nature, it should be compatible with the general surrounding natural environment. To this end, the general siting, and architectural design of buildings and structures, the layout of parking areas and landscaping shall be subject to review and recommendations by the public agencies, design review, and approval by the planning commission to ensure that the natural environment is preserved to the greatest possible extent.

A proposed change to the Weber County Land Use Code definition section (Sec. 101-1-7) defines a Brewpub as:

Brewpub means: "A restaurant that prepares handcrafted natural beer, ale, distilled spirits, etc. as an accessory use intended for consumption on the premises. Production capacity shall be limited to less than 5,000 barrels (one barrel equals 31 gallons) per year. The area used for brewing and/or bottling shall not exceed 30 percent of the total floor area of the restaurant's space. Wholesaling shall be permitted, but is limited to 30 percent of the total sales of the restaurant".

## Summary of Planning Commission Considerations

The CVR-1 Zone is intended to provide suitable areas that provide locations in the Ogden Valley and at major recreation resort areas, where service facilities and goods normally required by the public in the pursuit of general recreation activities can be obtained. The zone accommodates a range of other commercial activities that are of similar intensity, such as beer parlors and liquor stores, or conference/education centers and restaurants. These business types is also consistent with the zoning goal of providing a diversified employment base for the community while limiting traffic, noise, dust, fumes, orders, smoke, vapors, vibration, or waste disposal problems.

The Planning Commission should consider the following questions in making a recommendation to the County Commission:

- Are the proposed amendments consistent with other uses in the (Commercial Valley Resort Recreation) CVR-1 Zone?

- Are there any major detrimental effects that may come from approving this amendment?
- Should the draw to the area be Wolf Creek Resort or should the draw be a use within Wolf Creek Resort?

## Conformance to the General Plan

The Ogden Valley General Plan, as adopted in 1998, states that Weber County “supports the continued development of resort-related commercial areas” (OVGP, p.12).

## Conditions of Approval

Not Applicable

## Staff Recommendation

Staff recommends approval of the proposed amendment to add brewpub and reception/banquet facilities as conditional uses in the CVR-1 Zone and the new definition for a brewpub.

The recommendation is based on the following:

- The use is consistent with other uses within the CVR-1 Zone.
- The use is required to be part of a food establishment.
- The use is regulated by the state and federal government.

The Planning Commission’s decision should be made as a recommendation to the County Commission.

## Exhibits

Weber County Land Use Code Weber County Land Use Code Title 104 (Zones) Chapter 11 (Commercial Valley Resort Recreation CVR-1 Zone) Section 4 (Conditional Uses) is hereby amended as follows:

### Sec. 104-11-4. - Conditional uses.

The following uses shall be allowed only when authorized by a Conditional Use Permit obtained as provided in title 108, chapter 4 of this Land Use Code.

- (1) Beer parlor, sale of draft beer.
- (2) Bed and breakfast inn.
- (3) Bed and breakfast hotel.
- (4) Recreation lodge.
- (5) Dry cleaning pickup station.
- (6) Recreation resort complex.
- (7) Horse rentals (up to ten horses per acre, if stabled) horse feed store and haystack yard.
- (8) Indoor facilities for rental to clubs, private groups, parties and organizational groups for recreation activities, including dancing.
- (9) Liquor store.
- (10) Medical/dental office.
- (11) Outfitters base camp.
- (12) Pet grooming and supply store.
- (13) Public utility substations.
- (14) Real estate office.
- (15) Ski equipment, snowmobile, boat, and bicycle rentals.
- (16) Outdoor skating rink (ice or roller).
- (17) Skateboarding course.
- (18) Snowmobile and Nordic ski trails.
- (19) Equestrian trails.
- (20) Public parks.

- (21) Golf courses, including miniature golf as part of a recreation resort.
- (22) Conference/education center.
- (23) Condominium rental apartment, including lockout rooms.
- (24) Gazebo, pavilion.
- (25) Time share condominiums including lockout rooms.
- (26) Travel agency.
- (27) Planned residential unit development (PRUD) as part of a recreation resort complex subdivision, where part of a PRUD in a recreation resort complex.
- (28) Dwelling unit as part of a commercial building for proprietor or employee who also serves as a night watchman provided that an additional 3,000 square feet of landscaped area is provided for the residential use.
- (29) Residential property rental and management agency for recreation resort complexes.
- (30) Off road vehicle and recreation equipment sales and service, and rental.
- (31) Service stations.
- (32) Ski resort and ski schools.
- (33) Hotel/motel including lockout rooms.
- (34) Restaurants, including those with drive-up windows.
- (35) Accessory uses to the above listed.
- (36) Brewpub
- (37) Reception/Banquet facilities

Weber County Land Use Code Title 101 (General Provisions) Chapter 7 (Definitions) is hereby amended as follows:

**Sec. 101-1-7. - Definitions.**

Brewpub means: "a restaurant that prepares handcrafted natural beer, ale, distilled spirits, etc. as an accessory use intended for consumption on the premises. Production capacity shall be limited to less than 5,000 barrels (one barrel equals 31 gallons) per year. The area used for brewing and/or bottling shall not exceed 30 percent of the total floor area of the restaurant's space. Wholesaling shall be permitted, but is limited to 30 percent of the total sales of the restaurant".