

ORDINANCE NUMBER 2019-4

**AN ORDINANCE AMENDING THE WEBER COUNTY LAND USE CODE TO ALLOW "LOT AVERAGING" IN THE A-3 AGRICULTURAL ZONE.**

**WHEREAS**, the Board of Weber County Commissioners (herein "Board") has heretofore adopted land use regulations regarding the subdivision of land; and

**WHEREAS**, the Board has determined that certain provisions in these regulations should include more flexible lot standards in the A-3 zone; and

**WHEREAS**, the Board is desirous to modify these regulations to offer more flexible standards for subdivision lots while not increasing an area's overall density; and

**WHEREAS**, after public hearing on January 22, 2019, the Ogden Valley Planning Commission offered the Board a positive recommendation for the attached ordinance amendments.

**WHEREAS**, after public hearing on January 8, 2019, and additional discussion on February 12, 2019, the Western Weber Planning Commission offered the Board a positive recommendation for the attached ordinance amendments.

**WHEREAS**, the Board finds that the amendments found herein are not contrary to the general plans; and

**WHEREAS**, the Board finds that the amendments found herein will better achieve the desired outcomes for flexible lot standards, and promote the general public welfare.

**NOW THEREFORE**, the Board hereby adopts the modifications below and incorporates them into the Weber County Land Use Code

**See Exhibit A (Clean Copy) and Exhibit B (Track Changes)**

This ordinance shall become effective fifteen (15) days after publication.

Passed, adopted, and ordered published this 12<sup>th</sup> day of March, 2019, by the Weber County Board of Commissioners.

BOARD OF WEBER COUNTY COMMISSIONERS

By Scott K. Jenkins,  
Scott K. Jenkins, Chair

Commissioner Jenkins voted: aye  
Commissioner Harvey voted: aye  
Commissioner Froerer voted: aye

ATTEST:

Ricky Hatch  
Ricky Hatch, CPA  
Weber County Clerk/Auditor

1 **Title 106 - SUBDIVISIONS**

2 ...

3 **CHAPTER 2. – SUBDIVISION STANDARDS**

4 ...

5 **Sec. 106-2-4. - Lots.**

6 (a) The lot arrangement and design shall be such that lots will provide satisfactory and desirable sites  
7 for buildings, and be properly related to topography and to existing and probable future  
8 requirements.

9 (b) All lots shown on the subdivision plat must conform to the minimum area and width requirements of  
10 the Land Use Code for the zone in which the subdivision is located, except:

11 (1) *Variance.* When otherwise permitted by the granting of a variance by the board of adjustment as  
12 authorized by the Land Use Code;

13 (2) *Cluster subdivision.* When in accordance with the cluster subdivision provisions of the Land Use  
14 Code;

15 (3) *Septic system and wellhead protection.* As required by the county health officer as being the  
16 minimum area necessary for septic tank disposal and water well protection if greater than the  
17 above area requirements;

18 (4) *Restricted lots and lots with designated building area.* For "restricted lots" and lots with a  
19 designated "building area", the minimum area and width requirements shall be increased in  
20 accordance with the slope density tables contained in the Land Use Code;

21 (5) *Lot averaging.* In the A-1, A-2, and A-3 zones, flexible lot area and width standards shall be  
22 allowed in accordance with the following provisions:

23 a. The minimum lot area allowed in the A-1 and A-2 zones shall be 20,000 square feet. The  
24 minimum lot area in the A-3 zone shall be 40,000 square feet.

25 b. The minimum lot width allowed in the A-1 and A-2 zones shall be 80 feet. The minimum lot  
26 width allowed in the A-3 zone shall be 100 feet.

27 c. The average area of lots within any zone in the subdivision shall equal or exceed the  
28 minimum lot area for the zone.

29 d. The average width of lots within any zone in the subdivision shall equal or exceed the  
30 minimum lot width for the zone.

31 e. A table shall be provided on the final subdivision plat showing the area and width of each  
32 lot within the overall subdivision boundary, the average area and width of all lots within the  
33 overall subdivision boundary, and the average area and width of all lots within each zone in  
34 the subdivision.

35 f. A subtitle shall be displayed on the final subdivision plat that reads "A Lot-Averaged  
36 Subdivision."

37 g. A note shall be placed on the final subdivision plat that reads "for each zone in this  
38 subdivision, the average area and average width of lots within the zone equal or exceed  
39 the minimum area and minimum width allowed in the zone. An amendment to any part of  
40 this subdivision shall comply with Section 106-2-4(b) of the Weber County Code."

41 ...

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3 CHAPTER 2. – SUBDIVISION STANDARDS

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7 for buildings, and be properly related to topography and to existing and probable future  
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9 (b) All lots shown on the subdivision plat must conform to the minimum area and width requirements of  
10 the Land Use Code for the zone in which the subdivision is located, except:

11 (1) Variance. When otherwise permitted by the granting of a variance by the board of adjustment as  
12 authorized by the Land Use Code;

13 (2) Cluster subdivision. When in accordance with the cluster subdivision provisions of the Land Use  
14 Code;

15 (3) Septic system and wellhead protection. As required by the county health officer as being the  
16 minimum area necessary for septic tank disposal and water well protection if greater than the  
17 above area requirements;

18 (4) Restricted lots and lots with designated building area. For "restricted lots" and lots with a  
19 designated "building area", the minimum area and width requirements shall be increased in  
20 accordance with the slope density tables contained in the Land Use Code;

21 (5) Lot averaging. In the A-1, ~~and A-2, and A-3~~ zones, ~~the following~~ flexible lot area and width  
22 standards shall be allowed in accordance with the following provisions: provided when there is  
23 sufficient diversity of lot sizes and widths within the overall subdivision boundary, and that the  
24 base density, as defined in Section 101-1-7, of the overall subdivision is not increased:

25 a. The Mminimum lot area:- allowed in the A-1 and A-2 zones shall be 20,000 square feet.  
26 The minimum lot area in the A-3 zone shall be 40,000 square feet.

27 b. The Mminimum lot width:- allowed in the A-1 and A-2 zones shall be 80 feet. The minimum  
28 lot width allowed in the A-3 zone shall be 100 feet.

29 c. The average area of lots within any zone in the subdivision shall equal or exceed the  
30 minimum lot area for the zone.

31 d. The average width of lots within any zone in the subdivision shall equal or exceed the  
32 minimum lot width for the zone.

33 e. A table shall be provided on the final subdivision plat showing the area and width of each  
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38 Subdivision."

39 g. A note shall be placed on the final subdivision plat that reads "for each zone in this  
40 subdivision, the average area and average width of lots within the zone equal or exceed  
41 the minimum area and minimum width allowed in the zone. An amendment to any part of  
42 this subdivision shall comply with Section 106-2-4(b) of the Weber County Code."

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