**SUPPLEMENT TO CONDITIONAL USE APPLICATION/ NICOLOSI RESIDENCE/PARTIAL USE BY THE CENTER FOR ECOLOGICAL DESIGN/** **2257 N River View Rd Huntsville UT 84317 ("Property")**

**3. Compliance with Section 108-4-5**

Our proposal complies with the applicable standards of section 108-4-5.

* “The land use authority may apply conditions of approval related to any of the standards of this section, provided that credible evidence exists that:
	+ The application of the standard is relevant to the use; and
	+ The conditions are reasonable and necessary to substantially mitigate detrimental effects of the use as specified in the standard.
* The land use authority shall consider the expertise and experience of applicable reviewers and qualified professionals to help determine credible evidence, relevant standards, and reasonable conditions.
* Conditional use standards are as follows:
	+ *Standards relating to safety for persons and property.*
		- Mitigate injury, loss of life, property damage, or other disproportionate demand for services on applicable fire fighting agencies.” We will not use recreational outdoor fire pits or fireworks for any purposes. All tools which produce a spark (e.g. welders) will be used indoors. We will use fire prevention methodologies with our landscaping in every means possible.
		- Mitigate injury, loss of life, or other disproportionate demand for services on applicable emergency medical service agencies. We are trained in CPR and first aid. We will mitigate injury by having clear and safe standards for use of any equipment on the property.
		- Mitigate injury, loss of life, property damage, criminal activity, the need for added peace keeping activities, or other disproportionate demand for services on the county sheriff's office. Our nonprofit is focused on educational activities with groups planned to be no larger than 12 individuals. All events will be supervised by employees. Security gates will be established at all entrances. As such, the proposed use should not contribute to any disproportionate demand for services on the county sheriff’s office.
		- Mitigate injury, loss of life, or property damage of any known geologic hazard or flood hazard, if credible evidence of such a detrimental effect is present. No geologic or flood hazards have been noted on property. Our construction will be minimal while preserving the natural environment. We do not intend to alter surface water and we do not believe that our construction will increase flood hazards. To our knowledge, the property does not have a history of flooding.
		- Mitigate the creation of traffic hazards and right-of-way conflicts, including mitigation of traffic hazardscaused by:
			* The location, massing, size, or height of buildings, structures, and other facilities, including signage, fencing, and landscaping; None of the aforementioned will be in a place such as to cause a traffic hazard. Minimal visitation to the property, both in numbers (groups of 12 and less) and in frequency (some short stays in warmer months only) will mitigate traffic hazards. We will use clear signage for entrance and exits and provide for adequate roadways and parking. We will educate attendees as to parking locations and post signage regarding safety precautions. We will also take visitors to and from the airport, and encourage carpooling by local visitors.
			* The frequency of heavy truck traffic to and from the site (i.e. import and export of materials, deliveries, etc.) to minimize right-of-way conflicts with regular vehicle and pedestrian traffic. We do not anticipate additional heavy truck traffic to and from the site.
		- Substantially mitigate the likelihood that the proposed use or facility may cause injury or property damage to potential persons or property in the area. Nonprofit activities are unlikely to cause bodily injury or promptly damage, as they will be educational in nature, mostly involving lectures and discussions. Hands on learning will occur solely under the training and supervision of experienced individuals.
	+ *Standards relating to infrastructure, amenities, and services.*
		- Mitigate undesirable vehicle or pedestrian traffic patterns or volumes. Noticeable increase in vehicle or pedestrian traffic is not anticipated. Visitors on the part of the nonprofit will be very small in number and frequency. Owners will transport visitors from airport, local visitors will be encouraged to carpool, visitors will participate in nonprofit activities on property. Minimal visitation to the property, both in numbers (groups of less than 12) and in frequency (some short stays in summer months only) will mitigate traffic hazards and not cause noticeable increases in traffic. We will use clear signage for entrance and exits and provide for adequate roadways and parking. We will educate attendees as to parking locations and post signage regarding safety precautions. We note that undesirable vehicle volumes are currently present on the road leading to the Property due to illegal use, which we intend to help to mitigate.
		- Mitigate internal vehicle or pedestrian circulation inefficiencies onsite, and provide for adequate onsite parking given the unique specificities of the proposed use or the proposed site plan. We have adequate onsite parking for proposed activities. No internal vehicle or pedestrian inefficiencies have been noted.
		- Mitigate material degradation of the level of service of any street. We will provide for the improvement and maintenance of the road leading to the property. We do not anticipate noticeable increases in traffic beyond use as primary dwelling for the Nicolosi family.
		- Mitigate material degradation of the level of service of any storm water drainage facility or infrastructure, and adequately provide for storm water drainage from the site. Storm water drainage facilities and infrastructures are not present. We will revegetate areas of the property which are storm water drainages and ensure they are able to properly drain.
		- Mitigate material degradation of the level of service of any culinary, secondary, or irrigation water facility or infrastructure, and, if applicable, provide adequate culinary, secondary, or and irrigation water service to the site. To help determine adequacy of culinary water provisions, the land use authority may require, but are not limited to, the following as a condition of approval of the conditional use permit:
			* Written verification that the culinary water source of any new public water system can meet the requirements of the Utah Division of Drinking Water and/or the Weber Morgan Health Department; or
			* A capacity assessment letter from the Utah Division of Drinking Water for additional connections to any existing public water system; or
			* Written verification that the source of any non-public well providing culinary water for the use meets the requirements of the Weber Morgan Health Department. This verification shall be based on a test of a new or existing well. This is not applicable as we plan to only have 12 guests at a time for our nonprofit activities. We have purchased 5 acre feet of water per year from the Weber Basin Conservancy District. This water will be allocated as follows: household 0.45 acre feet/year, guest house 0.25 acre feet/year, fruit trees 0.5 acre feet/year, native revegetation 2 acre feet/year, garden 1.5 acre feet/year, sheep 0.028 acre feet/year, goats 0.028 acre feet/year, and chickens 0.0084 acre feet/year.
		- Mitigate material degradation of the level of service of any sanitary sewer service, and, if applicable, provide adequate sanitary sewer service to, or septic system on, the site. We will provide sewer service (a septic system) to the site.
		- Mitigate material degradation of the level of service of any other utility, and, if applicable, adequately provide such utility services to the site. Not applicable.
		- Mitigate material degradation of the level of service, functionality, capacity, or usability of the existing open spaces, public features, or recreational amenities in the area, and, if applicable, adequately provide additional open spaces, public features, or recreational amenities. We will not degrade open spaces, public features, or recreational amenities in the area, but rather will contribute to them. Our plans include over 99% preservation of open space on our property. We invite all members of the public to participate in our nonprofit activities. We will provide recreational amenities in the form of participation in art-making, educational activities around sustainable living, and enjoyment of nature on our property.
		- Mitigate any disproportionate demand for government services, generally. We do not anticipate any disproportionate demand for government services generally. There will be minimal use of governmental services, as we are proposing to host a very small numbers of individuals and infrequently.
	+ *Standards relating to the environment.*
		- Mitigate detrimental effects on the natural features of the site, and the surrounding affected areas, if credible evidence of such a detrimental effect is present; including, but not limited to, rivers and creeks, lakes, ponds, reservoirs, wetlands, drainage ways, groundwater protection, and slopes. We will not have a detrimental impact on the environment. We are only developing 1% of the land area of the property. There are no rivers, creeks, lakes, ponds, reservoirs, wetlands, there is a storm water drainage, which we will not develop, nor use for animal husbandry. We will help to restore native flora that are non invasive and require low water use, which will result in positive impacts for habitat and beautification, and will aid in groundwater retention and absorption.
		- Mitigate detrimental effects on the natural environment of the site, and the surrounding affected areas, if credible evidence of such a detrimental effect is present; including, but not limited to, wildlife, air quality, water quality (including erosion control), local natural resources, natural vegetation (including protection against noxious or invasive species), and wildland areas. We will not have a detrimental effect of the natural environment of the site or the surrounding affected areas, but rather the opposite. We plan to improve and restore native vegetation to aid in wildlife habitation and erosion control, use solar energy to aid in air quality, remove invasive species, and leave most of property as wild land areas (99% of the property will not be developed).
	+ *Standards relating to the current qualities and characteristics of the surrounding area and compliance with the intent of the general plan.*
		- Provide buffering, screening, or fencing of the use or site, or provide other landscape features, sufficient to mitigate the proximity of incompatible uses, objectionable site features, and disharmony with existing and future land uses in the area. Buffering and screening with native trees will be used to screen all buildings, and will screen the perimeter with the road. Landscape features (native flora restoration, orchard, and vegetable garden) and all design (natural buildings) for the site is compatible and in fact contributes to the beautiful rural mountain setting of the area.
		- Provide hours of operation appropriate for the general nature and character of existing land uses in the area to mitigate conflict or incompatibility with surrounding uses.  Nonprofit activities will be minimal in nature, there are no open hours of operation for general public, thus conflict with surrounding uses for this reason is not anticipated. Anticipated hours for nonprofit activities, by reservation only for retreats, will be during several 2-7 day retreats May-October, 9-6pm.
		- Provide reclamation, restoration, cleanup, or beautification of the site as the use evolves, or as the use is terminated, in order to mitigate aesthetic and nuisance effects. We plan to restore and beautify the site from previous uses. Much of the site has been overgrazed and stripped of native flora (so much so that the scarring is visible via satellite). We plan to restore these areas. Additionally, we plan to beautify the site with native gardens, and groves of native tree species.
		- Mitigate nuisance factors, including, but not limited to, light and glare, noise, vibrations, smoke, dust, dirt, odors, gases, noxious matter, heat, electromagnetic disturbances, and radiation, if credible evidence of such a nuisance is present. We do not anticipate to produce such nuisances. All use of tools and equipment (saws, welders, et cetera) will be inside of our highly insulated (thus dampening all sound, light, vibrations, odors, et cetera) workspace. We will only use indoor lighting at night, and to screen all buildings with vegetation such that the lights through the windows are not visible.
		- Mitigate detrimental effects of the use considering the combined effect of it and other main uses on the property. We do not anticipate detrimental effects in accordance with the general plan, but rather to contribute to the vision for Ogden Valley.
		- To the extent supported by law, mitigate other general detrimental effects in a manner that sustains the objectives and intentions of the county's general plan [https://www.webercountyutah.gov/planning/documents/Ogden%20Valley%20General%20Plan,%20Updated%20Nov%2019,%202019.pdf](https://www.webercountyutah.gov/planning/documents/Ogden%20Valley%20General%20Plan%2C%20Updated%20Nov%2019%2C%202019.pdf) , future land use map (or proposed land use map), and this Land Use Code. We do not anticipate to produce detrimental effects in regards to the counties general plan or the Land Use code, but rather to contribute to the vision of Ogden Valleys General Plan, enumerated here. General plan:
			* “Gateways and Viewsheds” Our plans do not impact gateways and viewsheds.
			* “Open Space and Agriculture” We will preserve 99% of the land as open space. We will have small agriculture, contributing to the rural character of the Valley.
			* “Wildlife” Our plans will support wildlife through native habitat restoration.
			* “Clean Air and Water” Our focus on environmental sustainability as a nonprofit will serve to enhance water and air quality in the Ogden Valley.
			* “Dark Sky Preservation” Our operations will be during daylight hours and consistent with Dark Sky Preservation.
			* “Historic Preservation” We will contribute to historic character of Ogden Valley by reflecting its architectural traditions.

Future land use map: we could not find a future land use map for the relevant area. Land use code: “Conference/education” centers are listed as a Conditional Use in the F-40 zone.

* + Standards relating to performance.
		- Mitigate potential **noncompliance or poor performance** by providing appropriate **performance measures,** including, but not limited to, completion or performance bonds, completion agreements, and development agreements. We have very achievable goals as we are looking at very minimal activities as per this application, thus we do not anticipate noncompliance or poor performance.
		- Mitigate potential noncompliance or poor performance by requiring regular **review or monitoring** of certain specified detrimental effects by an appropriately qualified professional. Not applicable.
	+ *Standards generally.*
		- Mitigate **unsustainable effects on the economy** of the surrounding area or county, generally, if credible evidence of such negative effects is present. None present.
		- Provide appropriate **mitigation of detrimental effects** as required in standards found elsewhere in this Land Use Code in a manner that complies with this Land Use Code, and any other federal, state, or local regulation, as may be applicable. None present.

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