

## Meeting Procedures

### Outline of Meeting Procedures:

- ❖ The Chair will call the meeting to order, read the opening meeting statement, and then introduce the item.
- ❖ The typical order is for consent items, old business, and then any new business.
- ❖ Please respect the right of other participants to see, hear, and fully participate in the proceedings. In this regard, anyone who becomes disruptive, or refuses to follow the outlined procedures, is subject to removal from the meeting.

### Role of Staff:

- ❖ Staff will review the staff report, address the approval criteria, and give a recommendation on the application.
- ❖ The Staff recommendation is based on conformance to the general plan and meeting the ordinance approval criteria.

### Role of the Applicant:

- ❖ The applicant will outline the nature of the request and present supporting evidence.
- ❖ The applicant will address any questions the Planning Commission may have.

### Role of the Planning Commission:

- ❖ To judge applications based upon the ordinance criteria, not emotions.
- ❖ The Planning Commission's decision is based upon making findings consistent with the ordinance criteria.

### Public Comment:

- ❖ The meeting will then be open for either public hearing or comment. Persons in support of and in opposition to the application or item for discussion will provide input and comments.
- ❖ The commission may impose time limits for comment to facilitate the business of the Planning Commission.

### Planning Commission Action:

- ❖ The Chair will then close the agenda item from any further public comments. Staff is asked if they have further comments or recommendations.
- ❖ A Planning Commissioner makes a motion and second, then the Planning Commission deliberates the issue. The Planning Commission may ask questions for further clarification.
- ❖ The Chair then calls for a vote and announces the decision.

## Commenting at Public Meetings and Public Hearings

### Address the Decision Makers:

- ❖ When commenting please step to the podium and state your name and address.
- ❖ Please speak into the microphone as the proceedings are being recorded and will be transcribed to written minutes.
- ❖ All comments must be directed toward the matter at hand.
- ❖ All questions must be directed to the Planning Commission.
- ❖ The Planning Commission is grateful and appreciative when comments are pertinent, well organized, and directed specifically to the matter at hand.

### Speak to the Point:

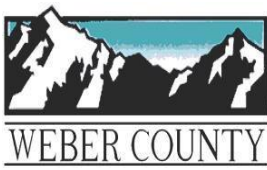
- ❖ Do your homework. Obtain the criteria upon which the Planning Commission will base their decision. Know the facts. Don't rely on hearsay and rumor.
- ❖ The application is available for review in the Planning Division office.
- ❖ Speak to the criteria outlined in the ordinances.
- ❖ Don't repeat information that has already been given. If you agree with previous comments, then state that you agree with that comment.
- ❖ Support your arguments with relevant facts and figures.
- ❖ Data should never be distorted to suit your argument; credibility and accuracy are important assets.
- ❖ State your position and your recommendations.

### Handouts:

- ❖ Written statements should be accurate and either typed or neatly handwritten with enough copies (10) for the Planning Commission, Staff, and the recorder of the minutes.
- ❖ Handouts and pictures presented as part of the record will be left with the Planning Commission.

### Remember Your Objective:

- ❖ Keep your emotions under control, be polite, and be respectful.
- ❖ It does not do your cause any good to anger, alienate, or antagonize the group you are standing in front of.



## OGDEN VALLEY PLANNING COMMISSION

### MEETING AGENDA

May 23, 2023

Pre-meeting 4:30/Regular Meeting 5:00

- *Pledge of Allegiance*
- *Roll Call:*

1. **Minutes:** March 28, 2023; April 4, 2023

#### Petitions, Applications, and Public Hearings:

#### 2. Legislative Items:

**2.1 ZTA 2023-02** A public hearing and consideration for ZTA 2023-02, an applicant-initiated request to amend the Weber County Code to allow agritourism in the Shoreline (S-1) zone. **Applicant: Pineview Partners. Planner: Charlie Ewert**

**2.2. ZTA2023-03** A public hearing and consideration for File ZTA2023-03, an applicant-initiated request to amend the FormBased Village zoning ordinance to adjust the New Town Eden Street Regulating Plan and to provide alternative design standards for New Town Eden. **Applicant: Eric Langvardt. Planner: Charlie Ewert**

#### 4. Public Comment for Items not on the Agenda:

#### 5. Remarks from Planning Commissioners:

#### 6. Planning Director Report:

#### 7. Remarks from Legal Counsel

Adjourn

*The regular meeting will be held in person at the Weber County Commission Chambers, in the Weber Center, 1st Floor, 2380 Washington Blvd., Ogden, Utah.*

& Via Zoom Video Conferencing at <https://us02web.zoom.us/j/83533784846> Meeting ID: 835 3378 4846

**A Pre-Meeting will be held at 4:30 p.m.** The agenda for the pre-meeting consists of discussion of the same items listed above, on the agenda for the meeting. No decisions are made in the pre-meeting, but it is an open public meeting.

***In compliance with the Americans with Disabilities Act, persons needing auxiliary services for these meetings should call the Weber County Planning Commission at 801-399-8761***



Minutes of the Regular Meeting of the Ogden Valley Planning Commission for March 28, 2023. To join the meeting, please navigate to the following weblink at, <https://us02web.zoom.us/j/86789030753>, the time of the meeting, commencing at 5:00 p.m.

**Ogden Valley Planning Commissioners Present:** Chair Trevor Shuman, Vice Chair, Jeff Barber, Jared Montgomery, Justin Torman, and Janet Wampler.

**Absent/Excused:** Commissioner Jeff Burton, Dayson Johnson

**Staff Present:** Rick Grover, Planning Director; Charlie Ewert, Principal Planner; Steve Burton, Planner; Felix Lleverino, Planner; Tammy Aydelotte, Planner; Bill Cobabe, Planner; Courtlan Erickson, Legal Counsel; June Nelson, Office Specialist.

- **Pledge of Allegiance**
- **Roll Call:**

1. **Minutes: February 7, 2022 and January 24, 2023.** – *Minutes approved with some requested changes from Commissioner Wampler*

**Petitions, Applications, and Public Hearings:**

**2. Administrative Items:**

**2.1 UVT112822: Request for a recommendation of final approval of The Ridge Townhomes PRUD Phase 5, consisting of 12 townhomes in three buildings, located at approximately 5286 E Moose Hollow Drive, Eden, UT, 84310. Planner: Tammy Aydelotte**

Planner Aydelotte provided a brief history of approvals relating to the subject property, dating back to 2013, after which she noted the Planning Division recommends final subdivision approval for The Ridge Townhomes PRUD Phase 5. The Uniform Land Use Code of Weber County (LUC) §106-1-5 identifies the approval process for final subdivision. The final plat must be considered and approved by the County Commission after receiving a recommendation from the Planning Commission. The proposed subdivision and lot configuration is in conformance with the current zoning, the approved PRUD and the Zoning Development Agreement Conceptual Land Use Plan as well as the applicable subdivision requirements as required in the LUC. She summarized staff’s evaluation of the request, including compliance with the General Plan and zoning regulations; lot area, frontage/width, and yard regulations; culinary water, irrigation water, and sanitary sewer disposal; and compliance with the requirements of review agencies. She concluded staff recommends final subdivision approval of The Ridge Townhomes PRUD Phase 5, consisting of 12 units. This recommendation for approval is subject to all review agency requirements and based on the following conditions:

1. A cost estimate for the improvements and a draft copy of any CC&R’s will be required prior to receiving final approval from the County Commission.
2. A construct permit from the State of Utah Department of Environmental Quality Division of Drinking Water must be submitted to Weber County Planning Division prior to forwarding the application for approval by the County Commission

The recommendation is also based on the following findings:

1. The proposed subdivision conforms to the Ogden Valley General Plan.
2. The proposed subdivision conforms to the approved Zoning Development Agreement.
3. The proposed subdivision conforms to the approved PRUD.
4. With the recommended conditions, the proposed subdivision complies with all previous approvals and the applicable County ordinances.
5. The proposed subdivision will not be detrimental to the public health, safety, or welfare.
6. The proposed subdivision will not deteriorate the environment of the general area so as to negatively impact surrounding properties and uses.

Chair Shuman invited input from the applicant; the applicant indicated he did not have anything to add.

Chair Shuman invited questions or comments from the Commissioner. There were no additional questions or comments.

Commissioner Barber moved to approve application UVT112822, final approval of The Ridge Townhomes PRUD Phase 5, consisting of 12 townhomes in three buildings, located at approximately 5286 E. Moose Hollow Drive, Eden.

Chair Shuman offered a friendly amendment to the motion to include the statement that approval is based on the findings and subject to the conditions listed in the staff report. Commissioner Barber accepted the friendly amendment.

Commissioner Burton seconded the motion. Commissioners Barber, Burton, Torman, and Shuman all voted aye. Commissioner Wampler abstained. (Motion carried 4-1).

**2.2 DR 2023-01: Request for design review approval Request for approval of a design review application for Sky Lodge Hotel, located at approximately 7500 North Powder Ridge Rd, Eden, UT, 84310. This proposal consists of 66 guest rooms/cabins, and associated amenities that include a café and bar, meeting space, pool and spa, dog park, amphitheater, fire pits, and children’s play structure/area. Planner: Tammy Aydelotte**

Planner Aydelotte explained the applicant is requesting design review approval of a hotel with 36 guest rooms and 30 stand-alone cabins. The applicant is proposing two types of cabins. Each has a single bedroom with a bathroom and gear storage area. The Type B, two-story cabins have a loft/sitting area on the 2<sup>nd</sup> floor. Square footage for the 17 Type A cabins are 420 square feet. The 13 type B cabins have 696 square feet. This proposal is located on the same site as the existing Sky lodge at the top of Powder Mountain Road and she provided an aerial image of the property to orient the Commission to the location of existing improvements and the areas in which the new improvements would be located. This proposal includes 30 stand-alone cabins and 36 hotel guestrooms within a new main lodge building. Proposed amenities include a café and bar, meeting/conference space, pool and spa, a greenhouse for events, amphitheater, dog park, fire pits, a children’s play area, and a gear rental space for guests and visitors to the mountain. The applicant’s engineered traffic study and site plan shows 55 spaces dedicated for the hotel and cabins. She summarized staff’s design review, which included attention to the following:

- Considerations relating to traffic safety and traffic congestion. Since the application was initially reviewed, staff has heard from the Engineering Division that they do not want any access points along Summit Pass Road and they have asked that the developer work with the Fire District to identify an alternative emergency access point.
- Considerations relating to outdoor advertising.
- Considerations relating to building and site layout.
- Considerations relating to landscaping.
- Considerations relating to prior development concept plan approvals associated with any rezoning agreement, planned commercial or manufacturing rezoning, or planned residential unit development approval.
- Considerations relating to utility easements, drainage, and other engineering questions.

Staff finds the proposal conforms to the Ogden Valley General Plan by continuing commercial development within existing resort areas. The Planning Division recommends approval of file# DR 2023-01, subject to all review agency requirements, including those requirements from Weber Fire District, and Weber County Engineering, and the following conditions:

1. Any proposed lighting must comply with the Ogden Valley Lighting requirements, as outlined in LUC§ 108-16.
2. Any proposed signage must comply with the Ogden Valley Sign Ordinance in LUC § 110-2.
3. Unless otherwise allowed by the Planning Commission, the entirety of the sky lodge parking lot will be required to be hard surface paved.

The recommendation for approval is based on the following findings:

1. The proposal complies with applicable County codes.
2. The proposed project complies with the applicable Zoning Development Agreement and approved Powder Mountain/Master Plan.
3. The proposed project conforms to the Ogden Valley General Plan.

Chair Shuman referenced condition number three and asked if the LUC requires hard surface parking lots. Planning Director Grover stated the Planning Commission does have the authority to provide an exception to a requirement for hard surface parking in this area. Legal Counsel Erickson added that LUC Section 108-8-7 states “the land use authority may modify the applicability of any provision of this chapter by approving a parking plan created by the developer if the land use authority determines that the plan is consistent with the approved master plan. Such plan shall include provisions applying sufficient mitigation for parking and will

provide a mechanism for revocation where the plan is not operating as presented.” Chair Shuman asked if the Commission truly has flexibility to provide an exemption to the hard surface parking requirement. Mr. Erickson stated the LUC does state that the Commission can deviate from the LUC if there is a master plan in place that addresses parking provisions. Mr. Grover stated that the County has provided exemptions in certain mountain resort areas if a certain compaction level can be provided as determined by the Fire District. Commissioner Torman inquired as to the recommendation of Planning staff regarding the hard surface parking issue. Ms. Aydelotte stated Planning staff recommends adherence to all review agency requirements and the Engineering Division has asked that the parking area be paved/hard surface. The area is currently being used as a parking lot, but it is not paved. Commissioner Torman added there are two other existing parking areas that are also not paved. Ms. Aydelotte stated that is correct. This led to high level discussion and debate of whether to consider an exemption to the ordinance to waive the hard surface requirement for the new lot as well as the existing lots. Mr. Grover reiterated the Engineering Division has recommended hard surface paving of the parking area as well as the access roads that serve the parking area and Planning staff recommends that the approval be conditioned upon that requirement. Chair Shuman stated that it is difficult for the Planning Commission to take action conditioned upon meeting the requirements of Engineering and the Fire District without having a full understanding of what those requirements are. Mr. Grover indicated the Commission has the option of tabling an action on this application until they have more information; they can request for the Engineering Division’s recommendation to be fully spelled out.

Chair Shuman invited input from the applicant.

Laron Turley, representing LOGE Camps, stated there are a few parties to the application and LOGE Camps will be the developer and operator of the hotel. Relative to the parking lot referenced by the Commission, the Master Development Agreement does make reference to the issue, but that should be addressed by Powder Mountain. The LOGE Camps application is specifically for the expansion adjacent to the Sky Lodge, which is the homeowners lounge area, and that includes the cabins and the hotel. He emphasized Powder Mountain will need to respond to concerns about the parking area because it serves other parts of the resort, including the Hidden Lakes lodges and day skier traffic. Chair Shuman noted that LOGE Camps is proposing to use the parking area. Mr. Turley stated that is correct, but Powder Mountain owns the parking area and is proposing to allocate a number of stalls to the hotel use. He cannot speak for Powder Mountain relating to the matter of paving the parking area. He noted Ms. Aydelotte has mentioned the potential of reducing the size of the hotel use, but he would like to proceed with approval of the cabins this evening. He could come back to the Commission next month with a final plan for the main hotel and it may be possible to address the parking area at the same time.

Commissioner Barber asked Mr. Turley if he has been to the property in the summer months, to which Mr. Turley answered yes. Commissioner Barber stated there is a great deal of raw ground that has been disturbed, but not restored. He asked how the County should be expected to have any confidence that areas that will now be disturbed with this new project will be restored. Mr. Turley stated that he cannot speak to what Powder Mountain has done in the past, but going forward it is LOGE Camp’s intention to operate the resort on a year-round basis and it will benefit them to have an attractive landscape. Commissioner Barber stated that Powder Mountain already operates year-round, and they have not been successful at improving the landscaping. Mr. Turley stated that it will benefit LOGE to be able to see what have been disturbed and the landscaping efforts that have not been successful in order to modify plans to achieve successful landscaping improvements. This led to high level discussion of the elements included in the landscape plan, with Mr. Turley noting most trees included in those plans are existing and the cabins will be placed in a manner that will allow for preservation of the existing trees. New trees would be located near the hotel and LOGE will ensure that trees that can survive in this environment are selected.

Commissioner Wampler asked if Mr. Turley is asking for approval of just the cabin area of the site plan this evening and if that does not include any new landscaping. Mr. Turley answered yes; he referred to this request as phase one of the application and noted phase two would include changes to the hotel and landscaping plans.

Chair Shuman stated he feels it would be very difficult to separate the cabins from the hotel for purposes of phasing approval of the project this evening. Mr. Grover agreed; it would be difficult to modify the application during tonight’s meeting. Chair Shuman suggested that the entire application be tabled until next month, but he invited feedback from the Commission to the applicant.

Commissioner Wampler stated she is very concerned about the parking accommodations and whether the amount of parking being allocated to the hotel is sufficient given that it will be included in the areas that are shared with the ski resort. This concern is based upon the fact that the popularity of the resort increases each year, and the current parking is not sufficient; the hotel will need its own parking and the ski resort actually needs additional parking. Chair Shuman agreed and added that he feels the parking area should be paved. Commissioner Barber asked how someone staying in the cabin area of the resort will access to furthest

parking lot, ski lift, or main road that serves the resort. Mr. Turley stated that the intention is for the cabins to be 'back country' accommodations that are ski-in and ski-out access, or hiking access. There will be a snow cat service that can take visitors to the cabin on their arrival, but most access will be handled by skiing or hiking to the units.

Commissioner Barber moved to table application DR 2023-01, design review application for Sky Lodge Hotel, located at approximately 7500 North Powder Ridge Rd, Eden, UT, 84310. This proposal consists of 66 guest rooms/cabins, and associated amenities that include a café and bar, meeting space, pool and spa, dog park, amphitheater, fire pits, and children's play structure/area; the purpose of tabling the application is to solicit additional information from Engineering and Fire District regarding their recommended conditions of approval and for the applicant to finalize their design requests. Commissioner Wampler seconded the motion. Commissioners Barber, Burton, Torman, Shuman, and Wampler all voted aye. (Motion carried 5-0.)

### **3. Legislative Items:**

There were no legislative items.

### **4. Public Comment for Items not on the Agenda.**

Jan Fullmer referenced the information she has provided in the past regarding the number of short-term rentals (STRs) being operated in the Ogden Valley; plans have recently been approved for another 500 STRs in various projects in the Valley and she asked that the Commission seriously consider restricting or approving additional STRs in the Valley.

Talia Matheson, Eden, stated she is concerned about a few development projects, one which will be discussed in tonight's work session and another that will be discussed in a future work session. She lives within a quarter mile of both of the developments and while she is not opposed to residential or commercial development, she is opposed to 'unwise' development. She noted a week and a half ago the County's drainage ditch near her home overflowed and the outcome was a river running into her home, which will cost her thousands of dollars to recover from. She stated the Sunny Field Farm development involves the transfer of some development rights to the Froerer subdivision, which she calls Eden Acres. She asked what will be done with storm water drainage in that area to protect existing and new residences. She is a bit embarrassed that her neighborhood, Sandhill Crane, got approved because it essentially pushed the water issues down the road and flooded other homes. Now the developments upstream from her are doing the same to her property and the problems will only worsen as the snowpack thaws with upcoming warm temperatures. The area is already very wet and further development, and the increase of hardscape will make water drainage issues worse. She has spoken with the developer before tonight's meeting and they commented on their efforts to transfer development rights in order to preserve the farm, but she wondered if that will be a permanent fix and prevent the property from ever being developed. She then referenced the commercial property near Carlos and Harley's, which will be discussed tonight; she noted if the Commission took a survey about the subject or allowing taller buildings in the area, most will be opposed because they moved to the Valley because of the open space and views, and she is concerned about that issue even being discussed along with high density development. She concluded her final question about Sunny Field Farms relates to the total number of building lots; there was some discussion with the County Commission about allowing more low-income, high-density housing and she would like to have something memorialized in writing about the total number of lots that will be allowed on the property.

Rich Love, Eden, also referenced the flooding issues cited by Ms. Matheson; he agrees with everything she said about that issue. He also agreed with her on the issue of increasing building heights for the multi-family housing proposed near Carlos and Harley's; he knows there is a desire for that type of housing and commercial uses, but he does not think enough attention has been paid to the demand the new development will place on County services and how it will worsen the storm water issues.

Katherine Ilgeth shared the same concerns expressed by Ms. Matheson and Mr. Love; there is already a great deal of water in Eden Acres, and she does not think the property should be developed. Additionally, roads that serve the Valley cannot handle the existing traffic levels as well as any additional increase in traffic associated with new growth.

Teresa Bramwell stated she owns a property in Ogden Canyon and has been reviewing Wasatch Front Regional Council's (WFRC) plans for growth along the Wasatch Front; this includes a trail that will be built through Ogden Canyon, but she cannot find official plans for the project even though it has been funded. She is concerned about the number of people that will use the trail and whether there will be adequate bathroom facilities for them.

**5. Remarks from Planning Commissioners.**

Commissioner Wampler asked if the Commission adopted adjusted Rules of Procedure at the last meeting. Planning Director Grover answered yes and noted he will provide the entire Commission with the updated document.

Chair Shuman asked Mr. Grover to address the questions about TDRs as part of his report.

**6. Planning Director Report.**

Planning Director Grover stated that in the last meeting there was a discussion about form-based code options and mechanisms for addressing moderate income housing needs. Issues such as storm water drainage are more carefully examined when a subdivision application is submitted, rather than when the rezone application is submitted. Any project will need to address those issues as the application moves further along the subdivision process and water issues are taken very seriously by the Planning Division. He added that some modifications are being made to the Western Weber General Plan, such as form-based code for certain village areas and staff felt it would be a good idea to address form-based areas in the Ogden Valley at the same time. The makeup of the County and the presence of two different Planning Commissions is very unique and can contribute to confusion when both bodies are required to act upon matters that only pertain to one area of the Valley. The County Commission has chosen to have a shared land use code, but two different Planning Commissions; any time the code is amended, both Planning Commissions must act on those amendments. This led to high level discussion among the Commission and staff regarding changes to the land use code that only pertain to one area of the County and the need to more clearly communicate those issues to the public.

**7. Remarks from Legal Counsel.**

There were no additional remarks from Legal Counsel.

**Adjourn to Work Session at 6:25 p.m.****WS1 Osprey Ranch to Wolf Creek Water/Sewer Infrastructure Update. Applicant: Eric Householder.**

Eric Householder presented a map to orient the Commission to the location of Osprey Ranch and the point at which they connect to the sewer system in the area; he also identified the route that the sewer infrastructure follows and its connection to the Wolf Creek area. One condition of approval for Osprey Ranch was for the wastewater to be delivered to the Wolf Creek area. He has worked with private property owners and other government agencies to secure easements for the infrastructure improvements. He identified the areas for which infrastructure has been installed and discussed the timeframe for continued construction.

John Lewis then presented a rendering of the Ogden Valley to illustrate full build out of the Valley based upon the directives of the General Plan; this includes development of villages with the intention of condensing density into certain areas of the Valley in order to preserve open spaces. He discussed the zoning of Osprey Ranch and development rights for the property as well as his efforts to work with Wolf Creek to complete water and sewer connectivity in the area. This was a massive undertaking and cost a great deal of private money, but he feels it is what is best for the entire Valley. Chair Shuman stated that the County actually dedicated some funding to the project. Mr. Lewis stated that is not correct and Planning staff stated they will work to confirm that no County money was used for this project.

Mr. Lewis then presented the village overlay zoning map from the General Plan and indicated he is working to implement the overlay as he continues to develop designs and sketches for actual development of the area. He will also continue to work with the residents in the area and the community at large to develop a reasonable plan for the entire Osprey Ranch area.

The Commission engaged in high level discussion with Mr. Lewis about the opportunities that the infrastructure improvements will create for other properties in the area; the Commission also heard brief comments from Miranda Menzies, Chairman of Wolf Creek Water and Sewer, regarding the impact that the Osprey Ranch project will have on infrastructure in the area and improvements that the District has completed responsive to past and ongoing development in this area of the Valley.

**WS2: Discussion regarding updated Ogden Valley zoning buildout calculations. Planner: Bill Cobabe**

Planner Cobabe reviewed a staff memo he drafted regarding buildout projections; as part of the requirement to implement the water conservation requirements set forth in State statute, the County must update our population figures and projections to demonstrate anticipated water usage and identify potential savings. Staff has created a summary of current available data and projections that help show current buildout and expected growth. Using this data, we can make informed decisions and shape policy to reflect actual, real-world conditions and implement strategies that will help us conserve water. He provided two tables that included 2017 population projections and estimates for 2024 to show how the anticipated growth numbers are compared to actual growth numbers. The 2017 projections were well short of what was realized, and it is interesting to see how growth occurred. Data has been updated to reflect the actual numbers and percentages reflected in 2017 and the most recent numbers available (mostly from 2021). He then presented three tables that show the amount of developable acres and units in each zone. The overall acreage is shown in the first table. The second table shows how many units might be built out with current lot configurations (rounding DOWN the number of units – that is, if a lot is 5.75 acres in the AV-3 zone, it may only have one unit, while a 6.25-acre lot would have two). The last table shows the maximum potential number of units given the amount of acreage in each zone. Using the prior example, if the person were to combine the 6.25 and the 5.75, that would give that person a total of 12 acres, which would be four units (one each on a three-acre lot). This is one additional unit more than the three that would be allowed if the existing lots were not combined.

Planner Cobabe and other members of Planning staff engaged in high level discussion with the Commission regarding topics such as the amount of the population that are considered permanent residents rather than short term residents; median income levels and median home values in the Valley; the potential additional units that could be built in Ogden Valley; and demand for increased services responsive to increased growth and development in the Valley. Planning staff provided the following policy implications for the Planning Commission to consider, noting that ultimate policy decisions will be made by the County Commission:

- The Ogden Valley continues to see dramatic growth, both within established communities and in other parts of the planning area.
- Careful growth is desirable, but natural constraints demonstrate the need for consideration of the location and nature of development.
- Water use and conservation continues to be pressing issues, having both local and regional implications.
- Planning for wise use of the invaluable resources in the Ogden Valley will maintain a quality of life and strong community resilience for generations.
- Implementation of reasonable planning strategies will provide guidance for developers, landowners, households, and commercial uses.

The Commission again heard from Ms. Menzies about the current demand for water and sewer service and the ability of the service providers in the Valley to continue to respond to increased growth.

The group then engaged in philosophical discussion and debate regarding the authority of the Planning Commission to adjust buildout projections for the Ogden Valley; buildout projections inform zoning and density recommendations included in the General Plan, but the Planning Commission has the authority to recommend denial of any zone change application so long as they can provide findings that support the recommendation of denial. This led to a renewed focus on the appropriateness of transfer of development rights (TDR) policies for Ogden Valley and the potential for increased density in some areas to cause dramatic traffic issues and overwhelm infrastructure in those areas.

Planner Ewert concluded the discussion by noting that staff will use the feedback provided tonight to update population projections and bring that updated information back to the Commission for continued discussion and review. Mr. Cobabe will also continue to work on a water conservation plan that will ultimately need to be delivered to the State of Utah.

**WS3: Review and discussion regarding proposed ordinances to implement the Western Weber General Plan, pertaining to lot area, design standards, dark sky lighting, block lengths, pathway and street connectivity, and related amendments. Planner: Charlie Ewert; and**

**WS4: Review and discussion regarding the proposed Form-Based zone for West Weber Village area, and related amendments. Planner: Charlie Ewert**

Planner Ewert noted that he has updated proposed ordinance regarding the Webern Weber General Plan as well as the form based ordinance document for the West Weber Village area responsive to feedback Planning staff has received over the course of several meetings with the Ogden Valley Planning Commission and the Western Weber Planning Commission; he identified adjustments that have been made to the document and engaged in discussion with the Commission regarding additional adjustments that are desired relating to workforce housing and the manner in which building heights are measured. Specific to the proposed development near Carlos and Harley's, the Commission communicated they do not want to allow a maximum building height above 35 feet near the road and 40 feet in the area setback from the roadway.

**Meeting Adjourned: The meeting adjourned at 9:14 p.m.**

**Respectfully Submitted,**

*Cassie Brown*

**Weber County Planning Commission.**



Minutes of the Regular Meeting of the Ogden Valley Planning Commission for April 4, 2023. To join the meeting, please navigate to the following weblink at, <https://us02web.zoom.us/j/85022018870>, the time of the meeting, commencing at 5:00 p.m.

**Ogden Valley Planning Commissioners Present:** Trevor Shuman, Chair, Jeff Barber,, Jared Montgomery, Justin Torman, and Janet Wampler.

**Absent/Excused:** Commissioner Jeff Burton, Dayson Johnson

**Staff Present:** Rick Grover, Planning Director; Charlie Ewert, Principal Planner; Steve Burton, Planner; Felix Lleverino, Planner; Tammy Aydelotte, Planner; Bill Cobabe, Planner; Courtlan Erickson, Legal Counsel; June Nelson, Office Specialist.

- **Pledge of Allegiance**
- **Roll Call:**

**WS1 Review and discussion regarding proposed ordinances to help implement the Western Weber General Plan. These amendments affect ordinances that pertain to the Ogden Valley Planning Area. Planner: Charlie Ewert.**

Planner Ewert stated that this item was presented to the Commission at their last work session, but he facilitated a review of the highlighted portions of the document to draw their attention to changes that have not been discussed in detail. He solicited feedback from the Commission and indicated this feedback will be used to further adjust the document before it is presented to the Commission for continued discussion and possible action in the near future. During the discussion, there was a focus on topics such as transfer of development rights (TDR) actions; development agreements for large resort projects; street types; densities and minimum lot sizes in different zoning designations; changes to the land use table relating to permitted uses in various zones; allowances for short term rentals (STRs) in certain residential zones (there is differentiation between the Ogden Valley Planning area and the Western Weber Planning area for the purposes of STR regulations and the Commission provided input regarding the residential zones in which they are comfortable permitting STRs); outdoor storage regulations; parking requirements/garage size standards in multi-family residential zones; minimum and maximum setbacks for different types of uses in village/form based developments; maximum number of stories/building heights in village developments; vehicle oriented commercial development; color schemes and architectural design standards for form based projects; block lengths and on-street parking/parking lot requirements in form based developments; pedestrian pathways and public easements throughout form based developments; the legend for street regulating plans that will be included in each map for a form based development; approval authority and whether third-party involvement should be allowed in TDR actions; banking of development rights; a mechanism for restricting one's ability to purchase a large parcel of property with the understanding of its development rights, and then attempting to convert the property to maximize development potential or opportunities to bank or transfer development rights elsewhere;

The Commission accepted public input; Kurt Langford spoke to the concerns of many residents in the Valley regarding the TDR concept; if development rights are not property recorded for all properties in the Valley, it will be possible for some to transfer some or all of their rights to other properties and then built the same density on their property if there is not a proper record of the transfer. Banking is very problematic as well and he agrees with comments made by Commissioners about the need to be more specific and regulatory in the General Plan and Land Use Code (LUC) regarding the TDR matter.

The Commission and Mr. Ewert discussed Mr. Langford's recommendations; they agreed with the need to include specific regulations to govern TDR actions to ensure transparency of a TDR request.

**WS2: Review and discussion regarding implementation of a Form-Based zone for West Weber Village area. These amendments affect Form-Based zone provisions that pertain to the Ogden Valley Planning Area. Planner: Charlie Ewert.**

This item was not discussed, but Planner Ewert asked that the Commission review the document included in their packet to prepare for the next work session meeting on this topic; the biggest change being proposed in the form-based zone for village areas relates to shared private lanes and how a shared private lane will impact development rights of a property or properties. The Commission indicated they would prefer that Western Weber and Ogden Valley planning areas could be separated and for LUCs to be developed specific to each area. They noted that including regulations for both planning areas in one document and



requiring Planning Commissions for both bodies to vote on changes for each area can be confusing to the public and the reader of the LUC.

**Meeting Adjourned: The meeting adjourned at 8:32 p.m.**

**Respectfully Submitted,**

*Cassie Brown*

**Weber County Planning Commission**



## Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

### Synopsis

#### Application Information

|                             |  |
|-----------------------------|--|
| <b>Application Request:</b> | A public hearing and consideration on File ZTA2023-02 an applicant-driven request to amend the Weber County Code to allow agritourism in the Shoreline (S-1) zone. |
| <b>Applicant:</b>           | Pineview Partners  |
| <b>Agenda Date:</b>         | Tuesday, May 23, 2023  |
| <b>File Number:</b>         | ZTA 2023-02  |

#### Staff Information

|                          |  |
|--------------------------|--|
| <b>Report Presenter:</b> | Charlie Ewert<br>cewert@co.weber.ut.us<br>(801) 399-8763 |
| <b>Report Reviewer:</b>  | RG   |

### Applicable Ordinances

Section 104-10-3 Conditional Uses

### Legislative Decisions

Decision on this item is a legislative action. When the Planning Commission is acting on a legislative item it is acting as a recommending body to the County Commission. Legislative decisions have wide discretion. Examples of legislative actions are general plan, zoning map, and land use code amendments. Typically, the criterion for providing a recommendation on a legislative matter suggests a review for compatibility with the general plan and existing ordinances.

### Summary and Background

The county has received an application to amend the Weber County Code to allow agritourism to occur in the Shoreline (S-1) zone. Agritourism is allowed in other agricultural zones as a conditional use. The proposal is to regulate the use in the S-1 zone similarly.

After a policy analysis, staff has determined that it appears that the request is in general harmony with the Ogden Valley General Plan.

In the May 2, 2023 Planning Commission work session the planning commission asked staff to research the following two questions:

1. Why wasn't agritourism allowed in the S-1 zone from the beginning?
2. How many agritourism operations or in operation currently?

First, at the time the agritourism ordinance was being adopted it was not vetted for use in the S-1 zone. This was by omission rather than deliberation. At the time, Staff and the planning commission were focused on getting the ordinance correct and useful in the agricultural zones. The S-1 zone was not excluded due to an issue with the use in the zone, but rather because there simply was not enough time to consider it.

Second, there are currently three agritourism operations in the Ogden Valley:

1. Kelley Creek Farm
2. Renaissance Farm
3. Dancing Moose Farm

In addition to the edits requested by the applicant, Staff is also requesting additional edits to the Shoreline Zone. Those additional edits are intended to bring the Shoreline zone's chapter into compliance with the organizational standards that have been implemented in other zones.

### Policy Analysis

**Policy Considerations:****Ordinance Amendments (See also Exhibit A):**

If implemented as the applicant is requesting, the following is the entirety of the amendment. This does not consider staff's requested formatting changes.

**§104-10-3 Conditional Uses:**

- (a) [Agri-tourism, provided compliance with Title 108, Chapter 21 Agri-Tourism.](#)
- (b) Hydro electric dams
- (c) Private parks and recreation grounds. Private campgrounds and picnic areas meeting the requirements of the Forest Campground Ordinance of Weber County. Public utility substations and transmission lines.
- (d) Public utility substations.
- (e) Radio and television towers.

**General Plan and Zoning Review:**

Generally, land use code changes should be vetted through the filter of policy recommendations of the applicable general plan. In 2016, the Western Weber General Plan was adopted after a significant public involvement process. The general plan has the following to say regarding the requested amendments:

**Gateways and Viewsheds Goal 2: A goal of Weber County is to protect the Valley's sense of openness and rural character.**

\*\*\*

**Gateways and Viewsheds Principle 2.2:** Encourage creative development designs that preserve natural, [agricultural](#), and other open spaces, including [clustered](#) and [mixed-use](#) developments.

**Dark Sky Preservation Principle 1.2:** Promote the accreditation of North Fork Park as the world's 21st international Dark Sky Park, and encourage astro-, agri-, and [ecotourism](#) development.

\*\*\*

**Land Use Goal 2:** A goal of Weber County is to support continued [agricultural](#) operations in Ogden Valley.

\*\*\*

As can be reviewed, the general plan is eager to protect agricultural operations. The question for the Planning Commission to consider is whether that protection should extend into the Shoreline zone and whether enabling agritourism qualifies as agricultural protection.

The Purpose and Intent<sup>1</sup> section of the Agritourism ordinance states:

*The purpose of this chapter is to provide support and economically feasible land use alternatives to local and enterprising farm owners who are devoted to their land and are committed to providing authentic, agriculturally related products and experiences to the public. Agriculture is a very important contributor to Utah's economy and, observably, an integral and indispensable part of Weber County's rich cultural heritage; therefore, it is the county's desire to create an environment in which agriculture is not only encouraged but can thrive. It is intended to benefit farm owners and the residents of Weber County through its ability to generate supplementary farm income while promoting the preservation of agricultural open space and significantly enhancing leisure, recreational, educational, and gastronomic opportunities for those in pursuit of such experiences in a rural farmland setting.*

The general description<sup>2</sup> of the Shoreline zone states:

*The shoreline zone has been established as a district in which the primary use of the land is for farming and for recreational purposes. In general, this zone covers the portion of the unincorporated area of the county which is occupied by Pineview Reservoir and shores adjacent thereto.*

*This zone is characterized by farms and pasture lands situated adjacent to the shore of the Pineview Reservoir and interspersed by dwellings, recreational camps, resorts and outdoor recreation facilities.*

The objectives<sup>3</sup> of the Shoreline zone are:

- (1) *To promote the use of the land for agriculture and for fish, wildlife and recreational purposes both public and private;*
- (2) *To facilitate the conservation of water and other natural resources;*
- (3) *To reduce hazards from floods and fires;*
- (4) *To preserve open space, natural scenic attractions, natural vegetation, and other natural features within the zone;*
- (5) *To ensure adequate provision for water supply, domestic sewage disposal and sanitation.*

**Figure 1** of this report illustrates all of the land in the Shoreline (S-1) Zone in the Ogden Valley in a greenish-blue color. Staff has outlined in red all of the property that is privately owned within the Shoreline Zone. The remainder of the zone not outlined in red is currently owned by the United States of America. Private land uses should not be expected on USA lands except those uses that might be operated by the Forest Service's concessionaire, such as camping and boat access.

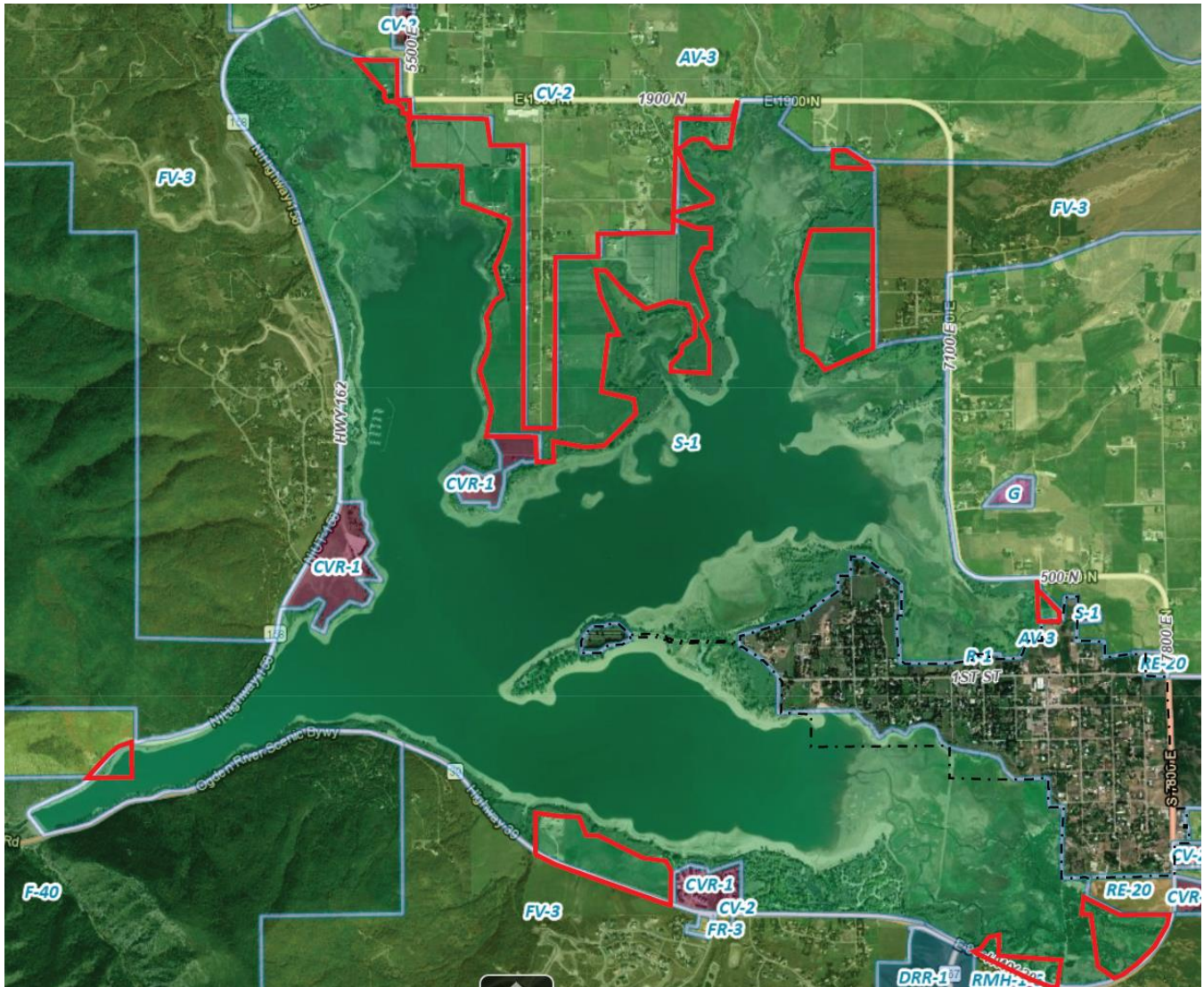
---

<sup>1</sup> Section 108-21-1 of the Weber County Code.

<sup>2</sup> Section 104-10-1 of the Weber County Code.

<sup>3</sup> Section 104-10-1 of the Weber County Code.

Figure 1: Private Property within Shoreline Zone



When combining the directives of the general plan with the purposes, intentions, and objectives of the Weber County Land Use Code, it may be surmised by the Planning Commission that allowing agritourism to occur in the Shoreline zone similar to its allowance in the agricultural zones is appropriate. It is clear that the Shoreline zone is already intended to allow certain non-agricultural uses such as camping and recreational facilities. Perhaps the added activities allowed in the agritourism ordinance can be considered similar in nature, but with specific intent to support the agricultural uses of the land.

For the benefit of the Planning Commission's review, a copy of the agritourism ordinance is attached to this report as Exhibit B.

**Additional Amendments Requested by Staff:**

The ordinance amendment listed above is the only amendment requested by the applicant. In the attached Exhibit A, staff has included quite a few staff-requested edits to the Shoreline zone. These amendments by and large are simply organizational edits to bring this chapter of the ordinance into compliance with organizational standards of other sections. Over time, the county has been striving to reorganize each zone chapter to follow a standardized organizational composition.



## Staff Recommendation

Staff recommends that the Planning Commission consider the text included as Exhibit A and offer staff feedback for additional consideration, if any. Alternatively, when/if the Planning Commission is comfortable with the proposal, a positive recommendation should be passed to the County Commission.

## Model Motion

The model motions herein are only intended to help the planning commissioners provide clear and decisive motions for the record. Any specifics provided here are completely optional and voluntary. Some specifics, the inclusion of which may or may not be desired by the motioner, are listed to help the planning commission recall previous points of discussion that may help formulate a clear motion. Their inclusion here, or any omission of other previous points of discussion, are not intended to be interpreted as steering the final decision.

### Motion for positive recommendation **as-is:**

I move we forward a positive recommendation to the County Commission for File #ZTA2023-02, an applicant-initiated request to amend the Weber County Code to allow agritourism in the S-1 zone by conditional use permit, and to make other clerical and organizational edits suggested by staff, as provided in Exhibit A. I do so with the following findings:

*Example findings:*

1. *The proposal is not detrimental to the effect of the general plan.*
2. *The proposal will help implement provisions of the general plan.*
3. *The proposal provides edits that help clarify, organize, and standardize the Land Use Code*
4. *The changes are not detrimental to the general health and welfare of Ogden Valley residents.*
5. [ add any other desired findings here ].

### Motion for positive recommendation **with changes:**

I move we forward a positive recommendation to the County Commission for File #ZTA2023-02, an applicant-initiated request to amend the Weber County Code to allow agritourism in the S-1 zone by conditional use permit, and to make other clerical and organizational edits suggested by staff, as provided in Exhibit A, as provided in Exhibit A, **but with the following additional edits and corrections:**

*Example of ways to format a motion with changes:*

1. *Example: On line number \_\_\_\_\_, it should read: state desired edits here.*
2. *Example: remove all staff-suggested amendments and only include the applicant requested amendments.*
3. [Etc.]

I do so with the following findings:

*Example findings:*

1. *The proposal is not detrimental to the effect of the general plan.*
2. *The proposal will help implement provisions of the general plan.*
3. *The changes are not detrimental to the general health and welfare of Ogden Valley residents.*
4. [Example: the additional requested changes will/are \_\_\_\_\_.]
5. [Etc.]

### Motion to **table:**

I move we **table** action on File #ZTA2023-02, an applicant-initiated request to amend the Weber County Code to allow agritourism in the S-1 zone by conditional use permit, and to make other clerical and organizational edits suggested by staff, as provided in Exhibit A, to [ state a date certain ], so that:

*Examples of reasons to table:*

- *We have more time to review the proposal.*
- *Staff can get us more information on [\_\_\_\_\_ specify what is needed from staff \_\_\_\_\_].*
- *The applicant can get us more information on [\_\_\_\_\_ specify what is needed from the applicant \_\_\_\_\_].*
- *More public noticing or outreach can occur.*
- *[\_\_\_\_\_ add any other desired reason here \_\_\_\_\_].*

### **Motion to recommend denial:**

I move we forward a recommendation for **denial** to the County Commission for File #ZTA2023-02, an applicant-initiated request to amend the Weber County Code to allow agritourism in the S-1 zone by conditional use permit, and to make other clerical and organizational edits suggested by staff, as provided in Exhibit A, **as provided in Exhibit A. I do so with the** following findings:

*Examples findings for denial:*

- *The proposal is not adequately supported by the general plan.*
- *The proposal is not supported by the general public.*
- *The area is not yet ready for the proposed changes to be implemented.*
- *[Example: The proposal runs contrary to the health, safety, and welfare of the general public.]*
- *[\_\_\_\_\_ add any other desired findings here \_\_\_\_\_].*

### **Exhibits**

- Proposed ordinance amendments (Redlined Copy).
- Agritourism Ordinance.
- Application Information

# EXHIBIT A

Proposed ordinance amendments (Redlined Copy).



**WEBER COUNTY**

**ORDINANCE NUMBER 2023-**

**AN AMENDMENT TO VARIOUS SECTIONS OF THE COUNTY'S LAND USE CODE TO THE SHORELINE (S-1) ZONE TO ENABLE AGRITOURISM AS A CONDITIONAL USE.**

**WHEREAS**, the Board of Weber County Commissioners has heretofore adopted land use regulations governing uses of land in unincorporated Weber County; and

**WHEREAS**, \_\_\_\_\_; and

**WHEREAS**, \_\_\_\_\_; and

**WHEREAS**, on \_\_\_\_\_, the Ogden Valley Planning Commission, after appropriate notice, held a public hearing to consider public comments regarding the proposed amendments to the Weber County Land Use Code, offered a positive recommendation to the County Commission; and

**WHEREAS**, on \_\_\_\_\_, the Weber County Board of Commissioners, after appropriate notice, held a public hearing to consider public comments on the same; and

**WHEREAS**, the Weber County Board of Commissioners find that the proposed amendments herein advance goals and objectives of the Ogden Valley General Plan; and

**NOW THEREFORE**, be it ordained by the Board of County Commissioners of Weber County, in the State of Utah, as follows:

**SECTION 1: AMENDMENT.** The Weber County Code is hereby *amended* as follows:

1 **Part II Land Use Code**

2 ...

3 **TITLE 104 ZONES**

4 ...

5 **Chapter 104-10 Shoreline Zone S-1**

6 **Sec 104-10-1 Purpose and Intent**

- 7 (a) The shoreline zone has been established as a district in which the primary use of the land is for farming  
8 and for recreational purposes. In general, this zone covers the portion of the unincorporated area of  
9 the county ~~which that~~ is occupied by Pineview Reservoir and shores adjacent thereto.
- 10 (b) This zone is characterized by farms and pasture lands situated adjacent to the shore of the Pineview  
11 Reservoir and interspersed by dwellings, recreational camps, resorts and outdoor recreation facilities.
- 12 (c) The ~~purposes of~~ **objectives in establishing** the Shoreline Zone S-1 are:
- 13 (1) To promote the use of the land for agriculture and for fish, wildlife and recreational purposes both  
14 public and private;
- 15 (2) To facilitate the conservation of water and other natural resources;
- 16 (3) To reduce hazards from floods and fires;
- 17 (4) To preserve open space, natural scenic attractions, natural vegetation, and other natural features  
18 within the zone;
- 19 (5) To ensure adequate provision for water supply, domestic sewage disposal and sanitation.
- 20 (d) In order to accomplish these objectives and purposes and to protect the essential characteristics of the  
21 zone, the following regulations shall apply in the Shoreline Zone S-1.

22 **Sec 104-10-2 (Reserved) Permitted Uses**

23 ~~The following uses are permitted in the Shoreline Zone S-1:~~

- 24 ~~(a) Accessory building incidental to the use of a main building; main building designed or used to~~  
25 ~~accommodate the main use to which the premises are devoted; and accessory uses customarily~~  
26 ~~incidental to a main use.~~
- 27 ~~(b) Accessory dwelling unit, in compliance with Chapter 108-19.~~
- 28 ~~(c) Agriculture, grazing and pasturing of animals.~~
- 29 ~~(d) Boating.~~
- 30 ~~(e) Cemeteries.~~
- 31 ~~(f) Fishing.~~
- 32 ~~(g) Golf courses, excluding miniature golf courses.~~
- 33 ~~(h) Home occupations.~~
- 34 ~~(i) Keeping of animals and fowl for family food production.~~
- 35 ~~(j) Public parks and recreation grounds. Public campgrounds and picnic areas meeting the requirements~~  
36 ~~of the Forest Campground Ordinance of Weber County. Public buildings~~
- 37 ~~(k) Single-family dwelling. Signs.~~
- 38 ~~(l) Water skiing and other water recreation activities.~~

39 **Sec 104-10-3 Land Use Table Conditional Uses**

**Commented [E1]:** Consolidating into Land Use Table below.

The following tables display the uses permitted, conditionally permitted, or not permitted in the agricultural zones. The letter "P" indicates a permitted use in the zone. The letter "C" indicates a use that requires a conditional use permit, as governed by Title 108 Chapter 4, in the zone. The letter "N" indicates a use that is prohibited in the zone. A use listed is a main use, unless listed in the "accessory uses" table.

- Accessory uses.** An accessory use is prohibited unless located on the same lot or parcel as the main use to which it is accessory.

**S-1 Special Regulations**

|  |   |                      |
|--|---|----------------------|
| <b>Accessory building</b> , accessory and incidental to the use of a main building.  | P |                      |
| <b>Accessory dwelling unit.</b>  | P | See Chapter 108-19.  |
| <b>Accessory use</b> , accessory and incidental to the main use.   | P |                      |
| <b>Family food production</b> , accessory to a residential use. <del>Keeping of animals and fowl for family food production.</del> | P | See Section 104-10-4 |
| <b>Home occupation</b> , accessory to a residential use.   | P | See Chapter 108-13.  |
| <b>Household pets</b> , accessory to a residential use.  | P |                      |
| <b>Main building</b> , designed or used to accommodate the main use.   | P |                      |

**Commented [E2]:** Other zones specifically list this as an accessory use. Omitting it here but specifically listing it elsewhere makes it not allowed in this zone by inference.

- Agricultural uses, non-animal.**

**S-1 Special Regulations**

|                     |   |  |
|---------------------|---|--|
| <b>Agriculture.</b> | P |  |
| <b>Aquaculture.</b> | P |  |

- Animal-related noncommercial uses.** The following are animal-related uses that do not and shall not typically generate customer-oriented traffic to the lot or parcel.

**S-1 Special Regulations**

|   |   |                       |
|---|---|-----------------------|
| <b>Animal grazing.</b> Animal grazing, as defined in Section 101-2. | P | See Section 104-10-4. |
|---|---|-----------------------|

|  |   |                                       |
|--|---|---------------------------------------|
| <a href="#">Apiary.</a>  | P |                                       |
| <a href="#">Aquaculture, animal related.</a>                   | P |                                       |
| <a href="#">Aviary.</a>  | P |                                       |
| <b>Corral, stable or building for keeping animals or fowl.</b> | P | See <a href="#">Section 104-10-4.</a> |

**Commented [E3]:** Not specifically listed in the S-1 zone, but presumed to be allowed under the "agriculture" use.

**Commented [E4]:** Not specifically listed in the S-1 zone, but presumed to be allowed under the "agriculture" use.

**Commented [E5]:** Not specifically listed in the S-1 zone, but presumed to be allowed under the "agriculture" use.

49  
50 4. [Commercial uses.](#) The following are uses that typically generate for-profit customer-oriented traffic to the lot or parcel.

**S-1 Special Regulations**

|   |   |                                     |
|---|---|-------------------------------------|
| <a href="#">Agri-tourism.</a>                     | C | <a href="#">See Chapter 108-21.</a> |
| <b>Campground and picnic area.</b>                | C | <a href="#">See Chapter 108-20.</a> |
| <b>Golf course, except miniature golf course.</b> | P |                                     |

**Commented [E6]:** Applicant's request

51 5. [Institutional uses.](#)

**S-1 Special Regulations**

|  |   |  |
|--|---|--|
| <b>Cemetery.</b>   | P |  |
| <b>Church, synagogue or similar building used for regular religious worship.</b> | P |  |

52 6. [Residential uses.](#)

**S-1 Special Regulations**

|                                |   |  |
|--------------------------------|---|--|
| <b>Single-family dwelling.</b> | P |  |
|--------------------------------|---|--|

53  
54 7. [Recreational noncommercial uses.](#) The following are recreational uses that are typically owned or operated by a nonprofit or governmental entity.

**S-1 Special Regulations**

|                         |   |  |
|-------------------------|---|--|
| <a href="#">Boating</a> | P |  |
| <a href="#">Fishing</a> | P |  |

**Commented [E7]:** Unnecessary to regulate in the land use code. This is not a land use.

**Commented [E8]:** Unnecessary to regulate in the land use code. This is not a land use.

|  |              |                                      |
|--|--------------|--------------------------------------|
| Private park, playground or recreation area. No privately owned commercial amusement business. | C            |                                      |
| Public campground and picnic area.   | P            | See <a href="#">Chapter 108-20</a> . |
| Public park, recreation grounds and associated buildings.                                      | P            |                                      |
| <del>Water skiing and other water recreation activities.</del>                                 | <del>P</del> |                                      |

**Commented [E9]:** Unnecessary to regulate in the land use code. This is not a land use.

55 8. [Utility uses.](#)

**S-1 Special Regulations**

|                                       |              |  |
|---------------------------------------|--------------|--|
| Hydro-electric dam.                   | C            |  |
| Public utility substations.           | C            |  |
| Radio or television station or tower. | C            |  |
| Signs                                 | <del>P</del> |  |

**Commented [E10]:** Sign code already governs this

56 **Sec 104-10-74 Special Regulations Provisions**

57 (a) [General use regulations.](#) The above specified uses shall be permitted only under the following  
58 conditions:

- 59 (1) Public health requirements concerning domestic water supply and sewage disposal shall comply  
60 with provisions of section 108-7-9.
- 61 (2) No building or structure shall be constructed within the boundaries of any public reservoir as  
62 determined by the public agency having jurisdiction or within the boundaries of any natural  
63 waterway or watercourse as determined by the county engineer wherein no buildings or structures  
64 shall be constructed or land subdivided. Where buildings are to be constructed within 50 feet of the  
65 exterior boundaries of a flood channel existing at the effective date of the ordinance from which this  
66 chapter is derived, adequate measures must be taken as determined by the Weber County  
67 Engineer so as to protect the building or structure from damage due to floods and so as not to  
68 increase the hazard to surrounding lands and buildings.
- 69 (3) The required yard space shall be kept free of debris, refuse or other inflammable material which  
70 may constitute a fire hazard.

71 ~~(4) Maximum height: 35 feet.~~

**Commented [E11]:** Redundant.

72 (b) [Specific use regulations.](#) The uses listed below correspond with certain uses listed in the Land Use  
73 Table in Section 104-10-3. Due to the nature of the use, each shall be further regulated as follows:

**Commented [E12]:** Pasting these regulations in from the corresponding section of the agricultural zones chapter. (Consistency)

74 (1) [Animal grazing.](#) This use shall not include the supplementary or full feeding of the animals, except  
75 when in compliance with the following:

76 a. [It may only be carried on during times that are reasonable and necessary due to lack of natural  
77 growing feed as a result of seasonal changes or extreme and temporary meteorological events.](#)

78 [b. It shall not exceed a density of 25 head per acre of used land in the AV-3 and A-1 zones, and](#)  
 79 [40 head per acre of used land in the A-2 and A-3 zones.](#)

80 [c. It shall not be closer than 75 feet to any dwelling, public or semi-public building on an adjoining](#)  
 81 [parcel of land.](#)

82 [\(2\) \*\*Corral, stable or building for keeping animals or fowl.\*\* This use shall be located no less than](#)  
 83 [100 feet from a public street and not less than 25 feet from any side or rear lot line.](#)

84 [\(3\) \*\*Family food production.\*\*](#)

85 [a. As used in this subsection, a Group A animal is either one pig, one sheep, one cow, or one](#)  
 86 [goat, and Group B animals or fowl are either a set of ten rabbits, ten chickens, ten pheasants,](#)  
 87 [five turkeys, five ducks, five geese, or five pigeons.](#)

88 [b. No more than four sets of Group B animals or fowl may be kept on a lot or parcel that is less](#)  
 89 [than 40,000 square feet.](#)

90 [c. No more than six combined sets of Group A animals and sets of Group B animals or fowl may](#)  
 91 [be kept on a lot or parcel that is less than two acres. The same applies to a lot or parcel greater](#)  
 92 [than two acres, except that an additional six combined sets of Group A and sets of Group B](#)  
 93 [animals or fowl may be kept per each additional acre greater than two.](#)

94 **Sec 104-10-5 Site Development Standards ~~Front Yard Regulations~~**

95 [The following site development standards apply to a lot or parcel in the Shoreline zone, unless specified](#)  
 96 [otherwise in this Land Use Code.](#)

97 (a) [Lot area:](#)

[S-1](#)

|                       |         |
|-----------------------|---------|
| Minimum for all uses: | 5 acres |
|-----------------------|---------|

98 (b) [Lot width:](#)

[S-1](#)

|                       |          |
|-----------------------|----------|
| Minimum for all uses: | 300 feet |
|-----------------------|----------|

99 (c) [Yard setback:](#)

100 (1) [Front yard setback:](#)

[S-1](#)

|                             |         |
|-----------------------------|---------|
| Minimum front yard setback: | 30 feet |
|-----------------------------|---------|

101 (2) [Side yard setback:](#)

[S-1](#)

|                       |         |
|-----------------------|---------|
| Minimum for all uses: | 20 feet |
|-----------------------|---------|

102 (3) [Rear yard setback:](#)

S-1

|                     |         |
|---------------------|---------|
| Main building:      | 30 feet |
| Accessory building: | 10 feet |

103 ~~(e)~~(d) Building height:

S-1

|                                    |  |
|------------------------------------|--|
| Minimum main building height:      | 1 story  |
| Maximum main building height:      | 35 feet  |
| Maximum accessory building height: | 25 feet unless meeting requirements of <u>Section 108-7-16</u> , Large accessory buildings |

104 ~~Sec 104-10-4 Area Regulations Building Site Area Required~~

105 ~~The minimum lot and building site area shall be one recorded lot or parcel of land not less than five acres~~  
 106 ~~and a minimum width of 300 feet for each dwelling or use.~~

107 ~~Sec 104-10-5 Front Yard Regulations~~

108 ~~The following front yard regulations shall apply in the Shoreline Zone S-1:~~

109 ~~(a) 30 feet on streets of less than 80 feet in width;~~

110 ~~(b) 100 feet on streets and highways of 80 feet or more in width.~~

111 ~~Sec 104-10-6 Side And Rear Yard Regulations~~

112 ~~Side and rear yard regulations shall be the same as for Forest Residential Zone FR-1.~~

# **EXHIBIT B**

Agritourism Ordinance.



## **Chapter 108-21 Agri-Tourism**

### **Sec 108-21-1 Purpose And Intent**

### **Sec 108-21-2 Applicability**

### **Sec 108-21-3 General Development Standards**

### **Sec 108-21-4 Agricultural Operation Designation**

### **Sec 108-21-5 Permitted Uses/Activities Table**

### **Sec 108-21-6 Use/Activity Standards And Limitations**

### **Sec 108-21-7 Signs**

### **Sec 108-21-1 Purpose And Intent**

The purpose of this chapter is to provide support and economically feasible land use alternatives to local and enterprising farm owners who are devoted to their land and are committed to providing authentic, agriculturally related products and experiences to the public. Agriculture is a very important contributor to Utah's economy and, observably, an integral and indispensable part of Weber County's rich cultural heritage; therefore, it is the county's desire to create an environment in which agriculture is not only encouraged but can thrive. It is intended to benefit farm owners and the residents of Weber County through its ability to generate supplementary farm income while promoting the preservation of agricultural open space and significantly enhancing leisure, recreational, educational, and gastronomic opportunities for those in pursuit of such experiences in a rural farmland setting.

(Ord. No. 2012-19, pt. 1(§ 46-1), 12-18-2012)

### **Sec 108-21-2 Applicability**

The standards found in this chapter shall apply to all agri-tourism applications/operations. Also, all agri-tourism operations are subject to title 108, chapter 4 of this Land Use Code (conditional uses) which regulates the conditional use permit application and review process. This process may include, but is not limited to, a review by the Weber County Planning Division, Building Inspection Division, Engineering Division, and Sheriff's Office. Other review agencies may include the Weber-Morgan Health Department, Weber Fire District, Utah State University Cooperative Extension, and/or other various agencies. Agri-tourism events that operate outside of normal day-to-day hours and/or involve spectators in a number greater than that which can be served by existing facilities shall be subject to title 38, special events. Other ordinances, codes and/or regulations may apply; therefore, it shall be the responsibility of the applicant to know and understand all applicable standards and agency requirements.

(Ord. No. 2012-19, pt. 1(§ 46-2), 12-18-2012)

### **Sec 108-21-3 General Development Standards**

The development standards imposed by this section do not alter, supersede or nullify any codes, ordinances, statutes, or other applicable standards which may also regulate these same uses/activities.

- (a) **Primary use.** Agriculture is the preferred use in agricultural zones; therefore, all agri-tourism uses/activities shall be complementary and clearly accessory to the primary agricultural use. To guarantee legitimacy and viability, an agri-tourism operation shall demonstrate that the subject property has been qualified under the Farmland Assessment Act or that the subject property is currently, or will be within the next growing season, producing an agricultural product in an amount that meets or exceeds the production requirement as established by the Farmland Assessment Act. A farmer, whose primary agricultural use is that of an apiary, shall be required to maintain two hives per acre with a ten-hive minimum. No more than 20 hives shall be necessary when a farm exceeds ten acres.

- (b) **Lot of record (lawfully created lot).** Notwithstanding title 106, subdivisions, a landowner who meets the standards, as set forth by this chapter, may develop an agri-tourism operation and its associated uses (excluding a single-family dwelling, B&B farm dwelling, and B&B farm retreat) as a lot of record. The parcel(s) shall be subject to the following:
- (1) The agri-tourism operation shall remain in compliance with approvals granted through further review and subsequent issuance of a conditional use permit.
  - (2) The parcel and/or combination of all individual parcels shall consist of an area that is not less than twice the minimum lot area that is required by the zone in which the agri-tourism operation is located. For example an agri-tourism operation that lies in a zone that requires three acres as a minimum lot area shall be required to have at least a six-acre farm size. Parcels that are unable to meet this area requirement may pursue a legal (lot of record) status by demonstrating that the subject parcel(s) qualifies as lot of record through any other available means provided by the definition of a lot of record or by meeting the requirements of the Weber County Subdivision Ordinance.
- (c) **Narrative.** In addition to the requirements listed in title 108, chapter 4 of this Land Use Code (conditional uses), all agri-tourism applications shall be accompanied by a concise narrative describing the farm and the overall vision for the proposed agri-tourism operation. The narrative shall include farm history, a description or plan for the general maintenance of its agricultural product(s), and proposals for the following:
- (1) Offerings for agriculturally related and non-agriculturally related products and uses/activities.
  - (2) Agriculturally related and non-agriculturally related types of facilities and equipment.
  - (3) Time(s) of normal day-to-day operation as referenced in title 38, special events.
  - (4) Anticipated number of daily patrons and employees.
  - (5) Parking needs.
- (d) **Access.** Notwithstanding section 108-7-31 (access to a lot/parcel using a private right-of-way/easement), an agri-tourism operation is not required to have frontage or access directly off of a public or privately dedicated roadway.
- (e) **General site and building design/layout.** An agri-tourism operation shall have a general design and layout that concentrates all tourism uses and activities into a distinct activity center(s). The area within a developed activity center or combined area of multiple activity centers, excluding productive agri-tourism acreage, trail corridors, and/or a half-acre for a farmer's residence and any uses confined thereto (i.e., home office, B&B, etc.), may consist of a total area that does not exceed 20 percent of a farm's overall gross acreage. The remaining acreage, shown outside of all activity centers, shall be maintained in an agriculturally productive manner that is consistent with the farm's main agricultural use(s). Acreage that is incapable of being agriculturally productive due to a topographic condition, physical constraint, and/or circumstance (i.e., wetlands, drainages, steep slopes, occupation by barn and/or farm equipment storage structure(s) etc.) that physically interferes with farm production may be kept in its natural, historic, or constructed state.
- Newly constructed buildings and facilities intended for agri-tourism purposes and/or to serve agri-tourism needs shall reflect an architectural vernacular that is consistent with the area's rural character. Temporary sanitary facilities are discouraged; however, if found necessary, they shall be discretely incorporated into the agri-tourism operation and completely screened from street and adjacent property view.

- (f) **Ownership.** An agri-tourism operation may consist of multiple properties; however, all properties shall have identical and common ownership.
- (g) **Production.** An agri-tourism operation shall, with exception of the winter season, actively and continuously produce an agricultural product for sale and purchase. In the event that the agri-tourism operation's agricultural productivity ceases or becomes improperly maintained, as determined by the planning commission, the right to operate an agri-tourism business under a conditional use permit may be revoked.
- (h) **Agri-tourism uses/activities.** To ensure an appropriate balance and mixture of agriculturally related and non-agriculturally related uses/activities, it shall be required that a minimum of one-half of all uses/activities be agriculturally related as defined in section 101-1-7 of this Land Use Code. The method, by which measurements are made, shall be based on one agriculturally related use/activity being equal to one non-agriculturally related use/activity. Uses/activities involving the sale of any products or goods shall be prohibited from selling motorized vehicles and/or equipment. Exceptions to this standard are made for the occasional sale of farm equipment personally owned by the farm owner and/or other farm equipment sales events approved through title 38, special events.
- (i) **Hours of operation.** Agri-tourism uses/activities, not including residential overnight lodging accommodations and/or those conducted within a completely enclosed building, shall be limited to operating during the daily hours of 8:00 a.m. and 10:00 p.m. The planning commission may consider a variation to this standard upon finding that a proposed use/activity is reliant on and/or based on making observations that can only occur during hours otherwise not permitted.
- (j) **Development agreement.** An agri-tourism operation shall, prior to the construction of any structure intended for the purpose of accommodating non-agricultural uses, record a farm stay and commercial development agreement, provided by Weber County, on all parcels utilized as part of an approved agri-tourism operation. One single-family dwelling or farm house (per parcel) and/or any number of structures that qualify for an agricultural exemption are excepted from this standard when developed in accordance with the requirements found in the Weber County Land Use Code.

(Ord. No. 2012-19, pt. 1(§ 46-3), 12-18-2012)

#### HISTORY

Amended by Ord. [2023-01](#) on 1/10/2023

### **Sec 108-21-4 Agricultural Operation Designation**

The following establishes a categorical designation for agricultural operations based on acreage:

- (a) Market garden includes an agriculturally productive property consisting of three acres or more, but fewer than five acres.
- (b) Family farm includes an agriculturally productive property consisting of five acres or more, but fewer than ten acres.
- (c) Small farm includes an agriculturally productive property consisting of ten acres or more, but fewer than 20 acres.
- (d) Medium farm includes an agriculturally productive property consisting of 20 acres or more, but fewer than 40 acres.
- (e) Large farm includes an agriculturally productive property consisting of 40 acres or more, but fewer than 80 acres.
- (f) Ranch includes an agriculturally productive property consisting of 80 acres or more.

**Sec 108-21-5 Permitted Uses/Activities Table**

The following uses/activities have been determined desirable when thoughtfully incorporated into an approved agri-tourism operation. As stated above, these uses/activities may be subject to other requirements beyond those imposed by this chapter; therefore, it shall not be construed to mean that this chapter alters or nullifies any requirements contained in other codes, ordinances, statutes, or applicable standards. Those uses/activities marked with an asterisk (\*) have additional design and/or limitation standards beyond any provided within other specific, codes, ordinances, statutes, or other applicable standards. See section 108-21-7 for these specific design and/or limitation standards associated with each use/activity marked with an asterisk (\*).

| Uses/Activities  | Farm Designations             |                              |                              |                               |                              |                      |
|--|-------------------------------|------------------------------|------------------------------|-------------------------------|------------------------------|----------------------|
|  | Market Garden<br>(3—<5 acres) | Family Farm<br>(5—<10 acres) | Small Farm<br>(10—<20 acres) | Medium Farm<br>(20—<40 acres) | Large Farm<br>(40—<80 acres) | Ranch<br>(=80 acres) |
| <b>Farm Stay (Residential and Overnight Lodging Accommodation) Uses/Activities</b> |                               |                              |                              |                               |                              |                      |
| Accessory dwelling unit*   | •                             | •                            | •                            | •                             | •                            | •                    |
| Agro-ecology research and education center (AREC)*                                 | •                             | •                            | •                            | •                             | •                            | •                    |
| B&B farm dwelling (2 room)*  |                               | •                            | •                            | •                             | •                            | •                    |
| B&B farm retreat (7 room)*   | •                             | •                            | •                            | •                             | •                            | •                    |
| B&B farm inn (16 room)*  |                               |                              |                              | •                             | •                            | •                    |
| Glamorous camping (glamping)*  | •                             | •                            | •                            | •                             | •                            | •                    |
| Conference/education center*   |                               |                              | •                            | •                             | •                            | •                    |
| Single-family dwelling; a.k.a. Farm house*   | •                             | •                            | •                            | •                             | •                            | •                    |
| Health farm*   |                               |                              | •                            | •                             | •                            | •                    |
| Motor coach/caravan area, agri-tourism*  | •                             | •                            | •                            | •                             | •                            | •                    |
| <b>Agriculturally Related Uses/Activities</b>                                      |                               |                              |                              |                               |                              |                      |
| Agro-ecology research and education center (AREC)*                                 |                               | •                            | •                            | •                             | •                            | •                    |
| Barn dance   |                               | •                            | •                            | •                             | •                            | •                    |
| Community garden/rent-a-row  | •                             | •                            | •                            | •                             | •                            | •                    |
| Community supported agriculture  | •                             | •                            | •                            | •                             | •                            | •                    |
| Corn maze  |                               |                              | •                            | •                             | •                            | •                    |
| Educational classes  | •                             | •                            | •                            | •                             | •                            | •                    |
| Farm museum  |                               | •                            | •                            | •                             | •                            | •                    |
| Farm tour  | •                             | •                            | •                            | •                             | •                            | •                    |

|  |   |   |   |   |   |   |
|--|---|---|---|---|---|---|
| Fee fishing (if aquaculture)                           |   | • | • | • | • | • |
| Harvest-market*  | • | • | • | • | • | • |
| Multi-farmer open air (farmer's) market, agri-tourism* |   |   |   | • | • | • |
| Nursery (plant cultivation)                            | • | • | • | • | • | • |
| Petting farm/zoo                                       | • | • | • | • | • | • |
| Sleigh/hay ride  |   |   | • | • | • | • |
| Special event; as defined by title 38, special events  | • | • | • | • | • | • |
| Special occasion, agri-tourism                         |   |   | • | • | • | • |
| U-pick operation/pumpkin patch                         | • | • | • | • | • | • |
| <b>Non-Agriculturally Related Uses/Activities</b>      |   |   |   |   |   |   |
| Agricultural arts center                               |   |   | • | • | • | • |
| Bakery/cafe featuring farm products*                   |   |   |   | • | • | • |
| Conference/education center*                           |   |   |   |   | • | • |
| Fee fishing  |   | • | • | • | • | • |
| Food concessions stand*                                |   |   | • | • | • | • |
| Gift shop (retail)*                                    | • | • | • | • | • | • |
| Haunted house/hay stack/farm                           |   |   | • | • | • | • |
| Hunting preserve*                                      |   |   |   |   |   | • |
| On-farm store/retail market, agri-tourism*             |   |   |   |   | • | • |
| Play area, agri-tourism                                |   | • | • | • | • | • |
| Restaurant featuring farm products*                    |   |   |   | • | • | • |
| Special event; as defined by title 38, special events  | • | • | • | • | • | • |
| Health farm*   |   |   |   | • | • | • |
| Motor coach/caravan area, agri-tourism*                |   |   |   | • | • | • |
| Value added product processing*                        | • | • | • | • | • | • |

(Ord. No. 2012-19, pt. 1(§ 46-5), 12-18-2012)

HISTORY

Amended by Ord. [2020-27](#) on 12/22/2020

Amended by Ord. [2023-01](#) on 1/10/2023

**Sec 108-21-6 Use/Activity Standards And Limitations**

To ensure considerate integration of agri-tourism operations into established rural neighborhoods, the uses listed below shall be subject to additional standards beyond any provided within other, expressed and/or unexpressed, codes, ordinances, statutes, rules, or requirements. One or more of these additional standards and/or limitations, may be waived by the Planning Commission upon finding that either: a proposed use poses no detrimental effects to neighboring properties due to unique circumstances or that a proposed use can be mitigated to an acceptable level due to the imposition of other more appropriate, site specific conditions that justify the use's/activity's approval.

(a) ***Farm stay (residential and overnight lodging accommodation) uses/activities.***

(1) Agro-ecology research and education center (AREC).

- a. An AREC shall be limited to providing overnight lodging accommodations for faculty, staff, and/or students/apprentices only.
- b. An AREC, approved as part of an agri-tourism operation, shall be limited to a number of lodging rooms that does not exceed two rooms per one gross acre.
- c. A lodging room may provide basic needs for up to a maximum of two persons; however, each room shall be limited to facilities that do not comprise or otherwise permit a lodging room to meet the definition of a single-family dwelling.
- d. An AREC shall not be located closer than 50 feet to any agri-tourism operation's perimeter boundary line and in no case located closer than 100 feet to an existing dwelling on an adjacent lot/parcel. These standards may be reduced by up to one-half when a substantial natural landscape screen, standing at a minimum of six feet in height for a majority of its length, is used to mitigate potential visual and/or audible impacts to neighboring property.

(2) B&B farm dwelling (two guest rooms).

- a. An agri-tourism operation shall be limited to one B&B facility (i.e., one B&B dwelling, retreat, or inn) conference/education center, or health farm.
- b. A B&B farm dwelling shall be limited to a maximum of two guest units/rooms.
- c. A B&B farm dwelling shall be subject to the Weber County zoning and platting requirements of the title 106, subdivision.

(3) B&B farm retreat (seven guest rooms).

- a. An agri-tourism operation shall be limited to one B&B facility (i.e., one B&B dwelling, retreat, or inn) conference/education center, or health farm.
- b. A B&B farm retreat shall be limited to a maximum of seven guest units/rooms.
- c. A B&B farm retreat shall not be located closer than 100 feet to any agri-tourism operation's perimeter boundary line and in no case located closer than 300 feet to an existing dwelling on an adjacent lot/parcel. These standards may be reduced by up to one-half when a substantial natural landscape screen, standing at a minimum of six feet in height for a majority of its length, is used to mitigate potential visual and/or audible impacts to neighboring property.
- d. A B&B farm retreat shall be subject to the Weber County zoning and platting requirements of title 106, subdivision.

(4) B&B farm inn (16 guest rooms).



- a. An agri-tourism operation shall be limited to one B&B facility (i.e., one B&B dwelling, retreat, or inn) conference/education center, or health farm.
- b. A B&B farm inn shall be limited to a maximum of 16 guest units/rooms.
- c. The B&B farm inn shall not be located closer than 300 feet to any agri-tourism operation's perimeter boundary line and in no case located closer than 500 feet to an existing dwelling on an adjacent lot/parcel. These standards may be reduced by up to one-half when a substantial natural landscape screen, standing at a minimum of six feet in height for a majority of its length, is used to mitigate potential visual and/or audible impacts to neighboring property.

(5) Luxury camping (glamping).

- a. Glamping, approved as part of an agri-tourism operation, shall be limited to a number of tents that does not exceed two tents or cabins per five gross acres.
- b. Occupancy shall not exceed six persons per tent or cabin.
- c. Meals shall only be served to overnight guests.
- d. Glamping area(s) shall be completely screened from street view.
- e. Glamping areas shall not be located closer than 300 feet to any agri-tourism operation's perimeter boundary line and in no case located closer than 500 feet to an existing dwelling on an adjacent lot/parcel. These standards may be reduced by up to one-half when a substantial natural landscape screen, standing at a minimum of six feet in height for a majority of its length, is used to mitigate potential visual and/or audible impacts to neighboring property.

(6) Accessory dwelling unit.

- a. An agritourism operation may have one or more accessory dwelling units onsite. The number of accessory dwelling units shall not exceed the following calculation: net developable acreage of the parcel upon which an accessory dwelling unit is located, divided by the minimum lot area required by the zone in which the lot or parcel(s) is located, all multiplied by 20 percent (net developable acreage / minimum lot area) × 20 percent = Maximum number of accessory dwelling units at an approved agri-tourism operation.
- b. Meals shall only be served to overnight guests.
- c. An accessory dwelling unit shall not be located closer than 150 feet to the agri-tourism operation's exterior boundary, and in no case located closer than 300 feet from an existing dwelling on an adjacent lot/parcel. These standards may be reduced by up to one-half when a substantial natural landscape screen, standing at a minimum of six feet in height for a majority of its length, is used to mitigate potential visual and/or audible impacts to neighboring property.

(7) Conference/education center.

- a. An agri-tourism operation shall be limited to one conference/education center.
- b. A conference/education center shall be limited to a maximum of 20 guest units/rooms.
- c. Conference/education centers shall not be located closer than 300 feet to any agri-tourism operation's perimeter boundary line and in no case located closer than 500 feet to an existing dwelling on an adjacent lot/parcel. These standards

may be reduced by up to one-half when a substantial natural landscape screen, standing at a minimum of six feet in height for a majority of its length, is used to mitigate potential visual and/or audible impacts to neighboring property.

(8) Health farm.

- a. An agri-tourism operation shall be limited to one health farm or B&B facility (i.e., one B&B dwelling, inn, or hotel).
- b. A health farm shall be limited to a maximum of ten guest units/rooms.
- c. A health farm shall not be located closer than 150 feet to any agri-tourism operation's perimeter boundary line and in no case located closer than 300 feet to an existing dwelling on an adjacent lot/parcel. These standards may be reduced by up to one-half when a substantial natural landscape screen, standing at a minimum of six feet in height for a majority of its length, is used to mitigate potential visual and/or audible impacts to neighboring property.

(9) Motor coach/caravan area.

- a. A motor coach/caravan area, approved as part of an agri-tourism operation, shall be limited to a number of individual sites that does not exceed one site per five gross acres. In no case shall a motor coach/caravan area or combination of areas exceed 20 sites.
- b. A motor coach/caravan area shall not be located closer than 300 feet to any agri-tourism operation's perimeter boundary line and in no case located closer than 500 feet to an existing dwelling on an adjacent lot/parcel. These standards may be reduced by up to one-half when a substantial natural landscape screen, standing at a minimum of six feet in height for a majority of its length, is used to mitigate potential visual and/or audible impacts to neighboring property.

(10) Single-family dwelling; a.k.a. farm house.

- a. An agri-tourism operation shall be limited to one single-family dwelling/farm house and is subject to the Weber County zoning and platting requirements of title 106, subdivision.

**(b) *Agriculturally related uses/activities.***

(1) Argo-ecology research and education center (AREC).

- a. See section 108-21-6(a)(1).

(2) Educational classes.

- a. All courses of study or subject matter shall incorporate and consist of an agricultural and/or ecological component.

(3) Harvest-market.

- a. Limited to agricultural products as defined in section 101-1-7 of this Land Use Code.

(4) Multi-farmer open air (farmer's) market.

- a. The operation of a multi-farmer open air (farmer's) market shall be limited to the months of June through December.



- b. A multi-farmer open air (farmer's) market shall not be located closer than 200 feet to any agri-tourism operation's perimeter boundary line, excepting the front property line, and in no case located closer than 300 feet to an existing dwelling on an adjacent lot/parcel. These standards may be reduced by up to one-half when a substantial natural landscape screen, standing at a minimum of six feet in height for a majority of its length, is used to mitigate potential visual and/or audible impacts to neighboring property.

(5) Petting farm/zoo.

- a. Limited to parcels with access provided by a collector or arterial road when located within the Ogden Valley. See the Ogden Valley Transportation Element Map for road designation information.

**(c) Non-Agriculturally Related Uses/Activities.**

(1) Bakery/cafe featuring farm product(s).

- a. Not less than one agricultural product, offered at a bakery/cafe featuring farm product(s), shall be raised/cultivated and/or produced by the farm on which the bakery/cafe featuring farm product(s) is operated.
- b. A bakery/cafe shall not be located closer than 150 feet to any agri-tourism operation's perimeter boundary line, excepting the front property line, and in no case located closer than 300 feet to an existing dwelling on an adjacent lot/parcel. These standards may be reduced by up to one-half when a substantial natural landscape screen, standing at a minimum of six feet in height for a majority of its length, is used to mitigate potential visual and/or audible impacts to neighboring property.

(2) Farm stay.

- a. See section 108-21-6(a).

(3) Gift shop (retail).

- a. A gift shop and its outdoor display area or gift shop area within a multi-use building shall be limited to the following size standards:

|    |                        |                          |
|----|------------------------|--------------------------|
| 1. | Market garden (3<5 ac) | 200 square feet maximum. |
| 2. | Family farm (5<10 ac)  | 200 square feet maximum. |
| 3. | Small farm (10<20 ac)  | 200 square feet maximum. |
| 4. | Medium farm (20<40 ac) | 400 square feet maximum. |
| 5. | Large farm (40<80 ac)  | 600 square feet maximum. |
| 6. | Ranch (>80 ac)         | 800 square feet maximum. |

(4) Hunting preserve.

- a. Limited to the Western Weber County Planning Area.
- b. Limited to upland game and waterfowl hunting only.

c. Subject to Utah Division of Wildlife Resource standards.

(5) Motor coach/caravan area.

a. See section 108-21-6(a)(1).

(6) On-farm store/retail market.

- a. Not less than one agricultural product, offered at an on-farm store/retail market, shall be raised/cultivated and/or produced by the farm on which the on-farm store/retail market is operated.
- b. An on-farm store/retail market and its outdoor display area or on-farm store/retail market area within a multi-use building shall be limited to the following size standards:

|    |                          |                             |
|----|--------------------------|-----------------------------|
| 1. | Large farm<br>(40<80 ac) | 600 square feet<br>maximum. |
| 2. | Ranch<br>(>80 ac)        | 800 square feet<br>maximum. |

- c. Products made available at an on-farm store/retail market shall be limited to those commonly offered by a small-scale neighborhood grocer.
- d. An on-farm store/retail market shall not be located closer than 150 feet to any agri-tourism operation's perimeter boundary line, excepting the front property line, and in no case located closer than 300 feet to an existing dwelling on an adjacent lot/parcel. These standards may be reduced by up to one-half when a substantial natural landscape screen, standing at a minimum of six feet in height for a majority of its length, is used to mitigate potential visual and/or audible impacts to neighboring property.

(7) Restaurant featuring farm product(s).

- a. Not less than one agricultural product, offered at a restaurant featuring farm product(s), shall be raised/cultivated and/or produced by the farm upon which the restaurant featuring farm product(s) is operated.
- b. A restaurant shall not be located closer than 150 feet to any agri-tourism operation's perimeter boundary line, excepting the front property line, and in no case located closer than 300 feet to an existing dwelling on an adjacent lot/parcel. These standards may be reduced by up to one-half when a substantial natural landscape screen, standing at a minimum of six feet in height for a majority of its length, is used to mitigate potential visual and/or audible impacts to neighboring property.

(8) Value added product processing and packaging (VAPPP).

- a. VAPPP shall be limited to fowl, livestock, dairy, apiculture, aquaculture, and botanical products that have been raised, produced, and/or cultivated by the farm upon which the processing and packaging is taking place.
- b. VAPPP, related to the products listed immediately above, shall be limited to agri-tourism operations and parcels consisting of five acres or more. The planning commission may allow up to a two-acre reduction to this limitation if it is found that

the VAPPP will take place in a completely enclosed building and will emit no perceivable smoke, dust, vibration, noise, and/or objectionable smell at the subject farm's property boundary.

- c. A VAPPP building and any outdoor work area or VAPPP area within a multi-use building shall be limited to the following size standards:

|    |                        |                          |
|----|------------------------|--------------------------|
| 1. | Market garden (3<5 ac) | 200 square feet maximum. |
| 2. | Family farm (5<10 ac)  | 200 square feet maximum. |
| 3. | Small farm (10<20 ac)  | 200 square feet maximum. |
| 4. | Medium farm (20<40 ac) | 400 square feet maximum. |
| 5. | Large farm (40<80 ac)  | 600 square feet maximum. |
| 6. | Ranch (>80 ac)         | 800 square feet maximum. |

- d. Consumer direct (retail) sales of processed and packaged products shall only be made from an approved concession or other retail outlet.
- e. The structure in which VAPPP takes place shall in no case be located closer than 200 feet to an existing single-family dwelling on an adjacent lot/parcel.

(Ord. No. 2012-19, pt. 1(§ 46-6), 12-18-2012; Ord. No. 2015-22, Exh. A, 12-22-2015; Ord. No. 2018-6, Exh. A, 5-8-2018)

#### HISTORY

Amended by Ord. [2020-27](#) on 12/22/2020

Amended by Ord. [2023-01](#) on 1/10/2023

### **Sec 108-21-7 Signs**

Signs shall be regulated according to the requirements found in Title 110 of this Land Use Code.

(Ord. No. 2012-19, pt. 1(§ 46-7), 12-18-2012)



Magleby Development  
2640 N Highway 162 Unit 103  
Eden, Utah 84310

03/17/2023

Weber County Planning Commission  
2380 Washington Blvd.  
Ogden, UT 84401

Dear Members of the Weber County Planning,

Subject: Proposed Text Amendment to the S-1 Shoreline Zone Development Code - Agritourism as a Permitted Use

As a representative of the land owner, I, Dayson Johnson, am writing to request your consideration of a proposed text amendment to the S-1 Shoreline Zone Development Code in Weber County. Our goal is to allow agritourism as a permitted use within this zone, particularly for Parcel 201620002. We believe that agritourism has the potential to offer numerous benefits to the local community, including supporting local agriculture, promoting small businesses, and providing educational and recreational opportunities.

Please find below the proposed language for the text amendment:

**Section 1: Purpose and Intent**

The purpose of this amendment is to permit agritourism as a use within the S-1 Shoreline Zone in Weber County, Utah. Agritourism is defined as any agriculturally-based operation or activity that brings visitors to a farm or ranch. Examples of agritourism include, but are not limited to, farm tours, U-pick operations, farm-to-table events, farmer's markets, agricultural workshops, and other similar activities.

# EXHIBIT C

Application Information

## Section 2: Permitted Uses

The following uses are permitted within the S-1 Shoreline Zone, subject to compliance with the standards and requirements set forth in this ordinance:

Existing and traditional agricultural practices, including crop cultivation, livestock grazing, and horticulture.

Agritourism, as defined in Section 1, provided that:

- a. The primary use of the property remains agriculture.
- b. All agritourism activities and related structures are set back a minimum of 100 feet from any adjacent residential property line.
- c. Adequate parking facilities are provided, and ingress and egress points do not create a hazard or nuisance to neighboring properties or public roadways.
- d. Any signage for agritourism activities complies with the Weber County Sign Ordinance.
- e. The landowner obtains any necessary permits and complies with all applicable health and safety regulations.

We kindly ask the Weber County Planning Staff to review this proposed amendment and consider its adoption. We believe that incorporating agritourism as a permitted use in the S-1 Shoreline Zone will contribute to the economic development and well-being of the county, as well as help preserve our agricultural heritage.

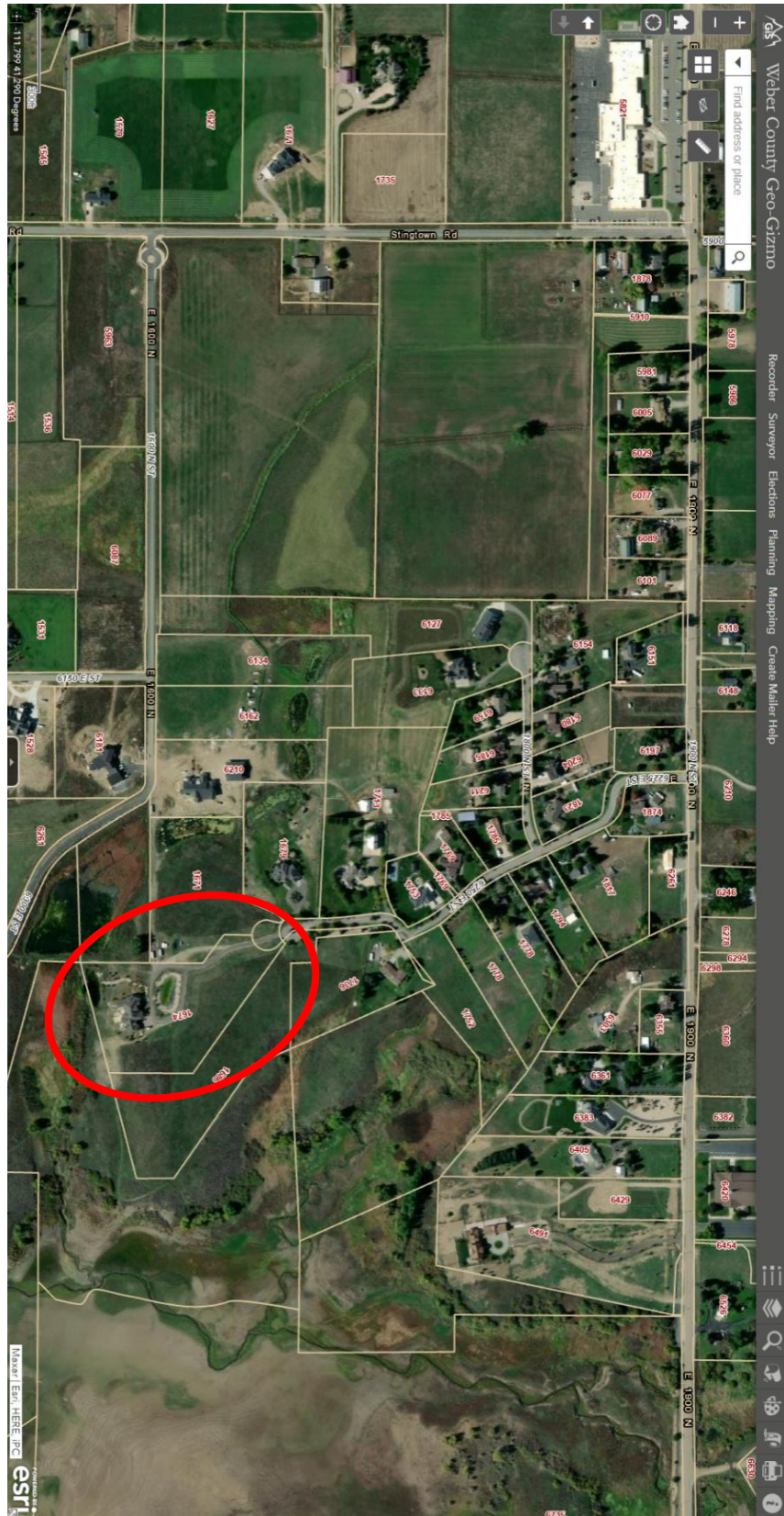
Thank you for your time and consideration. Should you require any additional information or have any questions, please contact me at 801-647-9165 or [djohnson@maglebydevelopment.com](mailto:djohnson@maglebydevelopment.com).

Sincerely,

Dayson Johnson

Magleby Development

Exhibit A







## Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

### Synopsis

#### Application Information

**Application Request:** A public hearing and consideration of File ZTA2023-03, an applicant-initiated request to amend the Form-Based Village zoning ordinance to adjust the New Town Eden Street Regulating Plan and to provide alternative design standards for New Town Eden.

**Applicant:** Eric Langvardt

**Agenda Date:** Tuesday, May 23, 2023

**File Number:** ZTA 2023-03

#### Staff Information

**Report Presenter:** Charlie Ewert  
cewert@co.weber.ut.us  
(801) 399-8763

**Report Reviewer:** RG

### Applicable Ordinances

§104-22: Form-Based Zone (FB)

### Legislative Decisions

Decision on this item is a legislative action. When the Planning Commission is acting on a legislative item it is acting as a recommending body to the County Commission. Legislative decisions have wide discretion. Examples of legislative actions are general plan, zoning map, and land use code amendments. Typically, the criterion for providing a recommendation on a legislative matter suggests a review for compatibility with the general plan and existing ordinances.

### Summary and Background

The county adopted a street regulating plan for the Eden area in January 2022. The applicant is proposing development in an area that does not reflect what was adopted. The applicant is requesting an amendment to the street regulating plan, and is proposing alternative design standards for the Eden area, generally.

The planning commissions considered this item in work session on May 2, 2023. The planning commission gave both the applicant and staff general guidance.

Staff is recommending approval of the proposal.

### Policy Analysis

#### Policy Considerations:

#### Proposed Text Amendment (Exhibit A)

The proposed text amendment is fairly straightforward, but the application of the amendment has broader effects on the New Town Eden Area.

The amendment creates alternative architectural design standards for the New Town Eden Area, and a revised street regulating plan map that includes additional streets in the northeastern quadrant of the New Town Eden Area (northeast of the intersection of Hwy 158 and Hwy 162. To help ease the effect of the new streets requested, staff has provided four alternative street regulating plans that represent changes to most if not all of the streets on the periphery of the New Town Eden village area. As always, there is a fifth alternative which is to make no changes.

*Proposed new architectural design theme.*



The applicant is proposing a second set of architectural design standards that can be used for commercial and multifamily buildings in the New Town Eden area. If approved, a landowner within the New Town Eden area can choose between the existing architectural theme (Agricultural) or the new theme (Mountain Modern). The applicant has suggested that a mix of these themes within one village area may make for an overall complimentary community outcome that celebrates the history of the area while also looking to the future; and doing so without inducing so many different themes that the community looks hodge-podge.

When reviewing the proposed new them with the planning commission, it seemed the planning commission supported it. The planning commission also expressed concern over the current agricultural theme, suggesting perhaps that it is an ill-conceived style for street-front commercial buildings.

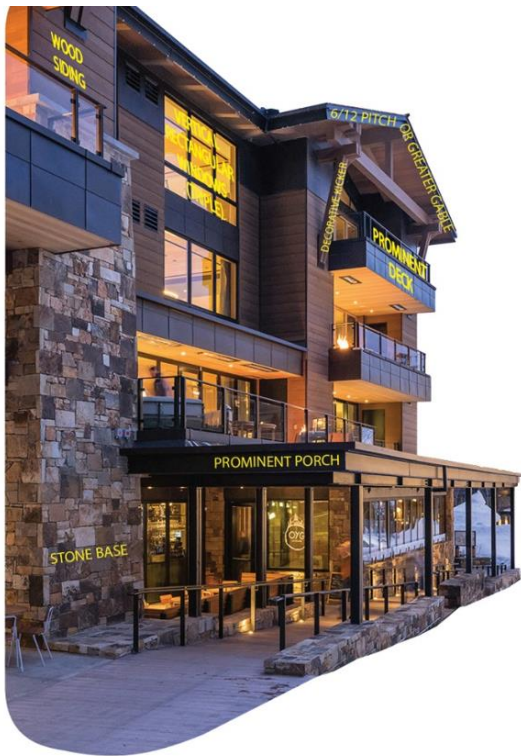
To explore a way to allow multiple themes within one area, staff assembled an architectural matrix. It is included in the attached proposal. In the matrix, each village area has at least one theme allowed. In the Eden area, staff is suggesting perhaps allowing multiple themes to blend. However, in certain areas, such as the square around Eden Park, the matrix only lists one appropriate theme.

The matrix enables ease of amendment as new themes are considered in the future. It also allows multiple themes to be shared by multiple village areas.

In the proposal, staff included both the applicants requested "mountain modern" theme as well as a new theme titled "mountain rustic." The differences between the two can be reviewed in exhibit.

*Illustrations of the Mountain Modern design theme being proposed:*

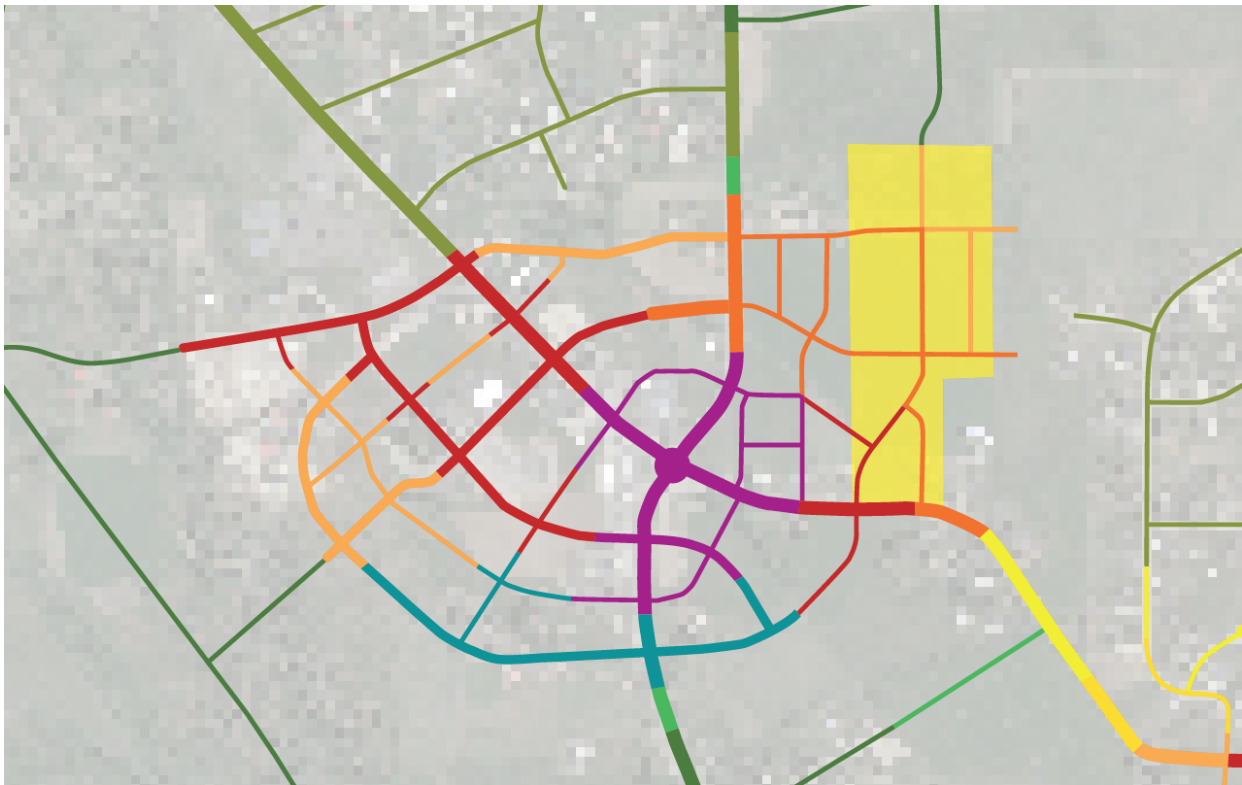




*Current street regulating plan.*

To facilitate the potential amendments, staff requested that the applicant provide their desired street regulating plan specific to their intended project, but also include other street connections that show how their proposed streets can eventually connect to other existing or planned streets. Their proposed street regulating plan is as follows, with their property in yellow:

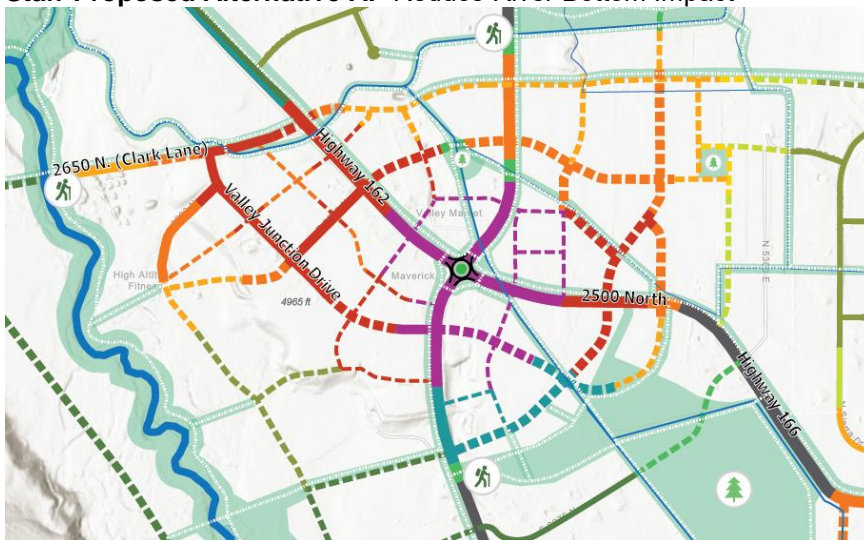




In reviewing the applicant's proposed street regulating plan, and hearing prior concerns expressed by the planning commission regarding "village creep," staff has explored the possibility of reconfiguring the New Town Eden area's street regulating plan with four alternative options that the Planning Commission may desire to consider. Each alternative attempts to offset the "creep" effect of adding the applicant's new higher-intensity streets. While there are a few specific reasons streets are laid out as they are in each alternative, the Planning Commission should feel at liberty to explore other ways streets can be configured and designated that might make for a better future village area.

Based solely on the following proposals, staff recommends Alternative D. It has the greatest ability to cluster mixed use commercial streets both where commercial opportunities currently exist, as well as where the applicant is proposing.

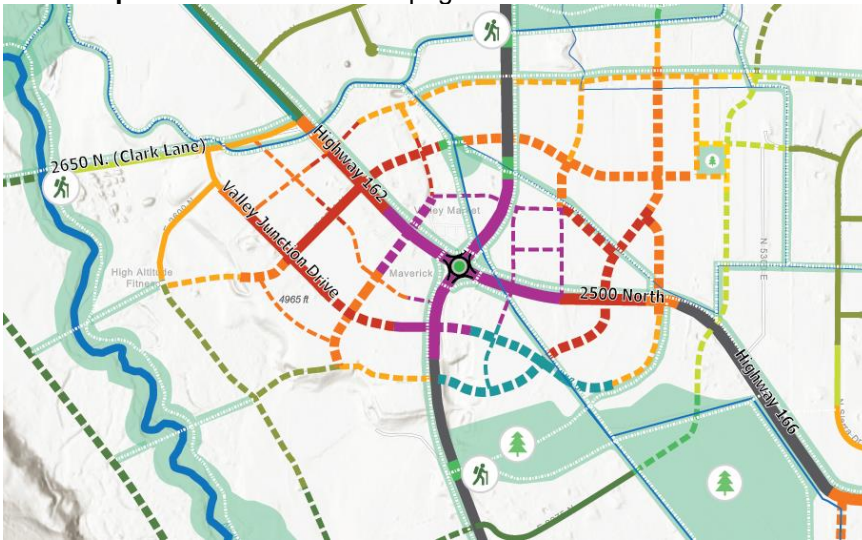
**Staff-Proposed Alternative A: "Reduce River Bottom Impact"**



**Notes:**

- Removes the G/I ring road in the river bottoms below the bluff.
- Reduces density along Clark Lane
- Reduces density from MFR to SLR on proposed street bounding north side of village.
- Keeps vehicle oriented commercial near the four-way intersection
- Provides alternative route to applicant's proposed street from Highway 158.
- Transition connections to Old Town Eden streets.

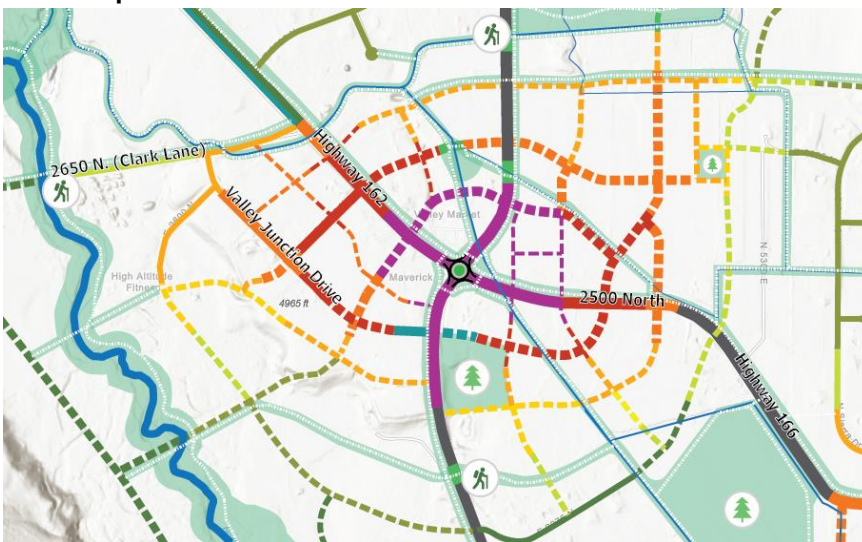
**Staff-Proposed Alternative B: "Spaghetti"**



Notes:

- Removes the G/I ring road in the river bottoms below the bluff.
- Places more SLR on the northern, western, and southern edges of the village.
- Reduces density along Clark Lane even more. Eliminates Clark Lane as a through street that connects western part of village to eastern.
- Provides alternative route to applicant's proposed street from Highway 158.
- Keeps vehicle oriented commercial near the four-way intersection

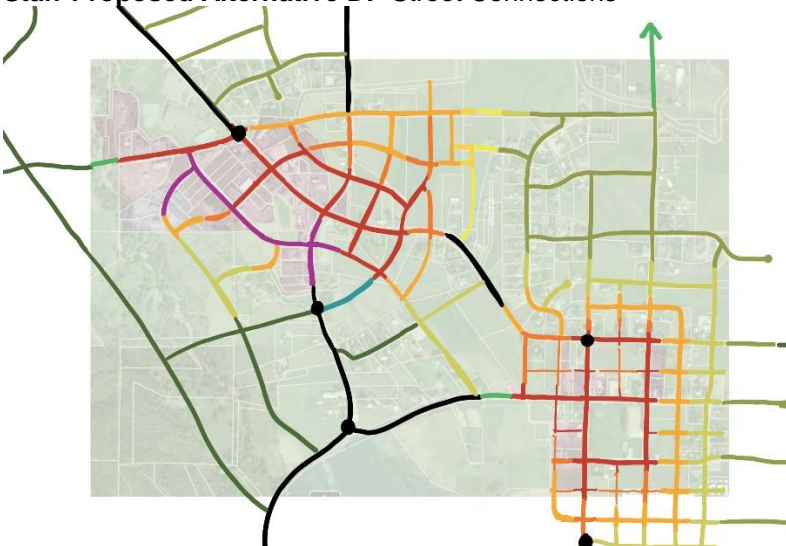
**Staff-Proposed Alternative C: "Shift East"**



Notes:

- Removes the G/I ring road in the river bottoms below the bluff.
- Significantly reduces density impact on south-east side of village.
- Reduces density along Clark Lane even more. Eliminates Clark Lane as a through street that connects western part of village to eastern.
- Reduces use of Valley Junction Drive as "Main Street."
- Limits G/I streets
- Keeps vehicle oriented commercial near the four-way intersection

**Staff-Proposed Alternative D: "Street Connections"**



Notes:

- Follows more of a grid pattern.
- Removes the G/I ring road in the river bottoms below the bluff.
- Significantly reduces density impact on south-east side of village.
- Keeps existing manufacturing area as vehicle oriented commercial.
- Moves Vehicle Oriented Commercial to Valley Junction Drive (in keeping with the existing storage units, car wash, car repair building, and similar).
- Focuses Mixed Use Commercial along Highway 162. Encourages moving round-a-bout southward (could make for a great gateway feature).
- Limits G/I streets.
- Eliminate street(s) running through Sunnyfield Farms properties in Old Town.
- Transition connections to Old Town Eden streets.



## General Plan Review

When reviewing the proposed amendments, it is important to keep the considerations within the context of the General Plan. The land-use vision written in the general plan is as follows:

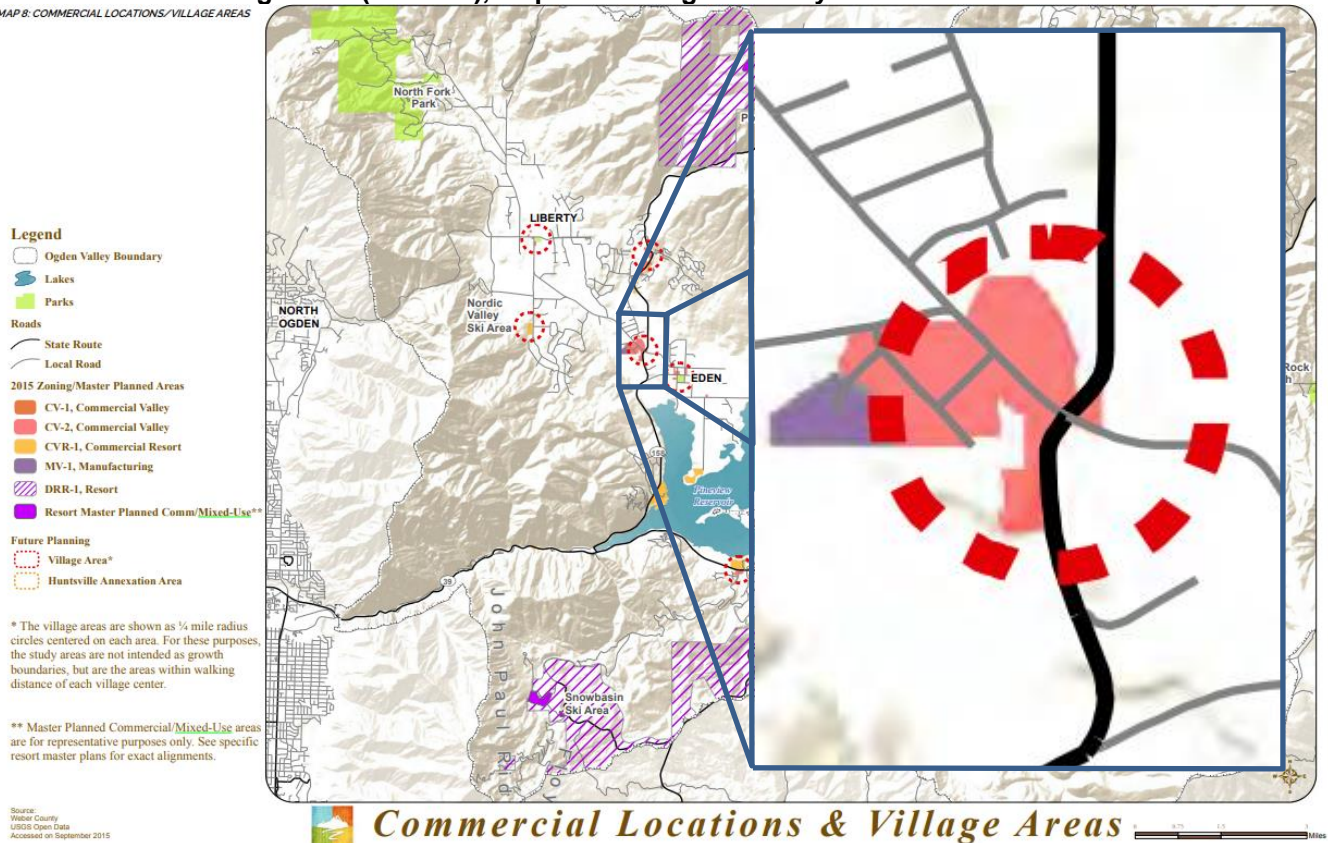
*Vision: The Ogden Valley community desires a variety of housing types to meet the needs of a diverse population of various income levels, ages and stages of life. Neighborhoods should have convenient access to community amenities<sup>1</sup> and be designed in a manner that protects the valley's character. Residential development should be centered around **villages** and town centers and designed to provide open spaces and efficient uses of the land.*

All of the other land-use goals, policies, and implementation strategies should be reviewed within the context of this vision.

Map 8 of the general plan illustrates the general location of intended Village Areas. The following graphic illustrates a zoomed version of Map 8 that focuses on the area that the current Form-Based zone calls New Town Eden.

### New Town Eden Village Area (Zoomed), Map 8 of the Ogden Valley General Plan

MAP 8: COMMERCIAL LOCATIONS/VILLAGE AREAS



**Commercial Development Goal 1: A goal of Weber County is to ensure that the location of retail and commercial development is consistent with Ogden Valley's rural character.**

**Commercial Development Principle 1.1:** Limit all new commercial development in the Ogden Valley planning area to Huntsville, the resort areas, and the village areas, as shown on Map 8. Avoid scattered and strip commercial and retail development patterns in the Valley.

**Commercial Development Implementation 1.1.1:** Prepare small area plans for each area designated as a village on Map 8 to describe their form and function (possible examples: highway oriented, mixed-use, resort, small neighborhood commercial, etc.). Small area plans should identify defining attributes and appropriate design standards, identify future potential adjacent expansion areas, and plan for multi-modal and active transportation to and within each area, as may be appropriate. The village areas are shown as ¼ mile radius circles centered on each area on Map 8. For these purposes, the study areas are not intended as growth boundaries, but are the areas within walking distance of each village center.

\*\*\*

**Commercial Development Principle 1.2:** Focus on creating vibrant village areas. Encourage public spaces and plazas within villages that can accommodate cultural and social events and that can function as community gathering areas. Promote and extend the walkable, interconnected pattern in the Valley and extend non-motorized trails and pathways to commercial village areas.

**Commercial Development Implementation 1.2.1:** As also provided in the Transportation Element Streetscape implementation 1.1.1, develop and adopt multimodal streetscape cross sections for village areas, and implement key elements during programmed road maintenance and upgrade projects. Evaluate current commercial development standards in Ogden Valley to ensure opportunities for internal walkability and connections to the trail system.

**Model Motion**

The model motions herein are only intended to help the planning commissioners provide clear and decisive motions for the record. Any specifics provided here are completely optional and voluntary. Some specifics, the inclusion of which may or may not be desired by the motioner, are listed to help the planning commission recall previous points of discussion that may help formulate a clear motion. Their inclusion here, or any omission of other previous points of discussion, are not intended to be interpreted as steering the final decision.

**Motion for positive recommendation as-is:**

I move we forward a positive recommendation to the County Commission for File #ZTA2023-03, an applicant-initiated request to amend the Form-Based zone, as provided in Exhibit A, specifically choosing Alternative D, staff recommendation, for the applicable Eden area street regulating plan. I do so with the following findings:

*Example findings:*

1. *The changes are supported by the Ogden Valley General Plan.*
2. *The proposal serves as an instrument to further implement the vision, goals, and principles of the Ogden Valley General Plan*
3. *The changes will enhance the general health and welfare of Ogden Valley residents.*
4. *The changes are not detrimental to the general health, safety, and welfare of the public.*
5. add any other desired findings here].



## Exhibit A:

Proposed Amendments to the Form-Based (FB) zoning ordinance (Redlined Copy).



**WEBER COUNTY**  
**ORDINANCE NUMBER 2023-\_\_\_\_\_**

**AN AMENDMENT TO THE FORM-BASED (FB) ZONE TO CREATE AN “EDEN CROSSING” STREET REGULATING PLAN MAP AND RELATED ARCHITECTURAL STANDARDS FOR THE OGDEN VALLEY PLANNING AREA.**

**WHEREAS**, the Board of Weber County Commissioners has heretofore adopted land use regulations governing uses of land in unincorporated Weber County; and

**WHEREAS**, \_\_\_\_\_; and

**WHEREAS**, \_\_\_\_\_; and

**WHEREAS**, on \_\_\_\_\_, the Ogden Valley Planning Commission, after appropriate notice, held a public hearing to consider public comments regarding the proposed amendments to the Weber County Land Use Code, offered a positive recommendation to the County Commission; and

**WHEREAS**, on \_\_\_\_\_, the Weber County Board of Commissioners, after appropriate notice, held a public hearing to consider public comments on the same; and

**WHEREAS**, the Weber County Board of Commissioners find that the proposed amendments herein substantially advance many goals and objectives of the Western Weber General Plan and the Ogden Valley General Plan; and

**WHEREAS**, the Weber County Board of Commissioners find that the proposed amendments serve to create the necessary regulatory framework that will guide future development of neighborhoods and communities;

**NOW THEREFORE**, be it ordained by the Board of County Commissioners of Weber County, in the State of Utah, as follows:

**SECTION 1: AMENDMENT.** The Weber County Code is hereby *amended* as follows:

**Part II Land Use Code**

...

**TITLE 104 ZONES**

...

***Chapter 104-22 Form-Based Zone FB***

...

**Sec 104-22-6 Building Design Standards**

DRAFT – Last edited 5/16/2023

- ~~Sec 104-22-6.010 Building Design Standards Per-By Street Type~~
- ~~Sec 104-22-6.020 Architecture Matrix Building Design Standards By Area~~
- ~~Sec 104-22-6.030 Old West Town Eden Area Building Design Standards~~
- ~~Sec 104-22-6.040 Agrarian New Town Eden Area Building Design Standards~~
- ~~Sec 104-22-6.050 Mountain Modern Nordic Valley Area Building Design Standards~~

...

**Sec 104-22-6.020 Architecture Matrix Building Design Standards By Area** Edit

(a) **Architectural compliance required.** Each building, ~~Except for single-family and, two-family dwellings, three-family and four-family dwellings, the following regulations shall follow the architecture standards listed in this Section 6. (Sections 104-22-6.3 through 104-22-6.5) are applicable to the architecture and design of buildings in each area.~~ Each area, as depicted in the applicable street regulating plan, has ~~a unique~~ one or more unique architectural theme(s) allowed as provided ~~herein~~ in the following table and in accordance with the following sections in this Section 6.

(b) **Licensed architect required.** Each building, except those aforementioned in Subsection (a) of this section, is required to be designed by a licensed architect. After receiving recommendation from a licensed architect, the ~~planning commission~~ Land Use Authority may allow minor modifications to the applicability of the standards in this section as long as it results in a design that better aligns with the intent of the design theme and blends well with the design features of adjacent buildings.

~~(a)~~(c) **Allowed architecture.** The follow table lists the type of architecture that is allowed within a specific village area. The letter “X” represents a style that is allowed in the respective area. A “-” represents a style that is not allowed in that area.

|                                  |                 |   | <u>Old West</u> | <u>Agrarian</u> | <u>Mountain Rustic</u> | <u>Mountain Modern</u> | <u>Modern Alpine</u> |
|----------------------------------|-----------------|---|-----------------|-----------------|------------------------|------------------------|----------------------|
| <b>EDEN</b>                      | <u>OLD TOWN</u> | <u>5500 E and streets surrounding Old Town Eden Park.</u> | X               | -               | -                      | -                      | -                    |
|                                  |                 | <u>The rest of Old Town.</u>                              | X               | X               | X                      | -                      | -                    |
|                                  | <u>NEW TOWN</u> | <u>Within 20 feet of public street<sup>1</sup></u>        | X               | -               | X                      | X                      | -                    |
|                                  |                 | <u>The rest of New Town.</u>                              | X               | X               | X                      | X                      | -                    |
| <b><u>NORDIC VALLEY</u></b>      |                 |   | -               | -               | -                      | -                      | X                    |
| <b><u>WEST WEBER VILLAGE</u></b> |                 |   | -               | X               | -                      | -                      | -                    |

<sup>1</sup> A public street in this case means any public street right-of-way, existing and planned.

...

**Sec 104-22-6.030 Old ~~West Town Eden Area Building~~ Design Standards**

~~In addition to applicable standards in this chapter, the following standards apply to all buildings in the Old Town Eden Area:~~

- (a) **Design theme.** ~~All~~ B Buildings shall have architectural styling and materials that resemble historic commercial main-street buildings in the Western United States that were in existence between 1880 and 1910. Each new building shall provide diversity and variety in building design, architectural features, and building material that set each building apart from adjacent buildings.
- (b) **Building form.** A building’s street-facing façade shall be designed to have a base, body, and cap, each of varying design features and building material. The base of the building shall be no less than one-sixth and no greater than one-third the height of the building. The cap shall be no less than one-twentieth the height of the building.
- (c) **Rooflines.** Rooflines shall be broken every 50 feet, with no less than a 12-inch shift between adjacent rooflines. If the building will have a sloped roof, parapet walls shall be constructed to hide the roof slope.

DRAFT – Last edited 5/16/2023

- (d) **Building massing.** The horizontal wall massing of building facades shall be broken at least every 20 feet with no less than a six-inch shift in the plain of adjacent walls. The building shall appear to be post and beam construction, with vertical columns rising from the base to the cap of the building, and with windows or other openings located to not interrupt the vertical rise of the columns. ~~Each street-facing façade shall be designed and constructed to have a building base, building body, and varying building roofline, each having varying building materials or design techniques.~~
- (e) **Building material.** Each building facade that faces the street shall consist of brick, or wood, or a faux material that is hard to distinguish from real brick, or wood. Metal may be used for accent material. At least one of the building materials used on the building façade shall also be used on all other sides of the building.
- (f) **Colors.** Natural colors of wood and brick, as well as natural metals with an aged patina, are allowed. Other muted earth-tone ~~paints~~ colors generally visible from the site may be used as long as they complement the age period. No more than 70 percent of a building's facade shall be white.
- (g) **Examples.** Examples of generally acceptable architectural features are depicted in the following images. Any conflict between details in the images and regulations in this chapter shall be interpreted in favor of the regulations in the chapter.

...

#### Sec 104-22-6.040 Agrarian New Town Eden Area Building Design Standards

~~In addition to applicable standards in this chapter, the following standards apply to all buildings in the New Town Eden Area:~~

- (a) **Design theme.** ~~All b~~ Buildings shall have architectural styling and materials that implement agrarian-style architecture. ~~Agrarian-style architecture~~ Each building shall incorporate at least two of the following four options:
- (1) Either a gable roof at a 6/12 or greater slope, a gambrel roof, or a monitor roof.
  - (2) ~~An attached shed roof at a 4/12 or greater slope that is not attached to the main roof structure.~~ A shed roof at a 4/12 or greater slope that is attached to the side of the building but not attached to the main roof structure.
  - (3) A clerestory or cupola.
  - (4) Gable-style dormer windows.
- (b) **Building form.** ~~A building's~~ Each street-facing building façade shall be designed and constructed to have a building base, building body, and varying building roofline, each ~~of having~~ varying building materials or design techniques ~~design features and building material~~. The base of the building shall be no less than one-tenth and no greater than one-third the height of the building.
- (c) **Rooflines.** Rooflines shall be broken every 50 feet, with no less than a 12 inch shift between adjacent rooflines.
- (d) **Building massing.** The wall massing of building facades shall be broken at least every 40 feet with no less than a six inch shift in the plain of adjacent walls. ~~Each street-facing façade shall be designed and constructed to have a building base, building body, and varying building roofline, each having varying building materials or design techniques.~~
- (e) **Building material.** Building façade walls shall be finished with no less than two diverse types of material. The primary building material shall be wood siding or similar appearing siding. At least one of the building materials used on the building façade shall also be used on all other sides of the building.
- (1) Brick or stone may be used in place of wood if approved by the Land Use Authority.
  - (2) Metal siding may be used on the building's body, as long as the building's base is made of brick or stone, and as long as the metal siding is broken horizontally by brick or stone every twenty feet, and is treated to create a natural-appearing aged patina.
- (f) **Colors.** Muted earth-tone colors generally visible from the site are required. No more than 70 percent of a building's facade shall be white.

DRAFT – Last edited 5/16/2023

- (g) **Examples.** Examples of generally acceptable architectural features are depicted in the following images. Any conflict between details in the images and regulations in this chapter shall be interpreted in favor of the regulations in the chapter.

...

**Sec 104-22-6.050 Modern Alpine Nordic Valley Area Building Design Standards**

~~In addition to applicable standards in this chapter, the following standards apply to all buildings in the Nordic Valley Area:~~

- (a) **Design theme.** All buildings shall have architectural styling and materials that implement a modern interpretation of European alpine design. A modern interpretation of European alpine design includes a balance between modern alpine and classical European alpine design features. The following design features are intended to provide minimum stylistic requirements to implement this design theme.

...

- (b) **Colors.** Muted earth-tone colors generally visible from the site are required. No more than 30 percent of a building's facade shall be white.

...

**Sec 104-22-6.060 Mountain Modern Architecture**

- (a) **Design theme.** All buildings shall have architectural styling and materials that implement mountain modern-style architecture. Mountain modern-style architecture shall incorporate at least three of the following five options:

- (1) Either a gable roof at a 6/12 or greater slope, a flat roof, a shed roof, or a combination of the roof types.
- (2) A shed-roof at a 2/12 or greater slope that is attached to the side of the building but not attached to the main roof structure.
- (3) A prominent covered porch, deck element, chimney, or other unique architectural feature or features approved by the Land Use Authority.
- (4) Vertical rectangular windows, single, paired, or in triples. Paired and tripled windows shall all be the same dimensions. The composition of all windows on a building's façade shall be balanced.
- (5) Appurtenances such as exposed roof rafter tails, decorative kickers, and exposed beams or column detailing.

- (b) **Building form.** Each street-facing façade shall be designed and constructed to have a building base, building body, and varying building roofline, each having varying building materials or design techniques.

- (c) **Rooflines.** Rooflines shall be broken every 50 feet, with no less than a 12 inch shift between adjacent rooflines.

- (d) **Building massing.** The wall massing of building facades shall be broken at least every 40 feet with no less than a six inch shift in the plain of adjacent walls. Each street-facing façade shall be designed and constructed to have a building base, building body, and varying building roofline, each having varying building materials or design techniques.

- (e) **Building material.** Building façade walls shall be finished with no less than two diverse types of material. The primary building material shall be wood siding or similar appearing siding. At least one of the building materials used on the building façade shall also be used on all other sides of the building.

- (1) Brick or stone may be used in place of wood if approved by the Land Use Authority.
- (2) Metal siding may be used on the building's body, as long as the building's base is made of brick or stone, and as long as the metal siding is broken horizontally by brick or stone every twenty feet, and is treated to create a natural-appearing aged patina.
- (3) Stucco may be used as an accent material, but may not comprise more than 30% of a building's facade

- (f) **Colors.** Warm muted earth-tone colors generally visible from the site are required. No more than 70 percent of a building's facade shall be white.

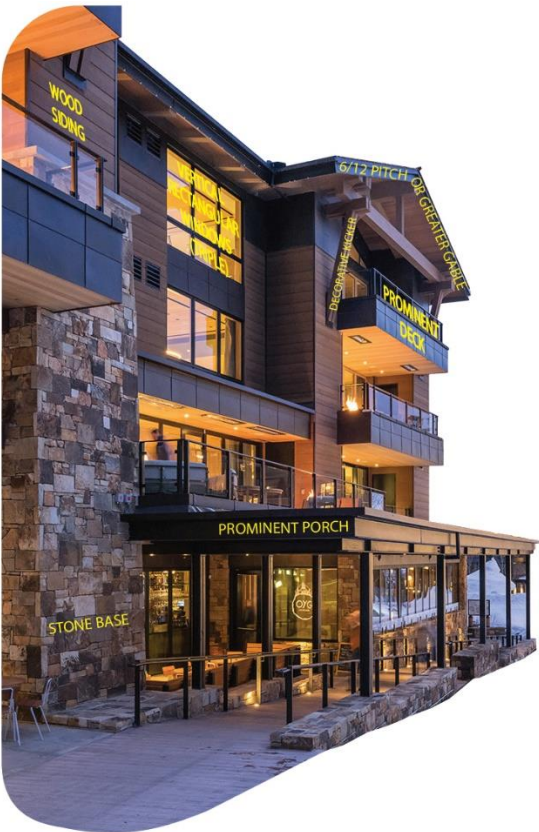


DRAFT – Last edited 5/16/2023

(a)(g) **Examples.** Examples of generally acceptable architectural features are depicted in the following images. Any conflict between details in the images and regulations in this chapter shall be interpreted in favor of the regulations in the chapter.



DRAFT – Last edited 5/16/2023







### **Sec 104-22-6.060 Mountain Rustic Architecture**

- (h) **Design theme.** All buildings shall have architectural styling and materials that implement mountain rustic architecture. Mountain rustic architecture shall incorporate the following
- (1) A gabled roof at a 6/12 or greater slope. An attached shed roof is permissible at a lower slope if it covers a porch, patio, window pop-out, or similar.
  - (2) Exposed beams and columns made of large rough-cut timbers; the columns having a stone base.
  - (3) A prominent covered porch, deck, or balcony, or a large prominent stone chimney.
- (i) **Building form.** Each street-facing façade shall be designed and constructed to have a building base, building body, and varying building roofline, each having varying building materials or design techniques.
- (j) **Rooflines.** Rooflines shall be broken every 50 feet, with no less than a 12 inch shift between adjacent rooflines.
- (k) **Building massing.** The wall massing of building facades shall be broken at least every 40 feet with no less than a six inch shift in the plain of adjacent walls.
- (l) **Building material.** Building façade walls shall be finished with no less than two diverse types of material. Building material shall appear distressed. The primary building material shall be either wood, log, or similar appearing siding, or natural stone. At least one of the building materials used on the building façade shall also be used on all other sides of the building.

DRAFT – Last edited 5/16/2023

- (1) The building's base shall be natural stone
- (2) Metal accents or trim may be used if it has been aged to have a patina.
- (m) Colors. Muted earth-tone colors generally visible from the site are required.
- (n) Examples. Examples of generally acceptable architectural features are depicted in the following images. Any conflict between details in the images and regulations in this chapter shall be interpreted in favor of the regulations in the chapter.

...

### **Sec 104-22-8 Street Regulating Plans**

The following maps depict the adopted Street Regulating Plans for their respective areas. The plans illustrate the intended street layout of the area and the designated street types. The plan is intended to be a guide for the placement of streets and mid-block alleys, and is not designed to survey-level accuracy. A mid-block alley shall be as close to the middle of the block as is practicable, and the street placement shall be within 200 feet of the location depicted on these maps. A land owner proposing development in an area that a street or alley is planned shall be responsible for dedicating the land and constructing the street or alley improvements.

\*\*\*

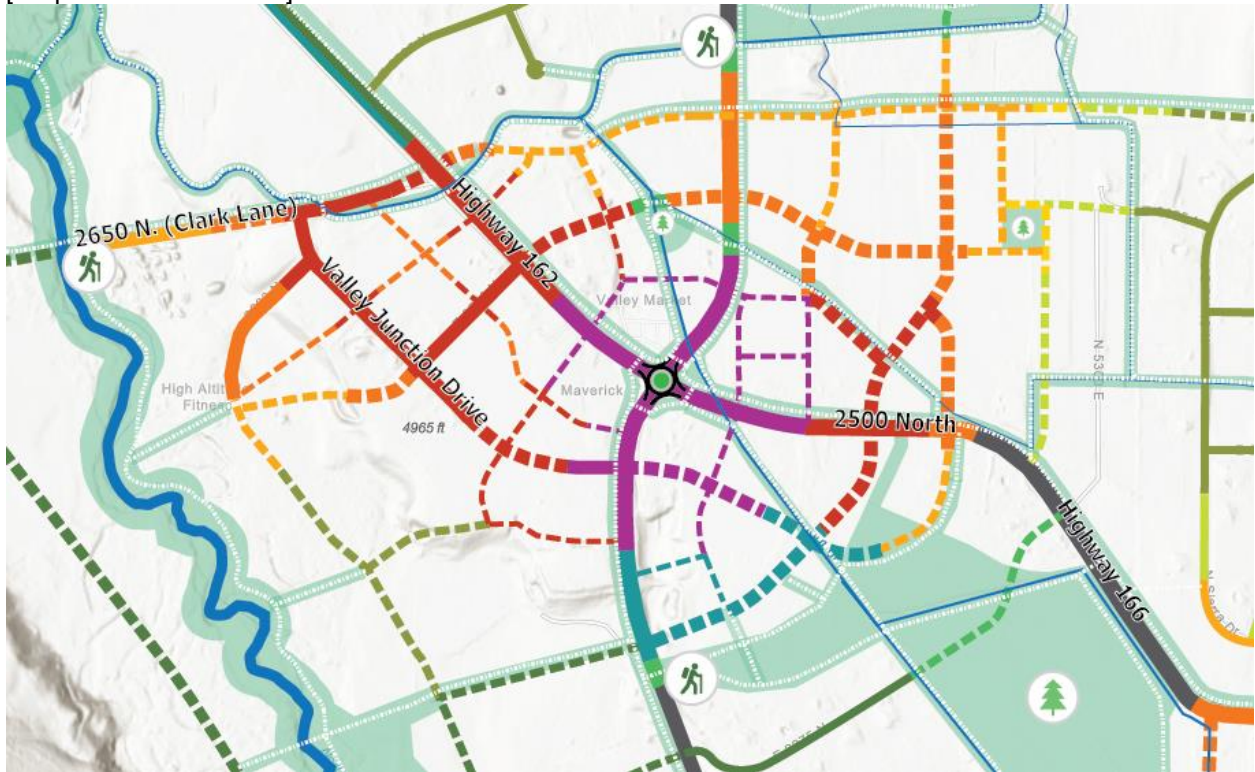
*(b) New Town Eden Street Regulating Plan*



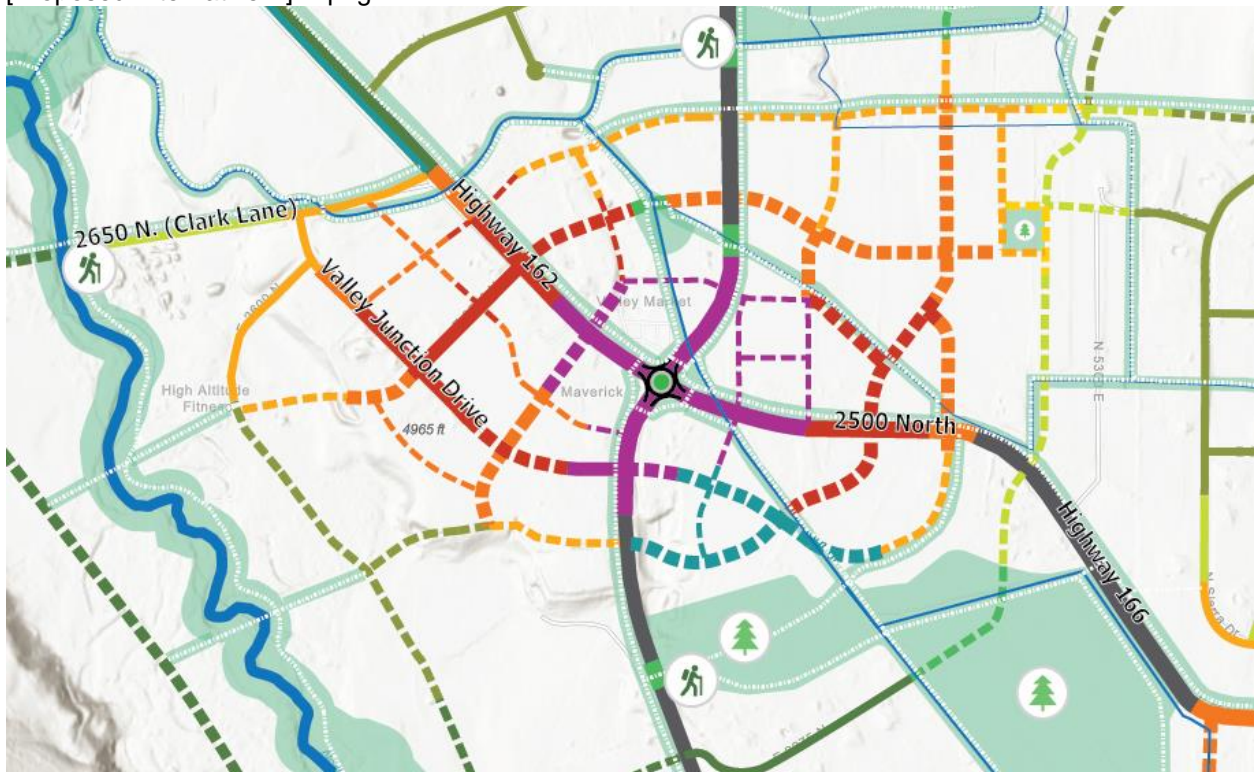


DRAFT – Last edited 5/16/2023

[Proposed Alternative A]



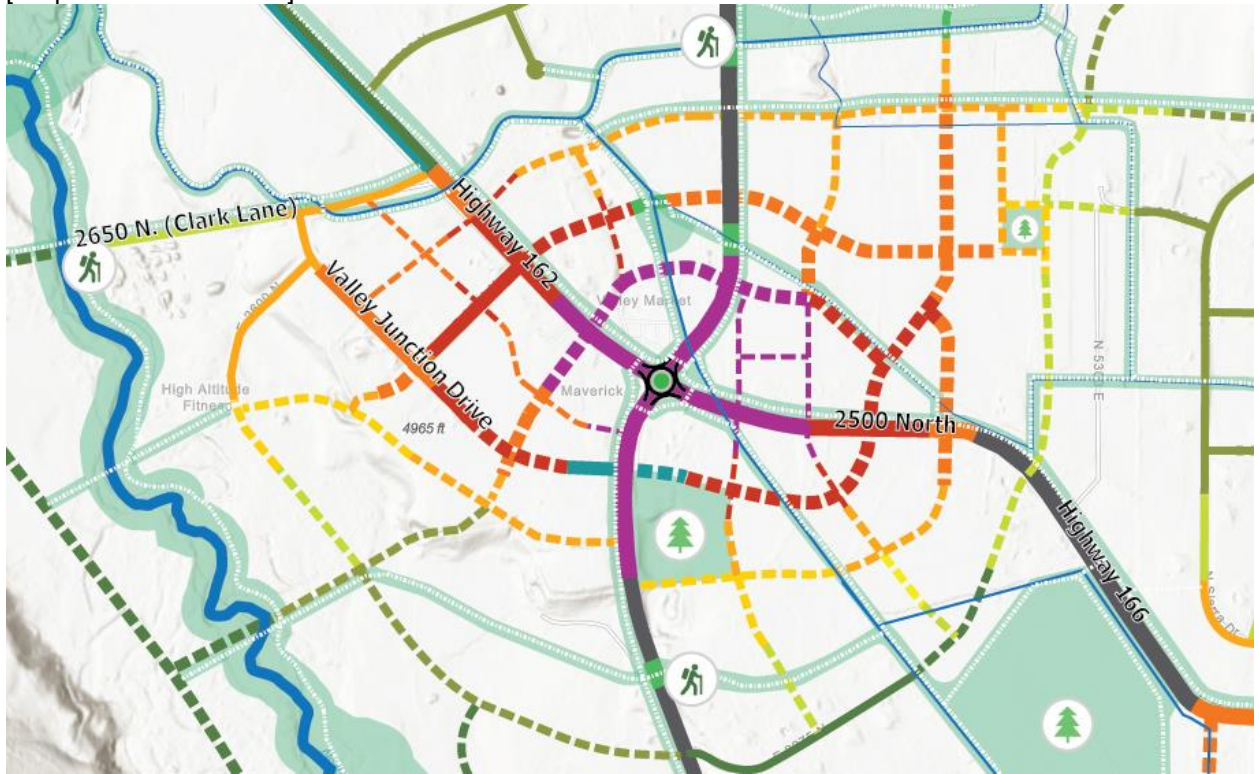
[Proposed Alternative B] "Spaghetti"



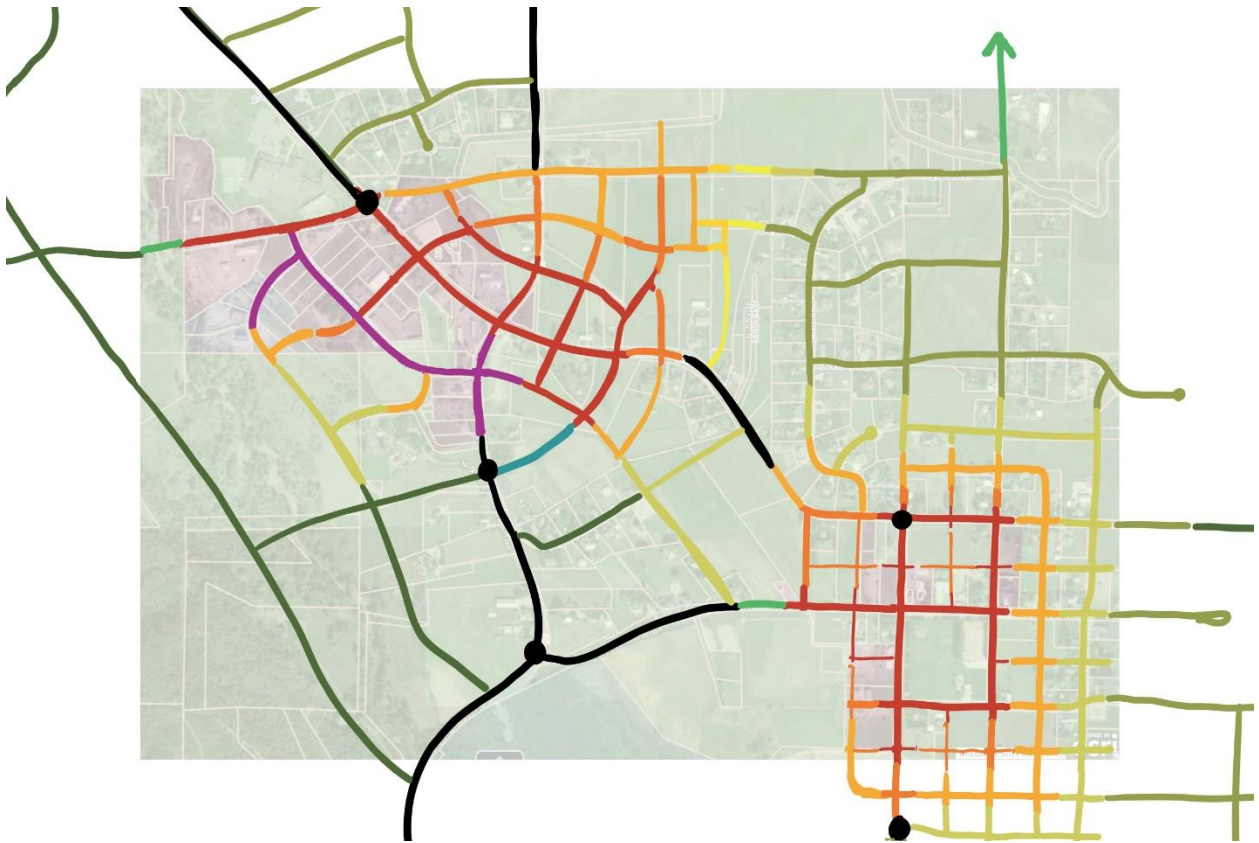


DRAFT – Last edited 5/16/2023

[Proposed Alternative C] “Shift East”



[Proposed Alternative D] “Street Connections”



DRAFT – Last edited 5/16/2023

**PASSED AND ADOPTED BY THE WEBER COUNTY BOARD OF COUNTY COMMISSIONERS ON THIS 16<sup>TH</sup> DAY OF MAY, 2023.**

|                        | <b>AYE</b> | <b>NAY</b> | <b>ABSENT</b> | <b>ABSTAIN</b> |
|------------------------|------------|------------|---------------|----------------|
| Gage Froerer           |            |            |               |                |
| Jim "H" Harvery        |            |            |               |                |
| Sharon Arrington Bolos |            |            |               |                |

Presiding Officer

Attest

---

Gage Froerer, Chair

---

Ricky D. Hatch, CPA, Clerk/Auditor

## Exhibit B:

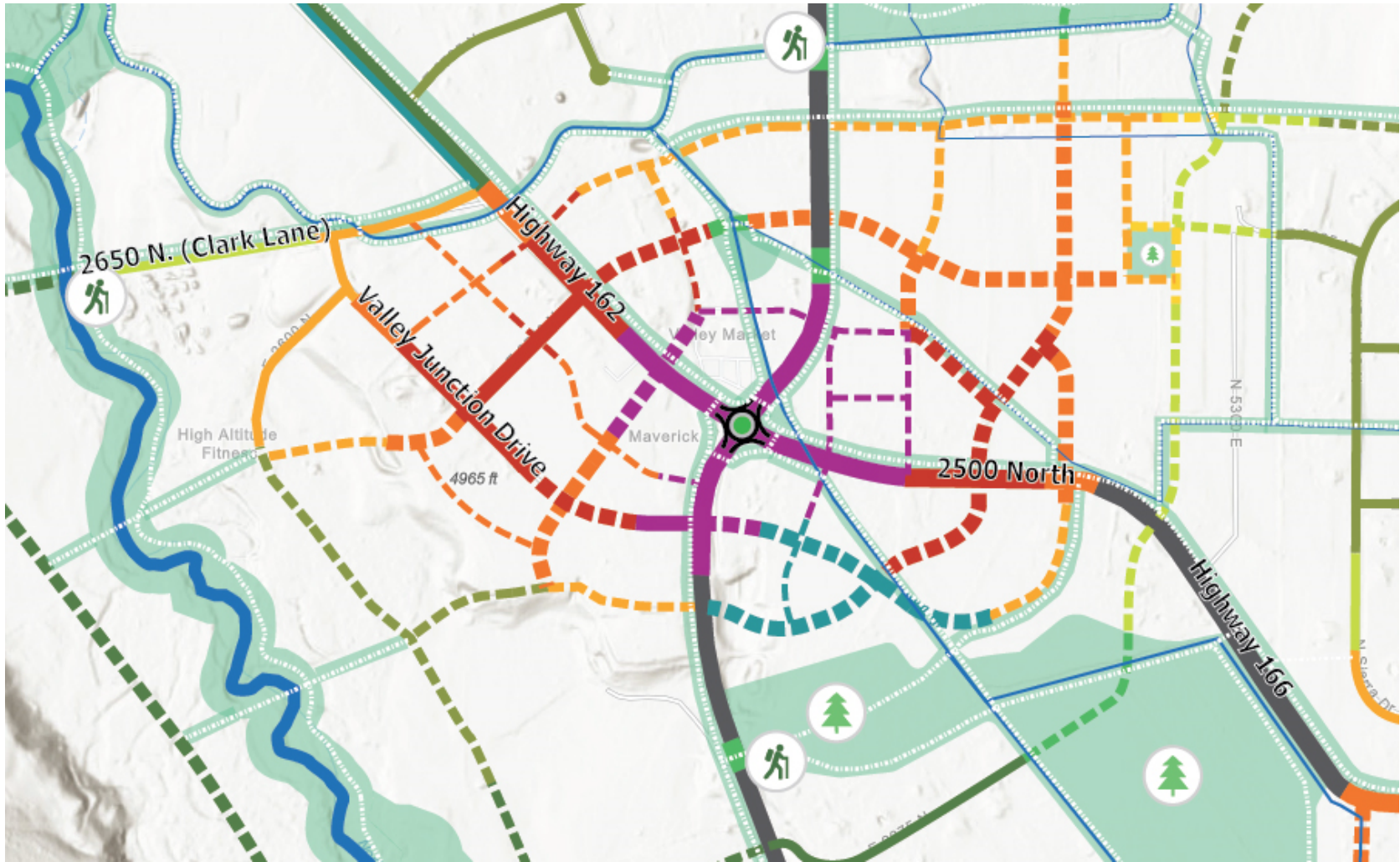
New Town Eden Street Regulating Plan Maps – Four Alternatives.

Proposed Alternative A: "Reduce River Bottom Impact"

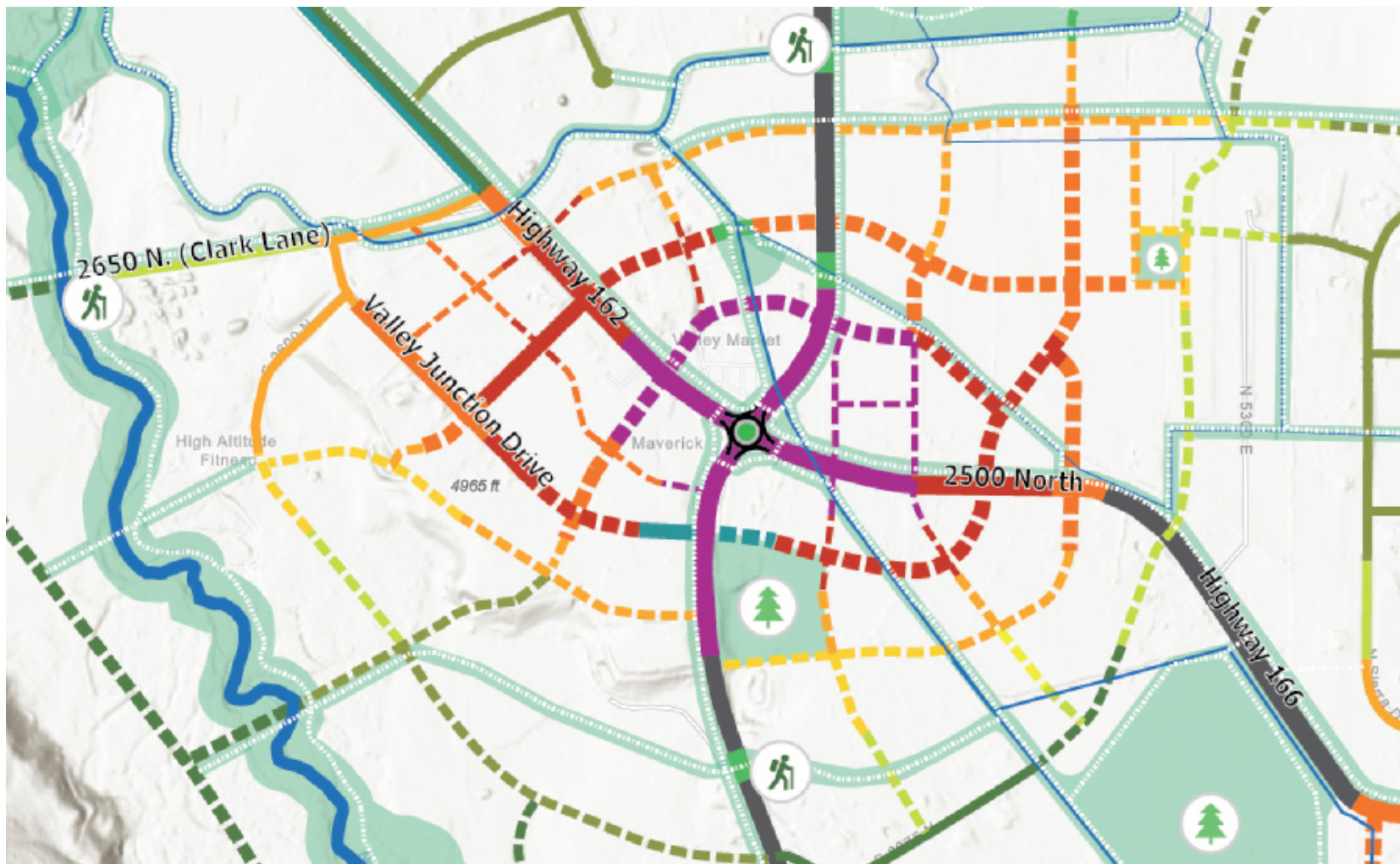




Proposed Alternative B: "Spaghetti"

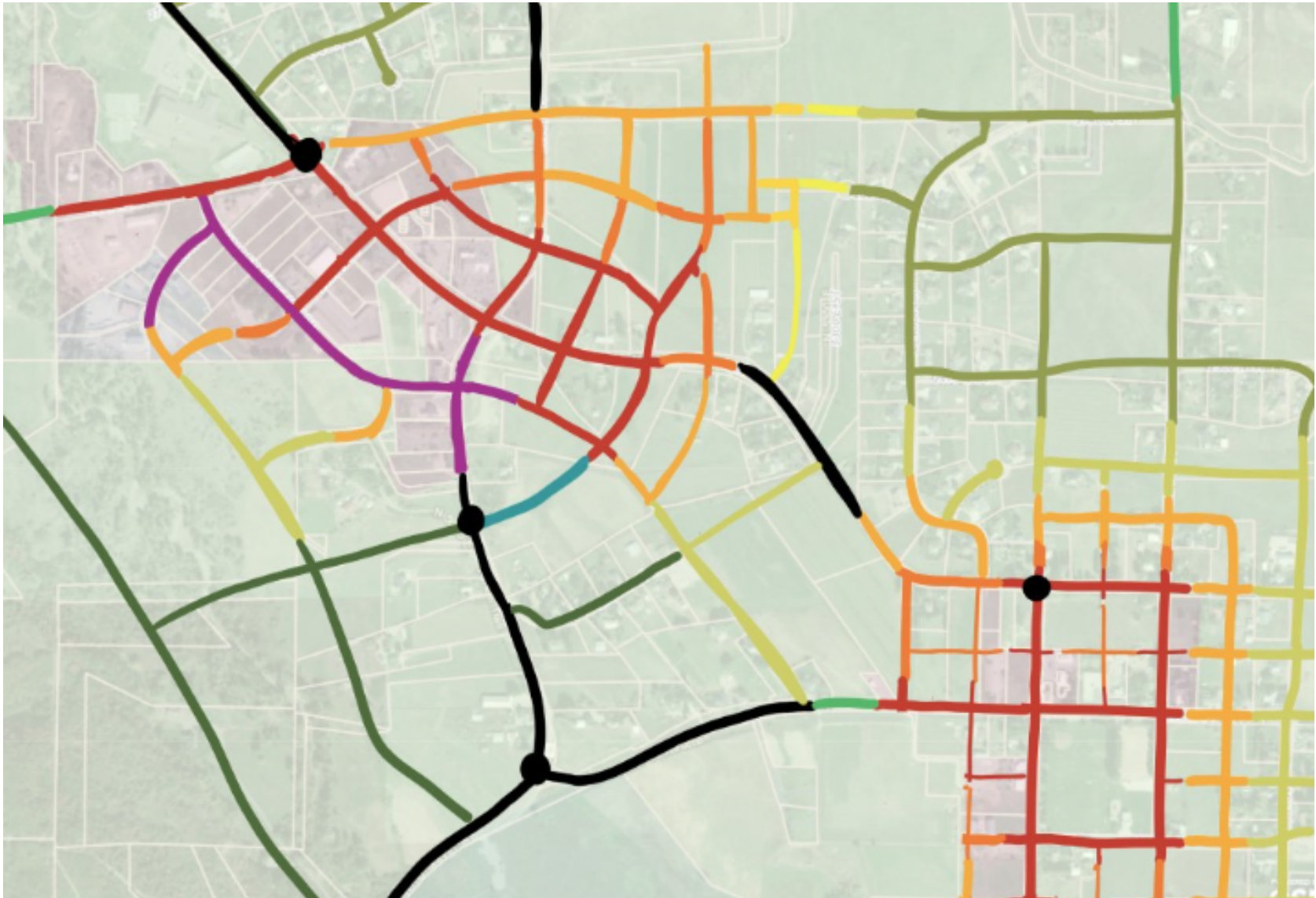


Proposed Alternative C: "Shift East"





Proposed Alternative D: "Street Connections"





# Exhibit C:

Application Information.

**Sec 104-22-6.4 New Town Eden Area Building Design Standards**

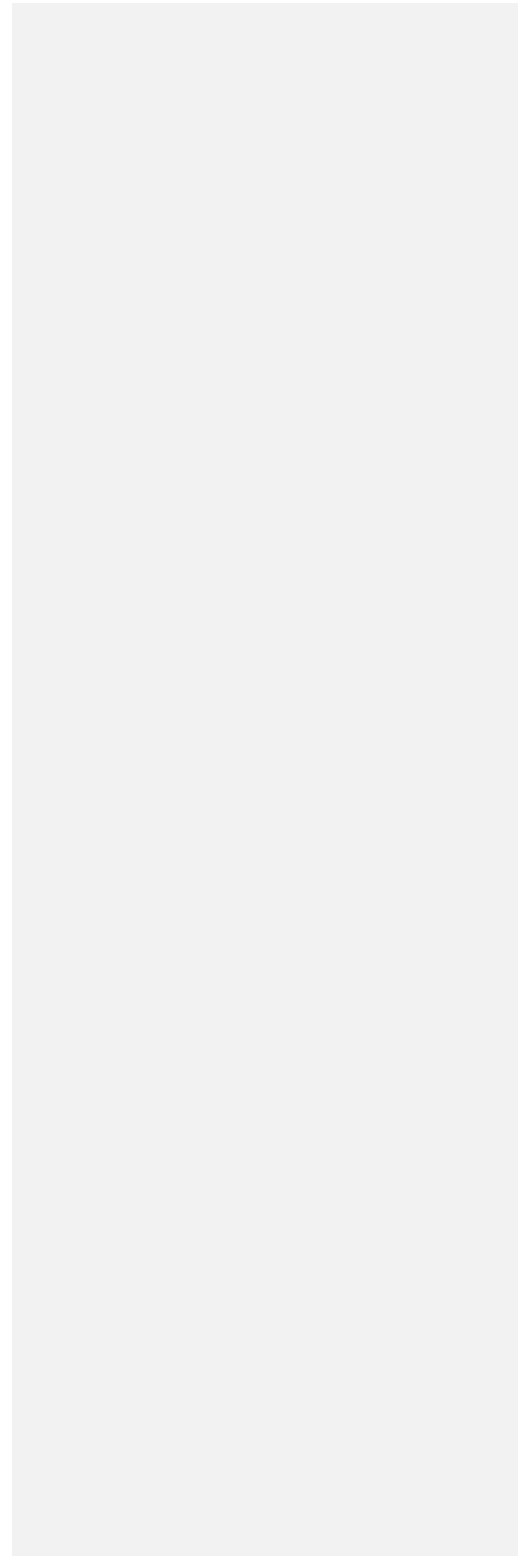
In addition to applicable standards in this chapter, the following standards apply to all buildings in the New Town Eden Area:

1. **Design theme.** All buildings shall have architectural styling and materials that implement mountain-style architecture. Mountain-style architecture shall incorporate at least three of the following five options:
  1. Either a gable roof at a 6/12 or greater slope, a flat roof, a shed roof or a combination of the roof types.
  2. An attached shed-roof at a 2/12 or greater slope that is not attached to the main roof structure.
  3. A prominent porch, deck element, chimney or other approved unique architectural feature or features.
  4. Vertical rectangular windows, single, paired or in triples and with balanced composition.
  5. Appurtenances such as exposed roof rafter tails, decorative kickers, exposed beams or column detailing.
2. **Building form.** A building's street-facing façade shall be designed to have a base, body, and varying roofline, each of varying design features and building material.
3. **Rooflines.** Rooflines shall be broken every 50 feet, with no less than a 12 inch shift between adjacent rooflines.
4. **Building massing.** The wall massing of building facades shall be broken at least every 40 feet with no less than a six inch shift in the plain of adjacent walls. Each street-facing façade shall be designed and constructed to have a building base, building body, and varying building roofline, each having varying building materials or design techniques.
5. **Building material.** Building façade walls shall be finished with no less than two diverse types of material. The primary building material shall be wood siding or similar appearing siding. At least one of the building materials used on the building façade shall also be used on all other sides of the building.
  1. Brick or stone may be used in place of wood if approved by the Land Use Authority.
  2. Metal siding may be used on the building's body, as long as the building's base is made of brick or stone, and as long as the metal siding is broken horizontally by brick or stone every twenty feet, and is treated to create a natural-appearing aged patina.
  3. Stucco may be used as an accent material but may not comprise more than 40% of a building elevation.
6. **Colors.** Warm earth-tone colors are required. No more than 70 percent of a building's facade shall be white.

- Deleted: agrarian
- Deleted: Agrarian
- Deleted: two
- Deleted: four
- Deleted: gambrel
- Deleted: monitor
- Deleted: 4
- Deleted: clerestory or cupola
- Deleted: Gable-style dormer

- Deleted: Muted

7. **Examples.** Examples of generally acceptable architectural features are depicted in the following images. Any conflict between details in the images and regulations in this chapter shall be interpreted in favor of the regulations in the chapter.

















**EDEN CROSSING  
VILLAGE**  
*Mixed-Use Commercial  
Multi-Family Residential*





| OVERLAY ZONING  |                              |
|---|------------------------------|
|  | GOVERNMENT AND INSTITUTIONAL |
|  | VEHICLE-ORIENTED COMMERCIAL  |
|  | MIXED-USE COMMERCIAL         |
|  | MULTI-FAMILY RESIDENTIAL     |
|  | SMALL LOT RESIDENTIAL        |
|  | MEDIUM LOT RESIDENTIAL       |
|  | LARGE LOT RESIDENTIAL        |
|  | RURAL RESIDENTIAL            |
|  | ESTATE LOT RESIDENTIAL       |
|  | OPEN SPACE                   |

