



OGDEN VALLEY PLANNING COMMISSION



MEETING AGENDA

August 1, 2023
Work Meeting 5:00

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

1: Minutes 6-6-2023

Adjourn to Work Session

Work Session:

WS1: A work session to continue the Planning Commission's review of proposed changes to the Agritourism ordinance, and the proposal to add agritourism as a conditional use in the S (shoreline) and F (Forest) zones. **Planner: Charlie Ewert**

Adjourn

The worksession/ 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/83437636044> Meeting ID: 834 3763 6044

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

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.

Minutes of the Work Session of the Ogden Valley Planning Commission for June 6, 2023. To join the meeting, please navigate to the following weblink at, <https://us02web.zoom.us/j/81600295821>, the time of the meeting, commencing at 5:00 p.m.

Ogden Valley Planning Commissioners Present: Trevor Shuman, Chair, Jeff Barber, Jeff Burton, and Jared Montgomery.
Absent/Excused: Commissioners Dayson Johnson, Justin Torman, and Janet Wampler.

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; Marta Borchert, Office Specialist; Iris Hennon, Code Enforcement.

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

Chair Shuman conducted roll call and indicated Commissioners Johnson, Torman, and Wampler have been excused from the meeting.

WS1 Update on Short Term Rental ordinance data gathering and enforcement. Presenters: Bill Cobabe and Iris Hennon.
NOTE: There will be a representative from Granicus available to help field questions, and public comment/questions will be allowed.

Planner Bill Cobabe used the aid of a PowerPoint presentation to discuss short term rentals (STRs) in the Ogden Valley; he reviewed the timeline for the County's consideration of STRs, starting in 2020 with discussion of amending the County's 'nightly rentals' ordinance, ongoing research through 2021, public hearings in 2022, and adoption of new STR ordinances in December of 2022. The ordinance revisions included additional provisions intended to mitigate the impact an STR can have on a neighborhood:

- Parking requirements.
- Noise and nuisance.
- Nights required per rental period.
- Maximum occupancy.
- Responsible agent required.
- Licensure.
- Penalties and enforcement.

In January of 2023, the County contracted with Granicus as a third-party enforcement agency; they began gathering data regarding the number of STRs being offered for rent in the County through various rental websites; there are currently 515 STR rental units identified in the County, including eight additional new units in the last 30 days. This number represents approximately 84.7 percent of listings in the County.

Chair Shuman inquired as to where the other 15 percent of rental units are and how the County knows there are more. Mr. Cobabe stated that will be explained in greater detail as the meeting goes on.

Mr. Cobabe then discussed the enforcement actions that have taken place thus far for the STRs that the County has been made aware of. The County has determined that 116 properties are compliant STRs and 308 are non-compliant. There are also a number of units for which the compliance status is not determined, and Granicus is still working to determine their status. Those are the additional 15 percent of the total number of units for which compliance or noncompliance has been determined. He then presented several pie charts illustrating compliance status for the number of units they have found and the characteristics of the units, i.e., number of bathrooms, number/types of rooms, and the property type. He noted that to date, the County has sent 121 letters (letters were sent in February and May), notifying people of the new ordinance and potential violations on the property. Of these, 35 have been for STRs that are not in areas that allow and 12 of these have come into compliance, while the remaining 23 have yet to come into compliance. The rest of the letters (86 letters) were sent to those STRs who are in areas that do allow for STRs, but for which no license could be found. Since these letters have been sent out, 23 STRs in these areas have come into compliance, while the remaining 63 are currently working to come into compliance. The County's Code Enforcement team is aware of all of this and is working with property owners to come into compliance.

Chair Shuman stated that the Commission has received several applications for conditional use permits in the past regarding STRs; however, since the ordinance was adopted, the Commission has not heard any such applications and he asked how the determination was made that some were compliant when the Commission has not heard them. Principal Planner Ewert stated that the new ordinance changed STRs from conditional to permitted uses in certain areas; if an applicant can prove they meet the regulations to be a permitted use, it is not necessary for such an application to come before the Planning Commission.

Mr. Cobabe then played a video from Granicus illustrating their research process and the findings of their research. The video was largely inaudible and as an alternative, Mr. Cobabe summarized the content of the video and engaged in discussion with the Commission regarding certain listing details for various properties and whether there is a major offender in the County.

Chair Shuman stated he is still unsure on where the other 15 percent of the listings are. Mr. Ewert stated that of the total number of STR properties that have been discovered through this process, Granicus is confident that 85 percent of the listings are accurate and can be identified. The other 15 percent either have not been developed or are not currently being operated as an STR. Commissioner Burton noted that there may be another type of STR, which is those that are only advertised through word of mouth and cannot be found on an type of listing website. Code Enforcement Officer Hennon agreed and stated that in those cases, she is relying upon public reporting, and she will still pursue enforcement action when she is made aware of a non-compliant STR.

Ms. Hennon then used the aid of a PowerPoint presentation to summarize the County's STR licensing process; she requires all applicants to sign a statement indicating they have read through the County's ordinance section 108-11, which includes regulations for STRs. Applicants must indicate if they have made any modifications to their home to accommodate an STR and, if so, if they obtained a building permit for the modifications. Additional requirements include:

- Proof of occupancy permit.
- Site plan.
- Parking plan or designated parking spot on a driveway.
- Trash disposal and collection plan.
- Detailed floor plan.
- Fencing of the property.
- Will serve letter for culinary and sanitary sewer services specifically approving a STR use.
- Will serve letter from the local health department if the unit is on septic.
- Submission of a building permit and associated land use permit unless no building modifications are required in order to attain compliance with building codes.
- Outside lighting plan
- Contact name of the individual or management company for the property and assurance they can respond to the site within an hour.
- If property is being managed by a management company, signed acknowledgement by the owner and agent that they have read the STR ordinance and that they understand licensing, operational standards, violation, and revocation provisions.
- If the unit is in a homeowner's association (HOA) managed development, confirmation that STRs are allowed.
- Application fee.
- Entity number for the person managing the STR.
- Complete application.

She then summarized the operating standards for an STR contained in Section 108-11-8 of the Weber County Land Use Code (LUC). She summarized the notification process she employs when taking enforcement action against a property for which she has received a complaint or when a non-compliant unit has been discovered. The County is committed to resolving all unlicensed violations; owners of these units are given one warning and each violation thereafter is subject to escalating administrative penalties based upon the property's average nightly rate. She concluded by summarizing violations that would warrant revocation of an STRs operating license.

High level discussion among the Commission and Planning staff centered on the types of complaints the County has received regarding STRs in the Valley and State legislation pertaining to sales taxes to be paid by STRs.

Jan Fullmer stated she is pleased to see that Fox News is attending this meeting via Zoom and that some attention is being paid to STRs in the Ogden Valley. She stated that by far, the majority of the total number of STRs in Weber County are located in the Ogden Valley. She thanked Ms. Hennon for doing the difficult job of enforcement and noted that she and many other residents in the Valley will continue to collect data regarding illegal STRs to assist her in doing her job. She noted that a few concentrated areas of STRs include Moose Hollow, The Cascades, and Wolf Lodge; these are condos in which STRs are allowed and the management companies of those developments have informed their property owners of the County's requirements for receiving an STR license. She presented an article published recently in the Standard-Examiner, it was written by a realtor who provides ten adverse effects of STRs in neighborhoods, communities, and towns. These 10 adverse effects have been reported by residents to Mr. Cobabe as evidence of the fact that STRs can devastate a community. She concluded by asking a question; on April 19, 2021, the Weber County Commission held a work session and Commissioner Froerer indicated that there was misinformation indicating that the Commission wanted to expand STRs. Commissioner Froerer was very adamant that the purpose of a STR ordinance was to provide enforcement opportunities, but he did not say 'not expanding STRs in the current zones'. She asked if Weber County Planning Division is continuing to consider allowing STRs when new developers submit their development plans.

Mr. Ewert stated that he is not sure if the County Commission is going to consider expanding the STR use into other areas, but he does know that one of their intentions was to not allow STRs in the zones in which they are currently not allowed. For zones that STRs were already allowed in, that is not being changed. There are many different discussions taking place regarding ongoing development in the Valley and he is unsure what the final outcome will be relative to the areas in which STRs will be allowed. Chair Shuman noted that those decisions should only be made following a public process relating to a zone change. Mr. Ewert stated that is correct.

Douglas Dixon stated he is from Liberty, and he is interested in making sure that he preserves his property usage rights; he has watched the Valley be taken over by people have moved here from other places and want to recreate in his backyard the environment from which they moved. He stated that developers have said the Valley is a 'gold mine' and that property owners here do not even know what they have. He lived through the time when statements were made about limiting growth in the Valley to keep residents happy, which included creating three-acre zones, but this resulted in property owners losing the value of their development rights. He likened the current time to the 1940s in Nazi Germany; he feels the current proceedings have the same atmosphere as a congressional hearing where it is all about taxes and money and not about people. He will be in violation of the County's ordinance when he invites his family to stay at his home on the 4th of July; there will be more than 10 people staying there. He will continue to work with planners and staff, and he will be vigilant from an insider's standpoint as those coming into the Valley are as vigilant to make sure that people like him are squashed and made an example of.

Mike Ulrich stated he also owns a property in Eden, and he comes from a family with seven children who all love to gather at their property in Eden to recreate and enjoy one another. He has experienced the same thing as Mr. Dixon; people are harassing his family for using their property over a holiday weekend. He stated that his family was at their property over the Thanksgiving holiday and there was a group of people there spying on them and gathering information about the number of people that were staying there. His disabled nephew received a written note on his car saying, 'you are not welcome here, this is illegal', signed 'your neighbors'. He stated that these groups are sneaking around and essentially harassing his family and others in the same situation he finds himself in. He has also called the Police to report this behavior. He noted that when he is not at the home, he rents it out. He is a licensed real estate agent and can speak to the fact that licensed STRs increase the value of a property and benefit the community. He discussed housing discrimination under the Fair Housing Act; a violation he has experienced relates to being told how he can use his property that he purchased. If he wants to have 30 family members at his property, it is his right to do so. He bought his property, and he pays taxes, which have tripled since he bought it. He also pays additional taxes for the STR, which benefits the government and businesses around it. He stated that he feels it is ridiculous that the County and some residents want to tell him how to use his property, which is not located in an HOA community, and which is located on over a half-acre parcel.

Katie Foreman stated she is from Huntsville and she and her husband are current full-time Valley residents; they are small business owners and very active in the local economy and they consider themselves very lucky to own and live in their home, which also has an adorable detached guest house that they have been renovating in order to rent it to travelers. They were apprehensive about opening their home and property to strangers, but after many rentals, they can report they have never had a bad experience and have been surprised by the amount of respect, friendliness and appreciation they have received from their guests. When they started renting their property, they were unaware it was illegal; they have informed their neighbors of what they were doing and

have not had any complaints form any of them and have actually heard that they were surprised that the property was being used as an STR. Using their home as an STR has changed their life for the better and helped to relieve some financial burdens. It has also motivated them to make many big improvements to their property and their home, which has had a positive impact on the community at large. They are not the only owner-occupant hosts who have had amazingly positive experiences with Air B&B; they were shocked to hear the myriad of complaints from the community, but where not shocked to hear the bulk of these complaints are related to absentee homeowners who rent out second or third vacation home with little to no oversight or direct guest interaction. Those that have chosen to stay in their home while they are renting it are not those that are accumulating complaints and disrupting the neighborhood. There must be a solution to mitigating the complaints relating to absentee hosts while still allowing full-time owner-occupied hosts to continue to rent out their own properties. The Ogden Valley is growing and there is no stopping that; anyone who lives in the Valley can agree they do not want to see more land developed or for more multi-story condos/hotels to be built. By operating a STR from their home, they are filling a need without altering the landscape or rural integrity of the Valley. They are providing the opportunity for people to experience the beauty of the place they love so much through the homes of its actual community members. By doing this, they are sharing the culture, mentality and lifestyle with those that travel through, rather than creating a division between locals and tourists. This will hopefully instill a greater sense of connectedness and responsibility to respect the landscape and those travelling through. She concluded that here property is not in an area where STRs are allowed, but they want to do everything to bring their property into compliance as they have poured their heart, soul, time, and money into it and it would be devastating both financially and emotionally to no longer be able to do it.

Robin Jones stated she lives in the Ogden Canyon, and she agrees that word of mouth rentals are a very real thing and likely more common than anyone would think. She added that one of the contributing factors to this problem are the realtors that market homes for sale and falsely advertise that they can be used as STRs even they know that is not the case. She suggested that the County discuss this issue with the Board of Realtors since this is an ongoing problem. She added that she has worked closely with Ms. Hennon on enforcement against a property in her neighborhood that was used illegally as an STR for over two years. When the County first started discussing STRs, one of the suggestions from the County Commission was to hit bad actors in the pocketbook. She initially agreed with that, but after learning that an individual in her neighborhood amassed a \$17,000 fine that was never collected and was eventually forgiven, she does not believe that the penalty provisions are effective. She asked how the County plans to collect fines assessed on illegal STRs.

Mike Erickson stated he has lived in Eden for 15 years; he referenced the data that was listed in the presentations provided by County staff and noted that the conclusion he drew was that of the 308 non-compliant STRs, the County has only been able to get 32 to become compliant. He asked if that means that the other 270 are still operating and collecting their rental rates. If the County is going to come to any sort of solution, he wondered what will be done to ensure enforcement can take place. The inability to enforce is crippling. He suggested a few mechanisms for achieving compliance and thanked all those who have participated in the discussion of this issue. For those that choose a place to live, knowing who their neighbors are is integral to their comfort levels. He cannot feel comfortable in his home if he does not know who is staying next to him. For this reason, STRs are very impactful to their neighborhoods.

Gary Fullmer referenced the comments about people moving to the Valley and bringing with them the things they enjoyed in their former community. However, the alternative may be true for many people who are moving to the Valley to escape their former communities. The County should consider some of the other communities that are facing similar problems; he visited Moab last week and learned that there are no longer permanent Moab residents living there as they have all chosen to move elsewhere to escape tourism. That is not what the County should want for the Ogden Valley; however, some outsiders that have moved to the Valley bring with them valuable points of view. He added that some people have chosen to move to the Valley and use their property for a STR with a claim of ignorance that they did not know that the use was prohibited; those people should have been responsible to research the rights associate with their properties before they moved to them.

Gregory Freidman stated he is a homeowner in Trappers Ridge, and he is happy to hear the diversity of opinion being expressed tonight because he felt that was lacking last year when the County adopted the STR ordinance. He referenced the requirements to obtain a license as summarized by Ms. Hennon and stated that one that was interesting to him was a requirement for a fire suppression system. There is mention of appropriate fire safety measures as approved by the Fire Marshal, but there is no requirement for houses with over 10 people to have an actual sprinkler system. He asked if the County Commission is still evaluating licensure requirements to make sure there is no overreach or if those decisions are being left to the enforcement arm of the County. He also asked if occupancy requirements will be readdressed by the County.

Steve Emery stated he has lived in Eden for 25 years and he shares the concerns that have been raised regarding the County's ability to enforce nuisance and STR ordinances; he relayed a story about a complaint of a nuisance that was reported to the County's code enforcement division and action was never taken by staff after six months of communication back and forth. He stated that the County can adopt the most solid ordinances possible, but 'the rubber hits the road' when it comes to enforcement. The County needs enforcement teams, not just a few enforcement officers.

Kay Hogeland stated she has been following this issue in the Valley and has also studied what is occurring in other parts of Utah and she is also familiar with the Utah Legislature's consideration of legislation regarding this issue. She noted Weber County has a gift that few other counties do have in terms of regulating STRs, which is a wise and provident zoning code that was adopted prior to 2000. There are zones where STRs have been allowed for many years and other zones where they have been prohibited for many years. He views this effort as a reinforcement of previous zoning decisions that show good land use planning and protection for neighborhoods. He applauded the developers of the regulations for trying to see how to improve the plan and handle enforcement of it. She stated there are two cases she would like to address; she does feel that Mr. Dixon should be granted a homesteader's exemption to continue to use his property as he chooses. He is a long-term, responsible owner and there may be some way to grant him permission to operate a limited STR to recoup some money to pay for his escalated costs. She would also recommend some consideration for the Foremans to continue to operate their STR due to the fact that they occupy the primary dwelling on the property. Otherwise, investors see the Ogden Valley as a 'pot of gold' in terms of operating vacation properties and those activities should be controlled and prevented from occurring in traditional residential neighborhoods.

Ms. Fullmer re-approached and echoed Ms. Hogeland's recommendations. She added that there are reasons that land use codes have been used to define certain zones and those should not be ignored in order to allow developers to consume property and convert it to a STR use. She addressed the comments made by Mr. Ulrich and noted she is one of the individuals who has approached renters of illegally operated STRs; she has approached new people staying at properties and asked them if they are the new owners or long-term renters and was told that they were just renting the property for the weekend. This is with the knowledge that STRs are not allowed in those neighborhoods. People have found very creative ways to get around the County's laws and this is destroying the community.

Mr. Ulrich re-approached and noted that he installed several cameras around his property and has several items of documentation for people coming onto his property, even in the backyard, and are violating trespass laws. He has collected license plates and other vehicle information and he will use this information to seek other means for addressing these violations of his property rights.

Commissioner Barber asked Ms. Hennon if there is any limit on the number of related family members that can stay on a property for a gathering. Ms. Hennon answered no and stated that she has not taken enforcement action for those types of situations. She added that Granicus will be assisting the County in collecting fines that are assessed for the illegal operation of an STR. Commissioner Barber asked if there are objectives for achieving a certain level of compliance for the illegal STRs that have been found. Ms. Hennon stated that education of the rules and regulations is key; there will always be people who do not realize if they are using their property in a way that violates a land use code. She stated that she does not believe that 100 percent compliance is possible, but it is her goal to achieve 95 percent compliance. She also addressed Mr. Emery's comments and noted that the County is working to create a team that can handle code enforcement; STR licenses that are issued will indicate any fire suppression requirements and the total number of people that can stay at the unit at a given time. Commissioner Barber asked if it is correct that if someone occupies their property, they can obtain a permit to rent an accessory structure on their property. Ms. Hennon stated that is permitted in certain zones, but not all zones in the Valley; a conditional use permit (CUP) and business license can be obtained for a 'bed and breakfast' use. Commissioner Burton asked if there are zones where a 'bed and breakfast' may be allowed, but a STR is not allowed. Ms. Hennon answered yes.

Continued high level discussion among the Commission and staff centered on the amount of time that Granicus has been working on this project, plans for ongoing enforcement action, resident response to illegal STRs that could be defined as 'vigilante' behavior and the ability of the County to take action against someone who may be weaponizing the County's ordinance to harass another property owner, mechanisms and tools that residents can use to make a compliant about an illegal STR.

Chair Shuman concluded by noting that the Ogden Valley Planning Commission has been discussing the need to revisit the Ogden Valley General Plan to perform updates; the public is encouraged to consider whether an update is needed and, if so, to contact the County Commission to express the desire to proceed with that update.

**Meeting Adjourned: The meeting adjourned at 6:43 p.m.
Respectfully Submitted,**

Weber County Planning Commission

MEMO

To: Ogden Valley Planning Commission
From: Charles Ewert
Date: July 25, 2023
RE: August 1, 2023 Work Session Item: Agritourism Ordinance Amendments

In the planning commission's August 1st work session we will once again be reviewing proposed amendments to the agritourism ordinance.

Since the planning commission's last work session, staff has amended the proposal in the following ways pursuant to the planning commission's requests:

- The significant policy changes are highlighted in yellow to more easily catch your attention.
- The proposal adds agritourism as a conditional use in the F-X zones, as can be observed in the table starting on line 283. Lines 218 – 384 display proposed revisions to the F-X zone chapter. These revisions are not substantive and are only intended to create consistency between each zone chapter.
- Similarly, lines 385 – 492 also display proposed revisions to make a zone chapter consistent with other chapters. This chapter is for the Shoreline zone. The applicant's specific request to allow agritourism in the Shoreline zone can be found in the table on line 430.
- Line 529 – 530 adds an area qualifier for the agritourism uses in relation to the area of the agricultural operation.
- Lines 543 – 548 revises the qualifications for an agritourism operation in the context of the farmland assessment act. It reverts some of the confusing language back to current ordinance.
- Lines 549 – 552 add in some enforcement provisions, and tie the submitted application to the actual approval of the permit.
- Lines 566 – 567 add a requirement for the applicant to describe any new infrastructure they will be installing/building
- Lines 582 – 583 add a requirement for the applicant to explain the traffic, circulation, and parking needs of the proposed use.
- Lines 680 – 685 eliminates the smaller "ag" operations in favor of a minimum of six acres.
- The table starting on line 704 contains the following changes:
 - It eliminates the "garden" and "family" types of agricultural operations.
 - Adds dude ranch to the large agricultural operations.
 - Consolidates "corn maze" into "seasonal amusement."
- The table starting on line 718 provides greater setback distances for most uses.

I look forward to meeting with you next week to complete this review.

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 Western Weber 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 **TITLE 101 GENERAL PROVISIONS**

2 ...

3 **CHAPTER 101-2 DEFINITIONS**

4 **Sec 101-2-2 A Definitions**

5 **Acreage, agri-tourism activity center.** The term "agri-tourism activity center acreage" means the land
6 area within an approved agri-tourism operation that contains the grouping or assemblage of agri-tourism
7 uses/activities. Activity center area consists of that impacted ground lying immediately adjacent to, in
8 between, and within a reasonable distance around each use/activity. Distances greater than 300 feet in
9 between uses/activities and their impacted grounds, represent a separation of activity centers.

10 **Acreage, gross.** The term "gross acreage" means a total of all acreage that lies within a project boundary.

11 **Acreage, net developable.** The phrase "net developable acreage" means the total acreage within a project
12 boundary, subtracting acreage unsuitable for development, as defined by this section or as otherwise
13 provided in this Land Use Code. When calculating net developable acreage, the area encumbered or
14 proposed to be encumbered by a street right-of-way or other required right-of-way providing primary access
15 to a lot is considered area unsuitable for development. The term "net developable area" shall have the
16 same meaning, unless the context clearly indicates otherwise.

17 ~~**Acreage, productive agri-tourism.** The term "productive agri-tourism acreage" means agriculturally
18 productive land area used for the combined purpose of cultivating agricultural products and hosting active
19 tourism attractions (e.g., pumpkin patch, corn maze, U-pick, U-cut Christmas trees, crop tour, bird watching,
20 hunting, horseback/sleigh/wagon rides etc.).~~

21 ...

22 ~~**Agri-tourism.** The term "agri-tourism" means a use, an agricultural accessory to an agricultural use, that
23 which can provide a means of diversifying agricultural a farm's income through broadening its the agricultural
24 use's offerings and adding value to its agricultural products. They An agritourism use operates during more
25 than six (consecutive or non-consecutive) days per year and provides agriculturally related, and in some
26 instances, non-agriculturally related products, and activities, provides product, activities, and other uses
27 that are clearly related and incidental to the agricultural use, that attract members of the public to the farm
28 for retail, educational, recreational, and/or general tourism purposes.~~

29 **Agritourism events facility.** The term "agritourism events facility" means an agritourism use or activity
30 that provides the opportunity for agritourists to rent an area that can act as a venue for events, including,
31 but not limited to, birthdays, weddings, family reunions, small scale fundraisers, or corporate picnics or
32 outings that do not constitute a special event as defined by Title 38.

33 **Agritourism farm tour.** The term "agritourism farm tour" means an agritourism use or activity that offers
34 opportunities for the public to learn how a farm functions and where and how food, fiber, fuel, and other
35 agricultural products are produced. Farm tours frequently highlight the history of the subject farm and, in
36 general, educate the public about agricultural practices and technology.

37 **Agritourism fee fishing.** The term "agritourism fee fishing" means an agritourism use or activity, approved
38 by the appropriate local, state and federal agency, which provides the opportunity for anglers to pay a fee
39 for the right to fish on a farm.

40 **Agritourism glamorous camping.** The term "agritourism glamorous camping" means an agritourism use
41 or activity that provides the opportunity for agritourists to rent, on a nightly basis, fully furnished tents or
42 rustic cabin sites that are characterized by furnishings, amenities, and comforts offered by that of a luxury

Commented [E1]: Changing from "special occasion"

Commented [E2]: Search code for conflicts or redundancies

Commented [E3]: Moved from elsewhere to here

Commented [E4]: Moved from elsewhere to here

Commented [E5]: Moved from elsewhere to here

43 [hotel room. Furnishings, amenities, and comforts may include but are not limited to luxurious decor, beds,](#)
44 [linens, baths, veranda, spa services, concierge, dining, and chef.](#)

45 [Agritourism health farm.](#) The term "agritourism health farm" means a farm building designed for the
46 purpose of providing proactive health and wellness education or physical exercise and diet regimens that
47 can improve one's quality of life in a rural or spa-like environment. Health and wellness opportunities may
48 consist of, but are not limited to, general and specialized exercise, wellness, and nutritional classes and
49 consultations, organic cooking classes or workshops, yoga, meditation, and massage therapy.

Commented [E6]: Moved from elsewhere to here

50 [Agritourism hunting preserve.](#) The term "agritourism hunting preserve" means an agritourism use or
51 activity, approved by the appropriate local, state and federal agency, which provides the opportunity for an
52 individual or group to pay a fee for the right to hunt on a farm.

Commented [E7]: Moved from elsewhere to here

53 [Agritourism productive acreage.](#) The term "agritourism productive acreage" means agriculturally
54 productive land area used for the combined purpose of cultivating agricultural products and hosting active
55 tourism attractions (e.g., pumpkin patch, corn maze, U-pick, U-cut Christmas trees, crop tour, bird watching,
56 hunting, horseback/sleigh/wagon rides etc.).

Commented [E8]: Validate with new gross acreage requirements in (f) of 108-21-3

Is this term still used?

57 [Agritourism you-pick operation, agri-tourism.](#) The term "agri-tourism you-pick operation" means an
58 agri-tourism use or activity that provides the opportunity for customers to pick or harvest fruits and
59 vegetables directly from the plant grown on a farm location.

Commented [E9]: Moved from elsewhere to here

60 ...

61 **Agricultural arts center.** The term "agricultural arts center" means a facility designed for the purpose of
62 offering public education, enjoyment, and enlightenment through artistic expression and/or a translation of
63 concepts related to art, art history, and art theory. In a conducive agricultural setting, it acts as a venue for
64 the community to experience, appreciate, and consume art in a variety of forms, including, but not limited
65 to, visual or media art, literature, music, theatre, film, and/or dance. An agricultural arts center does not
66 provide accommodation for overnight lodging ~~farm-stays~~; however, it may serve meals when served to
67 event participants and/or guests.

68 ...

69 **Store, agricultural product.** The phrase "Agricultural Product Store" means a market that is part of an
70 onsite agritourism operation that offers for sale a wide variety of Agricultural Products that were produced
71 in Weber County, and at least one of which is a product produced onsite. An Agricultural Product Market
72 does not consist of multiple vendors. It offers for sale agricultural products and goods derived from the farm
73 on which the harvest market is located as well as other agricultural operations.

74 ...

75 **Agro-ecology research and education center (AREC).** The term "agro-ecology research and education
76 center (AREC)" means a facility designed for the purpose of providing academic training in the techniques
77 of agro-ecology and sustainable agricultural systems. An AREC ~~Agroecology Research and Education~~
78 ~~Center~~ conducts (theoretical and applied) research and community outreach while offering academic
79 education, practical experience, training, and public service and instructional opportunities for audiences
80 ranging from local-school children to international agencies. ~~Such a facility may afford meals and overnight~~
81 ~~lodging facilities for faculty, staff, and/or students/apprentices.~~

82 ...

83 **Sec 101-2-3 B Definitions**

84 ~~**Bed and breakfast (B&B) farm dwelling, agri-tourism.** The term "agri-tourism B&B farm dwelling" means~~
85 ~~an owner-occupied farm house further utilized for the purpose of providing overnight lodging~~
86 ~~accommodations and meals to overnight guests.~~

Commented [E10]: Consolidated into "lodging house"

87 ~~**Bed and breakfast (B&B) farm retreat, agri-tourism.** The term "agri-tourism B&B farm retreat" means an~~
88 ~~owner-occupied farm house further utilized for the purpose of providing overnight lodging accommodations~~
89 ~~as well as meals to overnight guests and the visiting day-use public within an internally incorporated dining~~
90 ~~area.~~

Commented [E11]: Consolidated into "lodging house"

91 ...

92 **Sec 101-2-5 D Definitions**

93 ~~**Dude ranch.** The term "dude ranch" means a commercial vacation ranch operation that provides~~
94 ~~activities related to a ranch lifestyle, which may include camping, horseback riding, and wrangling, and~~
95 ~~which may also offer short-term rental accommodations~~ a [lodging house](#) ~~for guests engaged in these~~
96 ~~activities.~~

Commented [E12]: Definition already in current code.

97 ...

98 **Sec 101-2-7 F Definitions**

99 ~~**Farm inn, agri-tourism.** The term "agri-tourism farm inn" means a farm building designed for the purpose~~
100 ~~of providing overnight lodging accommodations as well as meals to overnight guests and the visiting day-~~
101 ~~use public within an internally incorporated dining area.~~

Commented [E13]: Consolidated into "lodging house"

102 ~~**Farm stay, agri-tourism.** The term "agri-tourism farm stay" means a general agri-tourism use/activity~~
103 ~~category that comprises a variety of overnight lodging accommodations made available at a working farm~~
104 ~~that is approved for an agri-tourism operation. A farm stay, for any group or individual, does not exceed 14~~
105 ~~(consecutive or non-consecutive) calendar days per month; however, farm stays may serve as an~~
106 ~~interactive recreational activity that offers agri-tourists, including children, opportunities to participate in~~
107 ~~feeding animals, collecting eggs, and/or learning how a farm functions through practical day-to-day~~
108 ~~experience. A farm stay may also consist of a retreat or be described as a work exchange, where the~~
109 ~~guests, for recreational purposes, work in exchange for free or discounted accommodations.~~

Commented [E14]: The proposed changes herein make this definition irrelevant.

Commented [E15]: This is a standard, not a definition

110 ~~**Farm tour, agri-tourism.** The term "agri-tourism farm tour" means an agri-tourism use/ or activity that~~
111 ~~offers opportunities for the "non-farm" public to learn how a farm functions and where and /how food, fiber,~~
112 ~~fuel, and other agricultural products are produced and/or packaged. Farm tours frequently highlight the~~
113 ~~history of the subject farm and, in general, foster a broader understanding of the importance of agriculture~~
114 ~~and educate the public as to current agricultural practices and technology.~~

115 ~~**Fee fishing, agri-tourism.** The term "agri-tourism fee fishing" means an agri-tourism use/activity, approved~~
116 ~~by the appropriate local, state and/or federal agency, which provides the opportunity for anglers to pay a~~
117 ~~fee for the right to fish on a farm. Fee fishing is a non-agriculturally related use unless provided as an~~
118 ~~accessory to a bona fide aquaculture operation.~~

119 ...

120 **Sec 101-2-8 G Definitions**

121 ...

122 ~~**Glamorous camping (glamping), agri-tourism.** The term "agri-tourism glamorous camping (glamping)"~~
123 ~~means an agri-tourism use/activity that provides the opportunity for agri-tourists to rent, on a nightly basis,~~

124 fully furnished tents and/or rustic cabin sites that are characterized by furnishings, amenities, and comforts
125 offered by that of a luxury hotel room. Furnishings, amenities, and comforts may include but not be limited
126 to, luxurious decor, beds, linens, baths, veranda, spa services, concierge, dining, and chef.

127 ...

128 **Sec 101-2-9 H Definitions**

129 ...

130 ***Harvest market, agri-tourism.*** The term "agri-tourism harvest market" means an agri-tourism use/activity
131 that provides the opportunity for customers to purchase a wide variety of farm products at one farm location.
132 A harvest market does not consist of multiple farm vendors; however, it offers for sale, agricultural products
133 and goods derived from the farm on which the harvest market is located as well as other commonly owned
134 and/or independent or unaffiliated Weber County farms.

135 ...

136 ***Health farm, agri-tourism.*** The term "agri-tourism health farm" means a farm building, including overnight
137 lodging facilities, designed for the purpose of providing proactive health and wellness education and/or
138 physical exercise and diet regimens that can, in a rural and spa-like environment, improve one's quality of
139 life in a rural and spa-like environment. ~~Health and wellness opportunities may consist of, but are not limited~~
140 ~~to, general and specialized exercise, wellness, and nutritional classes/consultations, organic cooking~~
141 ~~classes or workshops, yoga, meditation, and massage therapy. A health farm may serve meals only when~~
142 ~~served to participating clientele.~~

143 ...

144 ***Hunting preserve, agri-tourism.*** The term "agri-tourism hunting preserve" means an agri-tourism use ~~or~~
145 ~~activity, approved by the appropriate local, state and/or federal agency, which provides the opportunity for~~
146 ~~an individual or group to pay a fee for the right to hunt on a farm. A hunting preserve is a non-agriculturally~~
147 ~~related use unless provided as an accessory to a bona fide agricultural operation.~~

148 ...

149 **Sec 101-2-13 Loc - Lod Definitions**

150 ...

151 ***Lodging house/boardinghouse.*** The term "~~L~~odging ~~H~~ouse/~~board~~inghouse," also referred herein as
152 "~~B~~oardinghouse," means a building ~~where lodging only is provided~~ designed for temporary lodging for
153 compensation, ~~in which no provision is made for cooking in any individual quest room or suite. Unless~~
154 ~~otherwise more specifically provided in this Land Use Code, a Lodging House has between one in five or~~
155 ~~more and 15 guest rooms, but not exceeding 15 persons.~~

156 ...

157 **Sec 101-2-14 M Definitions**

158 ...

159 ***Motor coach/caravan area, agri-tourism.*** The term "agri-tourism motor coach/caravan area" means an
160 area, within an approved agri-tourism operation, that provides individual sites for the temporary parking
161 and occupation of recreational vehicles (i.e., motor coach, camper van, trailer, etc.).

162 ...

Commented [E16]: Revising this definition using similar language found in hotel. A hotel is defined this same way except has 16+ rooms.

163 **Sec 101-2-16 O Definitions**

164 ~~**On-farm store/retail market, agri-tourism.** The term "agri-tourism on farm store/retail market" means an~~
165 ~~agri-tourism use/activity that provides the opportunity for a farmer to sell retail quantities of agriculturally~~
166 ~~related products and, in some cases, non-agriculturally related products directly to the consumer or agri-~~
167 ~~tourist.~~

Commented [E17]: No longer needed. Revised code replaces this phrase with "market," which does not need a specialized definition outside of Merriam Webster.

168 ...

169 **Sec 101-2-17 P Definitions**

170 ...

171 ~~**Play area, agri-tourism.** The term "agri-tourism play area" means an area within an agri-tourism~~
172 ~~operation's activity center that is dedicated to open and informal play. The play area may include, but not~~
173 ~~be limited to, conventional and unconventional playground equipment.~~

Commented [E18]: Is this definition needed? If it is, is it overly vague? For example, would a noisy and dusty dirt-bike track fit under this?

174 ...

175 **Product, agricultural.** The term "agricultural product" means any raw product which is derived from
176 agriculture, including fruits, vegetables, crops, floriculture, herbs, forestry, animal husbandry, livestock,
177 aquaculture products, water plants, horticultural specialties, and other similar products that can be broadly
178 classified as a food, fiber, fuel, or a raw material group. Specific foods may include cereals, fruits,
179 vegetables, and meat. Fibers may include cotton, wool, hemp, silk and flax. Raw materials may include
180 lumber and other plant products.

181 ~~**Product, agriculturally related.** The term "agriculturally related product" means any item that is sold at a~~
182 ~~specific farm, approved for agri-tourism, which attracts customers and promotes the sale of agricultural~~
183 ~~products. Such items may include, but are not limited to, all agricultural products, baked goods, cheese, ice~~
184 ~~cream and ice cream-based desserts and beverages, jams, honey, and other food stuffs or products that~~
185 ~~feature ingredients produced on a specific farm, approved for agri-tourism, or other farm located within~~
186 ~~Weber County. Additional agriculturally related products may consist of, but are not limited to, gift items,~~
187 ~~clothing and other items that directly promote the specific farm and/or the agriculture industry in Weber~~
188 ~~County.~~

Commented [E19]: The proposal steers away from this term, in favor of specifically stating that non-ag products can only be offered for sale if offered alongside product produced by the farm.

189 ~~**Product, non-agriculturally related.** The term "non-agriculturally related product" means any item that is~~
190 ~~sold at a specific farm, approved for agri-tourism, which is not connected to farming nor derived from that~~
191 ~~farm's operation or other farm located in Weber County. Non-agriculturally related products may include,~~
192 ~~but are not limited to, novelty t-shirts or other clothing, crafts, knick-knacks and/or products imported from~~
193 ~~other counties, states or countries.~~

Commented [E20]: This proposed amendment eliminates the need for this definition.

194 ...

195 **Sec 101-2-20 Sp Definitions**

196 ...

197 **Recreational vehicle or travel trailer.** The term "recreational vehicle/travel trailer," [also known herein](#)
198 [as "travel trailer,"](#) means a vehicular unit, other than a mobile home, designed as a temporary dwelling for
199 travel, recreational, and vacation use, which is either self-propelled or is mounted on or pulled by another
200 vehicle including, but not limited to: travel trailer, camp trailer, folding tent trailer, truck camper, or motor
201 home, [but not including mobile or manufactured homes.](#)

202 ...

203 **Sec 101-2-20 S Definitions**

204 ...

205 ~~**Special occasion, agri-tourism.** The term "agri-tourism special occasion" means an agri-tourism use/ or~~
206 ~~activity that provides the opportunity for agri-tourists to rent an area that can act as a venue for events,~~
207 ~~including, but not limited to, birthdays, weddings, family reunions, small scale fundraisers, and/or corporate~~
208 ~~picnics/outings that do not constitute a special event as defined by title Title 38, special events~~

209 ...

210 **Sec 101-2-22 U Definitions**

211 ~~**U-pick operation, agri-tourism.** The term "agri-tourism u-pick operation" means an agri-tourism~~
212 ~~use/activity that provides the opportunity for customers to pick or harvest fruits and vegetables directly from~~
213 ~~the plant grown on a farm location.~~

214 ...

215

Commented [E21]: Replacing with "events facility"

216 **TITLE 104 ZONES**

217 ...

218 **Chapter 104-9 Forest Zones F-5, F-10, And F-40**

219 **Sec 104-9-1 Purpose**

- 220 (a) The intent of the forest zones is to protect and preserve the natural environment of those areas of the
221 county that are characterized by mountainous, forest or naturalistic land, and to permit development
222 compatible to the preservation of these areas.
- 223 (b) The objectives in establishing the forest zones are:
- 224 (1) To promote the use of the land for forest, fish and wildlife and to facilitate the conservation of the
225 natural resources, vegetation and attractions;
- 226 (2) To reduce the hazards of flood and fire;
- 227 (3) To prevent sanitation and pollution problems and protect the watershed;
- 228 (4) To provide areas for private and public recreation and recreation resorts; and
- 229 (5) To provide areas for homes, summer homes, and summer camp sites.

230 **Sec 104-9-2 (Reserved) Permitted Uses**

231 ~~The following uses are permitted in Forest Zones F-5, F-10, and F-40:~~

- 232 ~~(a) Accessory building incidental to the use of a main building; main building designed or used to~~
233 ~~accommodate the main use to which the premises are devoted; and accessory uses customarily~~
234 ~~incidental to a main use.~~
- 235 ~~(b) Accessory dwelling unit, in compliance with Chapter 108-19.~~
- 236 ~~(c) Agriculture.~~
- 237 ~~(d) Cluster subdivisions, which comply with the requirements of title 108, chapter 3.~~
- 238 ~~(e) Grazing and pasturing of animals, limited to one horse or cow per acre of land exclusively dedicated to~~
239 ~~the animal. The keeping of animals and fowl for family food production. Golf course, except miniature~~
240 ~~golf courses.~~
- 241 ~~(f) Home occupations.~~
- 242 ~~(g) Household pets.~~
- 243 ~~(h) Private stables, not to exceed one horse per acre.~~
- 244 ~~(i) Public parks and recreation grounds. Public campgrounds and picnic areas meeting the requirements~~
245 ~~of the Forest Campground Ordinance of Weber County; public buildings.~~
- 246 ~~(j) One recreational vehicle, temporarily parked on a lot or parcel for periodic short-term intervals of less~~
247 ~~than 180 days for recreational use only and not for longer term placement nor for full time living. The~~
248 ~~following additional conditions shall apply:~~
- 249 ~~(1) The lot has a minimum area of five acres in the F-5, ten acres in the F-10, and 40 acres in the F-~~
250 ~~40 Zone or is determined to be a legally approved or legal nonconforming lot or parcel or cluster~~
251 ~~subdivision and meet the minimum lot size, frontage, and setback requirements for all zones in this~~
252 ~~chapter.~~
- 253 ~~(2) County environmental health department approval as to waste disposal by an approved septic tank~~
254 ~~and drain field with approved connection to the R.V., and a land use permit from the county planning~~
255 ~~commission for each unit, which shall expire after 180 days from date of issue, and including only~~
256 ~~the following accessory uses: not more than one storage shed of not more than 200 square feet~~
257 ~~per lot, not to include electrical or plumbing connections; prepared R.V. parking pad; raised deck~~

Commented [E22]: This section reformats the F zones to follow the same conventions as other zone sections. No changes are intended except to add agritourism as an allowed use in all forest zones.

258 of not more than two feet in height adjacent to the R.V. parking pad; one outdoor camp fireplace;
259 picnic table and chairs and tent type screens.

260 (3) A second recreation vehicle may be placed on any lot, parcel, legal nonconforming lot or parcel as
261 qualified in subsection (f)(2) of this section containing a minimum area of two acres excluding land
262 known as common land and/or open space.

263 (4) The following state and local division of health codes and requirements are complied with:

264 a. International Utah Plumbing Code.

265 b. Rules and regulations relating to public water supplies.

266 c. Code of Waste Disposal Regulations.

267 d. Code of Solid Waste Disposal Regulations.

268 e. Recreation regulations.

269 (k) Signs shall comply with title 110, chapter 2, Ogden Valley signs, if located within the Ogden Valley
270 area.

271 (l) Single family residences.

272 **Sec 104-9-3 Land Use Table Conditional Uses**

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

277 (a) Accessory uses. An accessory use is prohibited unless located on the same lot or parcel as the
278 main use to which it is accessory.

F-5 F-10 F-40 Special Regulations

	F-5	F-10	F-40	Special Regulations
Accessory building, accessory and incidental to the use of a main building.	P	P	P	
Accessory dwelling unit.	P	P	P	See Title 108, <u>Chapter 19</u> .
Accessory use, accessory and incidental to the main use.	P	P	P	
Family food production, accessory to a residential use. Keeping of animals and fowl for family food production.	P	P	P	<u>See Section 104-9-4</u>
Home occupation, accessory to a residential use.	P	P	P	<u>See Chapter 108-13.</u>
Household pets, accessory to a residential use.	P	P	P	

Commented [E23]: 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.

Main building , designed or used to accommodate the main use.	P	P	P	
--	---	---	---	--

279 (b) [Agricultural uses, non-animal.](#)

	F-5	F-10	F-40	<u>Special Regulations</u>
Agriculture.	P	P	P	
<u>Aquaculture.</u>	<u>P</u>	<u>P</u>	<u>P</u>	

Commented [E24]: Not specifically listed in the F zones, but presumed to be allowed under the “agriculture” use.

280 (c) [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.

	F-5	F-10	F-40	<u>Special Regulations</u>
Animal grazing. Animal grazing, as defined in Section 101-2.	P	P	P	See Section 104-9-4.
<u>Apiary.</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Aquaculture, animal related.</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Aviary.</u>	<u>P</u>	<u>P</u>	<u>P</u>	
Corral, stable or building for keeping animals or fowl.	P	P	P	See <u>Section 104-9-4.</u>

Commented [E25]: Not specifically listed in the F zones, but presumed to be allowed under the “agriculture” use.

Commented [E26]: Not specifically listed in the F zones, but presumed to be allowed under the “agriculture” use.

Commented [E27]: Not specifically listed in the F zones, but presumed to be allowed under the “agriculture” use.

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

	F-5	F-10	F-40	<u>Special Regulations</u>
<u>Agri-tourism.</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>See Chapter 108-21.</u>
Campground and picnic area.	C	C	C	See Title 108, <u>Chapter 20.</u>
Forest industries. Production of forest products.	C	C	C	

Golf course, except miniature golf course.	P	P	P	
Skeet or trap shooting range	N	N	C	
Ski resort.	C	C	C	

284 (e) [Institutional uses.](#)

F-5 F-10 F-40 [Special Regulations](#)

Cemetery.	C	C	C	
Church, synagogue or similar building used for regular religious worship.	C	C	C	

285 (f) [Residential uses.](#)

F-5 F-10 F-40 [Special Regulations](#)

Recreation lodge	C	C	C	
Single-family dwelling.	P	P	P	

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

F-5 F-10 F-40 [Special Regulations](#)

Recreational vehicle parking.	P	P	P	See Section 104-9-4
Private park, playground or recreation area. No privately owned commercial amusement business.	C	C	C	
Public campground and picnic area.	P	P	P	See <u>Title 108, Chapter 20.</u>
Public park, recreation grounds and associated buildings.	P	P	P	

Public or nonprofit skeet or trap shooting range	N	N	C	
--	---	---	---	--

288 (h) Utility uses.

	F-5	F-10	F-40	Special Regulations
Hydro-electric dam.	C	C	C	
Public utility substations.	C	C	C	
Radio or television station or tower.	C	C	C	
Wastewater treatment or disposal facilities	C	C	C	
Water storage reservoir, when developed by a utility service provider.	C	C	C	See Title 108, Chapter 10.
Signs	P	P	P	

Commented [E28]: Sign code already governs this

289 (i) Other uses.

	F-5	F-10	F-40	Special Regulations
Heliport.	N	N	C	See Section 104-9-4
Mines, quarries, gravel pits.	C	C	C	Compliance with the Weber County Excavation and Clean Fill Ordinance required.

290
 291 ~~The following uses shall be permitted only when authorized by a conditional use permit obtained as~~
 292 ~~provided in this Land Use Code:~~
 293 ~~(a) Agri-tourism, in the Forest-5 Zone, subject to the requirements of the Weber County Agri-Tourism~~
 294 ~~Ordinance.~~
 295 ~~(b) Cemeteries, Churches.~~
 296 ~~(c) Forest industries; production of forest products.~~
 297 ~~(d) Dams.~~
 298 ~~(e) Educational/Institutional identification sign.~~
 299 ~~(f) Mines, quarries and gravel pits, sand and gravel operations subject to the provisions of the Weber~~
 300 ~~County Excavation Ordinance.~~

- 301 (g) ~~Private parks and recreation grounds. Private campgrounds and picnic areas meeting the requirements~~
 302 ~~of the Forest Campground Ordinance of Weber County. Dude ranches.~~
- 303 (h) ~~Public utility substations and transmission lines.~~
- 304 (i) ~~Radio and television towers.~~
- 305 (j) ~~Ski resorts.~~
- 306 (k) ~~Skeet and trap shooting ranges as an accessory use to public and/or private camps in the F-5 and F-~~
 307 ~~40 Zones.~~
- 308 (l) ~~Skeet and trap shooting ranges in the F-40 Zones.~~
- 309 (m) ~~Water pumping plants and reservoirs.~~
- 310 (n) ~~Wastewater treatment or disposal facilities meeting the requirements of the Utah State Department of~~
 311 ~~Environmental Quality Division of Water Quality but not including individual water disposal systems.~~
- 312 (o) ~~Recreation lodge.~~
- 313 (p) ~~Conference/education center.~~
- 314 (q) ~~Heliport in the F-40 Zone subject to the following standards:~~
- 315 (1) ~~A heliport must be located on a single parcel of record which is not less than 40 acres in area.~~
- 316 (2) ~~A heliport must be located at an elevation of at least 6,200 feet above sea level.~~
- 317 (3) ~~A heliport must be located at least 200 feet from any property line. The planning commission may~~
 318 ~~grant exceptions to the setback requirement if it can be demonstrated that locating the heliport~~
 319 ~~closer than 200 feet to the property line provides a more beneficial situation for purposes of safety,~~
 320 ~~noise abatement, access, or other valid reasons as determined by the planning commission.~~
- 321 (4) ~~The heliport landing surface must be dust proof and free from obstructions.~~
- 322 (5) ~~Prior to issuance of a conditional use permit for a heliport, written approval from the Federal Aviation~~
 323 ~~Administration (FAA) is required, if necessary.~~

324 **Sec 104-9-4 Special Regulations**

325 The uses listed below correspond with certain uses listed in the Land Use Table in Section 104-9-3. Due
 326 to the nature of the use, each shall be further regulated as follows:

327 (a) **Animal grazing.** This use shall not include the supplementary or full feeding of the animals, except
 328 when in compliance with the following:

- 329 (1) It may only be carried on during times that are reasonable and necessary due to lack of natural
 330 growing feed as a result of seasonal changes or extreme and temporary meteorological events.
- 331 (2) It shall not exceed a density of 40 head per acre of used land.
- 332 (3) It shall not be closer than 75 feet to any dwelling, public or semi-public building on an adjoining
 333 parcel of land.

334 (b) **Corral, stable or building for keeping animals or fowl.** This use shall be located no less than 100
 335 feet from a public street and not less than 25 feet from any side or rear lot line.

336 (c) **Family food production.**

- 337 (1) As used in this subsection, a Group A animal is either one pig, one sheep, one cow, or one goat,
 338 and Group B animals or fowl are either a set of ten rabbits, ten chickens, ten pheasants, five
 339 turkeys, five ducks, five geese, or five pigeons.
- 340 (2) No more than four sets of Group B animals or fowl may be kept on a lot or parcel that is less than
 341 40,000 square feet.

Commented [E29]: Pasting these regulations in from the corresponding section of the agricultural zones chapter. (Consistency)

342 ~~(4)~~(3) [No more than six combined sets of Group A animals and sets of Group B animals or fowl](#)
 343 [may be kept on a lot or parcel that is less than two acres. The same applies to a lot or parcel greater](#)
 344 [than two acres, except that an additional six combined sets of Group A and sets of Group B animals](#)
 345 [or fowl may be kept per each additional acre greater than two.](#)

346 ~~(b)~~(d) **Heliport.** This use shall comply with the following minimum standards:

Commented [E30]: This regulation already exists

- 347 (1) It shall be located on a single parcel of record which is not less than 40 acres in area.
- 348 (2) It shall be located at an elevation at least 6,200 feet above sea level.
- 349 (3) It shall be located at least 200 feet from any property line. The Land Use Authority may grant
 350 exceptions to this setback if it can be demonstrated that locating the heliport closer than 200 feet
 351 to the property line provides a more beneficial situation for purposes of safety, noise abatement,
 352 access, or other valid reasons as determined by the Land Use Authority.
- 353 (4) The landing surface shall be dust proof and free from obstructions.
- 354 (5) Prior to the issuance of a permit, written approval from the Federal Aviation Administration (FAA)
 355 is required, if necessary.

356 ~~(e)~~(e) **Recreational vehicle use.** A recreational vehicle shall be temporarily parked on a lot or parcel for
 357 periodic short-term intervals of 180 days or less and shall be limited to recreational use only and not
 358 for longer term placement or for full-time living. The use may be accompanied by no more than one
 359 storage shed no greater than 200 square feet and shall not include electrical or plumbing, one prepared
 360 recreational vehicle pad, one raised deck of no more than two feet in height adjacent to the recreational
 361 vehicle, one outdoor camp fireplace, and picnic table, chairs, tent-type screen. The following additional
 362 conditions shall apply:

Commented [E31]: This regulation already exists.

- 363 (1) The lot shall meet minimum lot requirements as specified in this Land Use Code, or be a
 364 nonconforming lot as specified in Title 108, Chapter 12.
- 365 (2) Health department approval is required for waste disposal by an approved septic tank and drain
 366 field with approved connection to the recreation vehicle.

367
 368 **Sec 104-9-4-5 Site Development Standards**~~Minimum Lot Area, Width And Yard Regulations~~
 369 ~~The following minimum lot areas, widths, and yard regulations apply to the Forest Zones F-5, F-10, and F-~~
 370 ~~40: The following site development standards apply to a lot or parcel in the Forest Zone F-5, F-10, and F-~~
 371 ~~40, unless specified otherwise in this Land Use Code.~~

372 (a) **Lot area:**

	F-5	F-10	F-40
Minimum for all uses:	5 acres	10 acres	40 acres

373 (b) **Lot width:**

	F-5	F-10	F-40
Minimum for all uses:	300 feet ¹	400 feet ¹	660 feet ¹

374 ¹ *The width of lots on the outside of the curved streets or on the ends of cul-de-sacs may be reduced*
 375 *by up to one-third, provided the required minimum lot width is provided back from the front lot line*
 376 *at a distance of 100 feet in the F-5 Zone; 140 feet in the F-10 Zone.*

377 (c) **Yard setback:**

378 (1) **Front yard setback:**

	F-5	F-10	F-40
Minimum front yard setback:	30 feet	50 feet	75 feet

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

	F-5	F-10	F-40
Minimum for all uses:	20 feet	20 feet	40 feet

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

	F-5	F-10	F-40
Main building:	30 feet		
Accessory building:	10 feet		

381 ~~(e)~~(d) [Building height:](#)

	F-5	F-10	F-40
Minimum main building height:	1 story		
Maximum main building height:	35 feet		
Maximum accessory building height:	25 feet unless meeting requirements of Section 108-7-16 , Large accessory buildings		

382

383

	F-5 Zone	F-10 Zone	F-40 Zone
Area	5-acres	10-acres	40-acres
Width	300 ft.*	400 ft.*	660 ft.*
**			
Yard, front	30 ft.+	50 ft.	75 ft.
Yard, side	20 ft.	20 ft.	40 ft.
Yard, rear	30 ft.	30 ft.	30 ft.

1)*The width of lots on the outside of the curved streets or on the ends of cul-de-sacs may be reduced by up to one-third, provided the required minimum lot width is provided back from the front lot line at a distance of 100 feet in the F-5 Zone; 140 feet in the F-10 Zone.

2)**In the F-40 Zone where property lot lines follow a basic rectangular pattern based upon section lines or regular divisions of section lines, road frontage requirements may be reduced to a minimum of 100 feet for each lot, but this in no way permits a reduction in the minimum required lot width which must be maintained.

3) + In the F-5 Zone, front yard setbacks will be 50 feet on right-of-way of 80 feet or more.

4) Main building maximum height	35 ft.	35 ft.	35 ft.
5) Accessory building height	25 feet, unless meeting requirements of section 108-7-16, Large accessory buildings.		

384 ...

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

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

- 387 (a) The shoreline zone has been established as a district in which the primary use of the land is for farming
 388 and for recreational purposes. In general, this zone covers the portion of the unincorporated area of
 389 the county ~~which that~~ is occupied by Pineview Reservoir and shores adjacent thereto.
- 390 (b) This zone is characterized by farms and pasture lands situated adjacent to the shore of the Pineview
 391 Reservoir and interspersed by dwellings, recreational camps, resorts and outdoor recreation facilities.
- 392 (c) The ~~purposes of objectives in establishing~~ the Shoreline Zone S-1 are:
- 393 (1) To promote the use of the land for agriculture and for fish, wildlife and recreational purposes both
 394 public and private;
 - 395 (2) To facilitate the conservation of water and other natural resources;
 - 396 (3) To reduce hazards from floods and fires;
 - 397 (4) To preserve open space, natural scenic attractions, natural vegetation, and other natural features
 398 within the zone;
 - 399 (5) To ensure adequate provision for water supply, domestic sewage disposal and sanitation.
- 400 (d) In order to accomplish these objectives and purposes and to protect the essential characteristics of the
 401 zone, the following regulations shall apply in the Shoreline Zone S-1.

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

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

- 404 ~~(a) Accessory building incidental to the use of a main building; main building designed or used to~~
 405 ~~accommodate the main use to which the premises are devoted; and accessory uses customarily~~
 406 ~~incidental to a main use.~~
- 407 ~~(b) Accessory dwelling unit, in compliance with Chapter 108-19.~~
- 408 ~~(c) Agriculture, grazing and pasturing of animals.~~
- 409 ~~(d) Boating.~~

Commented [E32]: Consolidating into Land Use Table below.

- 410 ~~(e) Cemeteries.~~
- 411 ~~(f) Fishing.~~
- 412 ~~(g) Golf courses, excluding miniature golf courses.~~
- 413 ~~(h) Home occupations.~~
- 414 ~~(i) Keeping of animals and fowl for family food production.~~
- 415 ~~(j) Public parks and recreation grounds. Public campgrounds and picnic areas meeting the requirements~~
- 416 ~~of the Forest Campground Ordinance of Weber County. Public buildings.~~
- 417 ~~(k) Single family dwelling. Signs.~~
- 418 ~~(l) Water skiing and other water recreation activities.~~

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

420 [The following tables display the uses permitted, conditionally permitted, or not permitted in the agricultural](#)

421 [zones. The letter "P" indicates a permitted use in the zone. The letter "C" indicates a use that requires a](#)

422 [conditional use permit, as governed by Title 108 Chapter 4, in the zone. The letter "N" indicates a use that](#)

423 [is prohibited in the zone. A use listed is a main use, unless listed in the "accessory uses" table.](#)

424 ~~(j)(i)~~ [Accessory uses. An accessory use is prohibited unless located on the same lot or parcel as the](#)

425 [main use to which it is accessory.](#)

S-1 Special Regulations

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

Commented [E33]: 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.

426 ~~(j)(k)~~ [Agricultural uses, non-animal.](#)

S-1 Special Regulations

Agriculture.	P	
Aquaculture.	P	

427 ~~(k)~~(l) **Animal-related noncommercial uses.** The following are animal-related uses that do not and shall
428 not typically generate customer-oriented traffic to the lot or parcel.

S-1 Special Regulations

Animal grazing. Animal grazing, as defined in Section 101-2.	P	See Section 104-10-4.
<u>Apiary.</u>	<u>P</u>	
<u>Aquaculture, animal related.</u>	<u>P</u>	
<u>Aviary.</u>	<u>P</u>	
Corral, stable or building for keeping animals or fowl.	P	See Section 104-10-4.

Commented [E34]: Not specifically listed in the S-1 zone, but presumed to be allowed under the "agriculture" use.

Commented [E35]: Not specifically listed in the S-1 zone, but presumed to be allowed under the "agriculture" use.

Commented [E36]: Not specifically listed in the S-1 zone, but presumed to be allowed under the "agriculture" use.

429 ~~(k)~~(m) **Commercial uses.** The following are uses that typically generate for-profit customer-oriented traffic
430 to the lot or parcel.

S-1 Special Regulations

<u>Agri-tourism.</u>	<u>C</u>	<u>See Chapter 108-21.</u>
Campground and picnic area.	C	<u>See Chapter 108-20.</u>
Golf course, except miniature golf course.	P	

Commented [E37]: Applicant's request

431 ~~(m)~~(n) **Institutional uses.**

S-1 Special Regulations

Cemetery.	P	
Church, synagogue or similar building used for regular religious worship.	P	

432 ~~(m)~~(o) **Residential uses.**

S-1 Special Regulations

Single-family dwelling.	P	
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433 (e)(p) Recreational noncommercial uses. The following are recreational uses that are typically owned
 434 or operated by a nonprofit or governmental entity.

S-1 Special Regulations

Boating	P	
Fishing	P	
Private park, playground or recreation area. No privately owned commercial amusement business.	C	
Public campground and picnic area.	P	See <u>Chapter 108-20.</u>
Public park, recreation grounds and associated buildings.	P	
Water skiing and other water recreation activities.	P	

Commented [E38]: Unnecessary to regulate in the land use code. This is not a land use.

Commented [E39]: Unnecessary to regulate in the land use code. This is not a land use.

Commented [E40]: Unnecessary to regulate in the land use code. This is not a land use.

435 (p)(q) Utility uses.

S-1 Special Regulations

Hydro-electric dam.	C	
Public utility substations.	C	
Radio or television station or tower.	C	
Signs	P	

Commented [E41]: Sign code already governs this

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

437 (e)(f) General use regulations. The above specified uses shall be permitted only under the following
 438 conditions:

- 439 (1) Public health requirements concerning domestic water supply and sewage disposal shall comply
 440 with provisions of section 108-7-9.
- 441 (2) No building or structure shall be constructed within the boundaries of any public reservoir as
 442 determined by the public agency having jurisdiction or within the boundaries of any natural
 443 waterway or watercourse as determined by the county engineer wherein no buildings or structures
 444 shall be constructed or land subdivided. Where buildings are to be constructed within 50 feet of the
 445 exterior boundaries of a flood channel existing at the effective date of the ordinance from which this
 446 chapter is derived, adequate measures must be taken as determined by the Weber County

447 Engineer so as to protect the building or structure from damage due to floods and so as not to
448 increase the hazard to surrounding lands and buildings.

449 (3) The required yard space shall be kept free of debris, refuse or other inflammable material which
450 may constitute a fire hazard.

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

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

454 (1) Animal grazing. This use shall not include the supplementary or full feeding of the animals, except
455 when in compliance with the following:

456 a. It may only be carried on during times that are reasonable and necessary due to lack of natural
457 growing feed as a result of seasonal changes or extreme and temporary meteorological events.

458 b. It shall not exceed a density of 25 head per acre of used land.

459 c. It shall not be closer than 75 feet to any dwelling, public or semi-public building on an adjoining
460 parcel of land.

461 (2) Corral, stable or building for keeping animals or fowl. This use shall be located no less than
462 100 feet from a public street and not less than 25 feet from any side or rear lot line.

463 (3) Family food production.

464 a. As used in this subsection, a Group A animal is either one pig, one sheep, one cow, or one
465 goat, and Group B animals or fowl are either a set of ten rabbits, ten chickens, ten pheasants,
466 five turkeys, five ducks, five geese, or five pigeons.

467 b. No more than four sets of Group B animals or fowl may be kept on a lot or parcel that is less
468 than 40,000 square feet.

469 c. No more than six combined sets of Group A animals and sets of Group B animals or fowl may
470 be kept on a lot or parcel that is less than two acres. The same applies to a lot or parcel greater
471 than two acres, except that an additional six combined sets of Group A and sets of Group B
472 animals or fowl may be kept per each additional acre greater than two.

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

474 The following site development standards apply to a lot or parcel in the Shoreline zone, unless specified
475 otherwise in this Land Use Code.

476 ~~(e)~~(e) Lot area:

S-1

Minimum for all uses:

5 acres

477 ~~(e)~~(f) Lot width:

S-1

Minimum for all uses:

300 feet

478 (g) Yard setback:

479 (1) Front yard setback:

Commented [E42]: Redundant.

Commented [E43]: Pasting these regulations in from the corresponding section of the agricultural zones chapter. (Consistency)

S-1

Minimum front yard setback:	30 feet
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480 (2) Side yard setback:

S-1

Minimum for all uses:	20 feet
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481 (3) Rear yard setback:

S-1

Main building:	30 feet
Accessory building:	10 feet

482 (f)(h) 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

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

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

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

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

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

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

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

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

492 ...

493

494 **CHAPTER 108-21 AGRITOURISM**

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

496 The County desires to create a culture that supports and celebrates its agrarian heritage and open spaces
497 in the unincorporated areas. This chapter's purpose is to do this by providing owners of agricultural
498 operations the ability to generate additional income from land uses that are not otherwise allowed in the
499 zone, provided those uses are accessory, incidental, and inextricably related to the an onsite agricultural
500 operation. The intent of this chapter is to create allowances and regulations that govern agriculture-oriented
501 land uses that cater to tourists and other visitors coming to the site for recreational, educational,
502 gastronomical, or similar agriculture-oriented attraction.

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

512 **Sec 108-21-2 Applicability and Qualifications**

513 (a) **Applicability.** The standards found in this chapter shall apply to all agritourism operations. Application
514 and review provisions for an agritourism conditional use permit are set forth in Title 108, Chapter 4 of
515 this Land Use Code. Any additional detail required by this chapter shall supplement the conditional use
516 permit application. An agritourism event or activity that operates outside of expected hours of operation,
517 or that involves crowds in a number greater than that which can be served by existing facilities, shall
518 obtain a Special Event Permit pursuant to Title 38 of the Weber County Code.

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

528 (b) **Primary use.** All agritourism operations shall clearly be accessory and incidental to a primary
529 agricultural use of the property. **To this end, at no time shall the activity area of an agritourism operation**
530 **be greater than the actual area of the agricultural operation.** Agriculture is the preferred use in
531 agricultural zones; therefore, all agri-tourism uses/activities shall be complementary and clearly
532 accessory to the primary agricultural use. To guarantee legitimacy and viability, an agri-tourism
533 operation shall demonstrate that the subject property has been qualified under the Farmland
534 Assessment Act or that the subject property is currently, or will be within the next growing season,
535 producing an agricultural product in an amount that meets or exceeds the production requirement as
536 established by the Farmland Assessment Act. A farmer, whose primary agricultural use is that of an
537 apiary, shall be required to maintain two hives per acre with a ten-hive minimum. No more than 20
538 hives shall be necessary when a farm exceeds ten acres.

Commented [E44]: This paragraph is intended to do the same thing while also eliminating fluff and subjective language.

Commented [E45]: Most of these entities are already expected to be a part of the conditional use permit review process. Stating them here is redundant and may create conflict as codes evolve over time.

Commented [E46]: It is not advisable to have a non-county entity as a reviewing entity. Rather, the planner will solicit comment from other experts if necessary during the review process.

539 (c) **Qualifications.** An agricultural operator seeking an agritourism permit shall demonstrate the following:

540 (1) The agricultural operator has owned the subject property for the last two years.;

541 (2) The agricultural operator has commercially sold an agricultural product that was produced on the

542 subject property for greater than one year;

543 (3) The subject property:

544 a. Has been qualified under the Farmland Assessment Act;

545 b. Is currently, or will be within the next growing season, producing an agricultural product in an

546 amount that meets or exceeds the production requirement as established by the Farmland

547 Assessment Act; or

548 c. If an apiary, contains at least ten hives.

549 (d) **Permit enforcement.** An agritourism permit includes all conditions of approval as may be applied by

550 the Land Use Authority. At no time shall an agritourism operation be conducted in a manner that

551 conflicts with the details of the agritourism permit application or the conditions of approval. If a condition

552 of approval conflicts with any detail provided in the application, the condition of approval shall prevail.

553 (e) **Supplemental application ~~N~~narrative.** In addition to the application requirements listed in ~~title-Title~~

554 108, ~~chapter-Chapter~~ 4 of this Land Use Code (~~conditional-uses~~), all agri-tourism applications shall be

555 accompanied by a detailed~~concise~~ narrative describing the ~~farm-agricultural operation~~ and the overall

556 vision for the proposed agri-tourism operation. The narrative shall also include the following:

557 (1) **History.** ~~farm-~~The history of the agricultural operation along with evidence that demonstrates the

558 operation meets the minimum qualifications herein.;

559 ~~— A description of the agricultural operation, its general functions, maintenance, product(s), and~~

560 ~~customer base, a description or plan for the general maintenance of its agricultural product(s).~~

561 (2) **Description of anticipated changes.** A description of any plans for changes to the agricultural

562 operation, its general functions, maintenance, product(s), and customer base.

563 (3) **Description of use's incidental and accessory nature.** A description of how the agritourism

564 operation is incidental and accessory to the agricultural operation, and a plan for how the owner

565 will ensure the agritourism operation remains incidental and accessory in perpetuity.

566 (4) **Description of new infrastructure and buildings.** A description of all intended new infrastructure,

567 including streets, driveways, parking lots, buildings, and utilities.

568 (5) **Description of operation.** An explanation or description of the agritourism operation including; ~~and~~

569 ~~proposals for the following~~

570 ~~Offerings for agriculturally-related and non-agriculturally-related-p~~

571 a. Products that will be sold onsite.

572 b. ~~—and uses/a~~Activities offered onsite.

573 c. The type of customer or clientele base that is expected to patronize the operation, categorized

574 based on the intensity of their visitation and the specific product or activity for which they are

575 or will be visiting. For example, the customer-base for a produce store may be the general

576 public with customers coming and going many hours throughout the day; the clientele for a

577 barn dance might be a private party of a specified number of people that come and go once on

578 [the day of the party; and the customers or clientele for a lodging house might be pre-registered](#)
579 [or reserved individuals or small groups.](#)

580 d. [Agriculturally related and non-agriculturally related types of facilities and equipment to be used](#)
581 [and their maintenance plan\(s\).](#)

582 e. [Traffic, circulation, and parking plan that accommodates the parking needs of both employees](#)
583 [and patrons.](#)

584 f. [Hours of operation and number of patrons.:](#) ~~Time(s) of normal day-to-day o~~

585 1. [Normal and routine hours of operation, and anticipated events, dates, and times, or](#)
586 [examples of anticipated events, dates, and times, that operations may go beyond those](#)
587 [normal and routine hours, as referenced in title 38, special events](#)

588 2. [Anticipated number of normal and routine daily patrons and employees, and vehicles, and](#)
589 [anticipated number of patrons, employees, and vehicles at times or for events that go](#)
590 [beyond what is normal and routine.](#)

591 3. [For the purpose of this paragraph, the phrase "normal and routine" means the time or](#)
592 [amount specified in the application, or if different, the approval. If the application or](#)
593 [approval does not specify:](#)

594 i. [As it relates to time, this shall mean the hours of operation specified in Section 108-](#)
595 [21-3](#)

596 ii. [As it relates to patrons or employees, this phrase means 25 people or less, or ten](#)
597 [typical passenger vehicles onsite at any one time.](#)

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

599 The development standards imposed by this section do not alter, supersede or nullify any codes,
600 ordinances, statutes, or other applicable standards which may also regulate these same [land](#)
601 [uses/activities.](#)

602 ~~(b) **Lot of record (lawfully created lot).** Notwithstanding title 106, subdivisions, a landowner who meets~~
603 ~~the standards, as set forth by this chapter, may develop an agri-tourism operation and its associated~~
604 ~~uses (excluding a single-family dwelling, B&B farm dwelling, and B&B farm retreat) as a lot of record.~~
605 ~~The parcel(s) shall be subject to the following:~~

606 ~~(1) The agri-tourism operation shall remain in compliance with approvals granted through further~~
607 ~~review and subsequent issuance of a conditional use permit.~~

608 ~~(2) The parcel and/or combination of all individual parcels shall consist of an area that is not less than~~
609 ~~twice the minimum lot area that is required by the zone in which the agri-tourism operation is~~
610 ~~located. For example an agri-tourism operation that lies in a zone that requires three acres as a~~
611 ~~minimum lot area shall be required to have at least a six-acre farm size. Parcels that are unable to~~
612 ~~meet this area requirement may pursue a legal (lot of record) status by demonstrating that the~~
613 ~~subject parcel(s) qualifies as lot of record through any other available means provided by the~~
614 ~~definition of a lot of record or by meeting the requirements of the Weber County Subdivision~~
615 ~~Ordinance.~~

616 (a) **Access and frontage.** ~~Notwithstanding section 108-7-31 (access to a lot/parcel using a private right-~~
617 ~~of-way/easement), an~~ [An agri-tourism operation shall provide customers access from an Arterial Street](#)
618 [or Collector Street. It is not required to have actual frontage on a street, but the access from the Arterial](#)
619 [Street or Collector Street to the operation shall either by owned in fee or recorded easement by the](#)

620 agricultural operation. The access from the public right-of-way to the operation shall meet the
621 requirements of Section 108-7-29 unless specified otherwise by the local fire authority. ~~or access~~
622 ~~directly off of a public or privately dedicated roadway.~~ The Land Use Authority may allow access from
623 a Major Neighborhood Street or Minor Neighborhood Street as long as the street is public and as long
624 as the agritourism operation does not increase traffic beyond that which is typical for the type of street.
625 Evidence of this shall be submitted with the application.

626 (b) **General site and building design/layout.** An agri-tourism operation shall have a general design and
627 layout that concentrates all tourism uses and activities into a distinct activity center(s). The area within
628 an developed activity center ~~or combined area of multiple activity centers, excluding productive agri-~~
629 ~~tourism acreage, trail corridors, and/or a half-acre for a farmer's residence and any uses confined~~
630 ~~thereto (i.e., home office, B&B, etc.), may consist of a total area that does~~ shall not exceed 20 percent
631 of an farm's agricultural operation's overall gross acreage. The agricultural operation's gross acreage
632 shall be determined by the area that is routinely maintained in an agriculturally productive manner,
633 including barns and similar buildings or structures intended to serve the agricultural operation. ~~The~~
634 ~~remaining acreage, shown outside of all activity centers, shall be maintained in an agriculturally~~
635 ~~productive manner that is consistent with the farm's main agricultural use(s). Acreage that is incapable~~
636 ~~of being agriculturally productive due to a topographic condition, physical constraint, and/or~~
637 ~~circumstance (i.e., wetlands, drainages, steep slopes, occupation by barn and/or farm equipment~~
638 ~~storage structure(s) etc.) that physically interferes with farm production may be kept in its natural,~~
639 ~~historic, or constructed state.~~ Newly constructed buildings and facilities intended for agri-tourism
640 purposes and/or to serve the agri-tourism needs-operation shall reflect an architectural vernacular that
641 is consistent with the area's rural character. Temporary sanitary facilities are discouraged; however, if
642 found necessary, they shall be discretely incorporated into the agri-tourism operation and completely
643 screened from street and adjacent property view.

644 (c) **Ownership.** An agri-tourism operation may consist of multiple properties; ~~however, all~~ All properties
645 shall have identical and common ownership and shall be contiguous except where contiguity is
646 interrupted by a public street right-of-way.

647 (d) **Production.** An agricultural operation to which an agri-tourism operation is accessory shall, with
648 exception of the winter season, actively and continuously produce an agricultural product ~~for sale and~~
649 ~~purchase on all of the 80 percent of the agricultural operation's gross acreage, as specified in~~
650 Subsection (f) of this Section. In the event that the ~~agri-tourism operation's~~ agricultural operation's
651 productivity ceases or becomes improperly maintained, as determined by the ~~planning~~
652 ~~commission~~ Land Use Authority, the ~~right to operate an~~ agri-tourism business operation's ~~under a~~
653 conditional use permit may be revoked.

654 (e) ~~Agri-tourism uses/activities.~~ To ensure an appropriate balance and mixture of agriculturally related
655 and non-agriculturally related uses/activities, it shall be required that a minimum of one-half of all
656 uses/activities be agriculturally related as defined in section 101-1-7 of this Land Use Code. The
657 method, by which measurements are made, shall be based on one agriculturally related use/activity
658 being equal to one non-agriculturally related use/activity. Uses/activities involving the sale of any
659 products or goods shall be prohibited from selling motorized vehicles and/or equipment. Exceptions to
660 this standard are made for the occasional sale of farm equipment personally owned by the farm owner
661 and/or other farm equipment sales events approved through title 38, special events.

662 (f) **Hours of operation.** ~~Agri-tourism uses/activities, not~~ Not including residential overnight lodging
663 accommodations, and unless specified otherwise in an approved application or other conditions of
664 approval, and/or those conducted within a completely enclosed building, ~~the hours of operation shall~~
665 be limited to between operating during the daily hours of 8:00 a.m. and 8:00 p.m., except if the use or

Commented [E47]: Is this section needed? There is already a use table in Section 108-21-5.

This paragraph conflicts with the "agriculturally related" requirement.

666 activity is restricted to an area of the property that is at least 500 feet from an existing dwelling unit
667 located on another property. ~~10:00 p.m. The planning commission.~~The Land Use Authority may, but is
668 not obligated to, consider a variation to this allow other hours of operation if the applicant can
669 demonstrate mitigation of detrimental effects. ~~standard upon finding that a proposed use/activity is~~
670 ~~reliant on and/or based on making observations that can only occur during hours otherwise not~~
671 ~~permitted.~~

672 (g) ~~Development agreement.~~ An agri-tourism operation shall, prior to the construction of any structure
673 intended for the purpose of accommodating non-agricultural uses, record a farm stay and commercial
674 development agreement, provided by Weber County, on all parcels utilized as part of an approved agri-
675 tourism operation. One single-family dwelling or farm house (per parcel) and/or any number of
676 structures that qualify for an agricultural exemption are excepted from this standard when developed in
677 accordance with the requirements found in the Weber County Land Use Code.

Commented [E48]: Is this needed? Isn't the CUP enough?
Maybe just a notice needs to be recorded to the property to
tell future owners that the lodging facilities can only be used
if a part of the agritourism operation?

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

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

680 (a) ~~Market g~~**Market garden agricultural operation** includes an agriculturally productive property consisting of
681 three acres or more, but fewer than five acres.

682 (b) ~~Family farm agricultural operation~~ includes an agriculturally productive property area consisting of
683 five acres or more, but fewer than ten acres.

684 (e)(a) ~~Small farm agricultural operation~~ includes an agriculturally productive ~~property area~~ consisting
685 of ~~ten six~~ acres or more, but fewer than 20 acres.

686 (e)(b) ~~Medium agricultural operation farm~~ includes an agriculturally productive ~~property area~~ consisting
687 of 20 acres or more, but fewer than 40 acres.

688 (e)(c) ~~Large agricultural operation farm~~ includes an agriculturally productive ~~property area~~ consisting
689 of 40 acres or more, but fewer than 80 acres.

690 (f)(d) ~~Ranch~~ includes an agriculturally productive ~~property area~~ consisting of 80 acres or more.

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

692 ~~If an applicant can demonstrate appropriate mitigation of detrimental effects, as specified in Chapter 108-~~
693 ~~4, the following uses and /activities have been determined desirable when thoughtfully incorporated into~~
694 ~~an approved shall be allowed for an~~ agri-tourism operation ~~when marked with an "A" under their~~
695 ~~corresponding agricultural operation designation. The use or activity is not allowed if marked with an "N."~~

696

697 As stated above, these uses/activities may be subject to other requirements beyond those imposed by this
 698 chapter; therefore, it shall not be construed to mean that this chapter alters or nullifies any requirements
 699 contained in other codes, ordinances, statutes, or applicable standards. Those uses/ or activities marked
 700 with an asterisk (*) have additional design and/or limitation standards beyond any provided within other
 701 specific, codes, ordinances, statutes, or other applicable standards. See section Section 108-21-7-6 for
 702 these specific design and/or limitation standards associated with each use/activity marked with an asterisk
 703 (*).

704

Uses/Activities <u>USES OR ACTIVITIES</u>	<u>AGRICULTURAL OPERATION DESIGNATION</u> Farm Designations						<u>SPECIAL REGULATIONS</u>
	Garden	Family	Small	Medium	Large	Ranch	
Farm Stay (Residential and Overnight Lodging Accommodation) Uses/Activities							
<u>Apiary</u>			A	A	A	A	<u>If the apiary is the primary agricultural operation, then the operation shall have no less than two hives per acre and a ten-hive minimum. However, no more than 20 hives are required.</u>
<u>Accessory dwelling unit*</u>	*	*	*	*	*	*	
<u>Agro-ecology research and education center (AREC)*</u>	*	*	*	*	*	*	
<u>Children's Camp</u>			A	A	A	A	<u>The camp shall be based on an agricultural theme and provide agriculturally related activities.</u>
<u>Dude Ranch</u>			N	N	N A	A	
<u>Lodging House:</u>	<u>with up to 2 quest rooms: B&B farm dwelling (2 room)*</u>	*	*A	*A	*A	*A	<u>No more than two quest rooms per each acre of the agricultural operation.</u> <u>See Section 108-21-7</u>
	<u>with 3 to 7 quest rooms: B&B farm retreat (7 room)*</u>	*	*A	*A	*A	*A	
	<u>with 8 to 16 quest rooms: B&B farm inn (16 room)*</u>			N	*A	*A	
<u>Glamorous camping (glamping)*</u>	*	*	*A	*A	*A	*A	

Commented [E49]: This table needs to be re-alphabetized.

Commented [E50]: An accessory dwelling unit is only allowed as an accessory to a single-family dwelling use.

Commented [E51]: This is already listed in this table.

Commented [E52]: Standard taken from agroecology research and education center and applied to all lodging houses. Seems generally applicable for all lodging.

Commented [E53]: Moved to "camping"

Conference or Education Center²:			A	A	A	A	Conferences and educational topics shall relate to agriculture, agritourism, vegetation management, or similar.
Single-family dwelling; a.k.a. Farm house*							
Agritourism Health Farm²:			A	A	A	A	Limited to Health and wellness opportunities may consist of, but are not limited to, general and specialized exercise, wellness, and nutritional, and cooking classes/consultations, education, organic cooking classes or workshops, and exercise and yoga classes, and meditation, and massage therapy. A health farm may serve meals only when served to participating clientele.
Motor coach/caravan area, agri-tourism*			A	A	A	A	
Agriculturally-Related Uses/Activities							
Agro-ecology research and education center (AREC)²:			A	A	A	A	Lodging, if any, is limited to accommodations for faculty, staff, and students.
Barn dance²:			A	A	A	A	
Camping	Luxury-Glamorous camping area:		A	A	A	A	No more than two tents, cabins, recreational vehicles, or combination thereof, per each five acres of gross agricultural operation, and no more than six people per tent or cabin. Tent and cabin area shall be completely screened from the view of adjoining properties.
	Recreational Vehicle area-Motor coach/caravan area, agri-tourism ² :		N	A	A	A	
Rental garden or garden row(s).Community garden/rent-a-row²:			A	A	A	A	
Community supported agriculture²:							
Corn maze²:			A	A	A	A	
Educational classes²:			A	A	A	A	All courses of study or subject matter shall incorporate and consist of an agricultural or ecological component related to an Agricultural Product produced onsite.

Commented [E54]: Adding this qualifier

Commented [E55]: Unnecessary. This use is already allowed in all of the zones in which agritourism is allowed.

Commented [E56]: Moved to camping.

Commented [E57]: According to the USU Extension Office, this is essentially a farm-to-table program where locals collectively own a farm and hire a grower to grow their produce. Listing this here is unnecessary because there are no other land use regulations that govern farm ownership.

Commented [E58]: Combined into "seasonal amusement" below.

<u>Agritourism Events Facility:</u>			A	A	A	A	
<u>Farm museum:</u>	*	*	A*	A*	A*	A*	
<u>Agritourism Farm Tour:</u>	*	*	A*	A*	A*	A*	
<u>Agritourism Fee Fishing (if aquaculture)</u>	*	*	A*	A*	A*	A*	
Harvest market*	*	*	*	*	*	*	
Multi-farmer open air (farmer's) market <u>Farmers Market. A farmer's market where multiple agricultural operators may sell their products;</u> agri-tourism*			N	A*	A*	A*	
<u>Greenhouse or nursery (plant cultivation)</u>	*	*	A*	A*	A*	A*	<u>Sales are limited to plants produced on the premises.</u>
<u>Petting farm/zoo:</u>	*	*	A*	A*	A*	A*	
<u>Sleigh or hay ride:</u>			A*	A*	A*	A*	
Special event; as defined by title 38, special events	*	*	*	*	*	*	
Special occasion; agri-tourism			*	*	*	*	
Agritourism you-pick operation/pumpkin patch:	*	*	A*	A*	A*	A*	
Non-Agriculturally Related Uses/ and Activities							
<u>Agricultural arts center:</u>			A*	A*	A*	A*	
Agricultural Value-added Product Processing and Packaging; *	*	*	A*	A*	A*	A*	<u>Onsite retail sales of processed and packaged products is only allowed as otherwise specified herein.</u>
Conference/education center*					*	*	
<u>Fee fishing:</u>	*	*	A*	A*	A*	A*	
<u>Food Prep:</u>	Bakery or cafe <u>café featuring farm products*</u>		N	A*	A*	A*	<u>At least one type of the onsite agricultural operation's products shall be continuously offered for sale. It may be combined into another product.</u>
	<u>Food concessions stand:</u> *		A*	A*	A*	A*	

Commented [E59]: Changing from "special occasion"

Commented [E60]: Moved to "Agricultural Product Store" in the Store category below.

Commented [E61]: Unnecessary to specify here. Already provided in Title 38.

Commented [E62]: Changing to "events facilities" above.

Commented [E63]: Already listed above

Store:	Restaurant featuring farm products*			N	A*	A*	A*	At least one type of the onsite agricultural operation's products shall be continuously offered for sale.
	Agricultural Product Store:			A	A	A	A	The market shall only be operated by the owner or manager of the onsite agricultural operation, and is limited to Agricultural Products, at least one of which must be produced onsite.
	Gift shop (retail)	*	*	A*	A*	A*	A*	
	Market:			N	N	A	A	At least one type of the onsite agricultural operation's products shall be continuously offered for sale. It may be combined into another product. Products shall be limited to those commonly offered by a small grocer.
Haunted house/hay stack/farm Seasonal amusement such as haunted house, corn maze, hay stack slide or climbing area, and similar seasonal amusement uses:				A*	A*	A*	A*	
Agritourism Hunting preserve/Preserve*				N	N	N	A*	See Section 108-21-7
On-farm store/retail market, agri-tourism*						*	*	
Play area, agri-tourism		*	*	*	*	*	*	
Health farm*					*	*	*	
Motor coach/caravan area, agri-tourism*					*	*	*	

Commented [E64]: Moved to "Market" in the Store category above.

Commented [E65]: Already listed above.

Commented [E66]: Check ref.

705

706 **Sec 108-21-6 Use/Activity Site Development Standards And Limitations Regulations**

707 The following table contains certain uses listed in the Use or Activity Table in Section 108-21-5. Each use

708 shall comply with the development standards provided in the table.

709 To ensure considerate integration of agri-tourism operations into established rural neighborhoods, the uses

710 listed below shall be subject to additional standards beyond any provided within other, expressed and/or

711 unexpressed, codes, ordinances, statutes, rules, or requirements. The uses listed below correspond with

712 certain uses listed in the Use or Activity Table in Section 108-21-5. Due to their nature, each shall be further

713 regulated as follows. One or more of these additional standards and/or limitations, restrictions may be

714 waived by the Planning Commission/Land Use Authority upon finding that either: a proposed use poses no

715 detrimental effects to neighboring properties due to unique circumstances, or that a proposed use can be

716 mitigated to an acceptable level due to the imposition of other more appropriate, site specific conditions

717 that justify the use's or /activity's approval.

		SETBACK STANDARDS		MAXIMUM ALLOWED FOOTPRINT
		From agricultural operation's exterior boundary	From existing dwelling on an adjacent lot	
<u><i>Agroecology Research and Education Center:</i></u>		50100 feet ¹	400200 feet ¹	Not applicable
<u><i>Agricultural Product processing and packaging:</i></u>		Same as zone 100 feet	200 feet ¹	200 square feet ²
<u><i>Camping:</i></u>	<u><i>Glamorous camping area:</i></u>	300 feet ¹	500 feet ¹	Not applicable
	<u><i>Recreational Vehicle area:</i></u>			
<u><i>Conference or education center:</i></u>		300 feet ¹	500 feet ¹	Not applicable
<u><i>Educational classes:</i></u>		100 feet ¹ Same as zone	200 feet ¹ Same as zone	Not applicable
<u><i>Food Prep:</i></u>	<u><i>Bakery or café:</i></u>	50200 feet ¹	3400 feet ¹	Not applicable
	<u><i>Restaurant</i></u>			
<u><i>Market, farmers:</i></u>		200 feet ¹	3400 feet ¹	Not applicable
<u><i>Lodging House:</i></u>	<u><i>2 quest rooms</i></u>	5100 feet ¹	4200 feet ¹	
	<u><i>3 to 7 quest rooms</i></u>	4200 feet ¹	3400 feet ¹	Not applicable
	<u><i>8 to 16 quest rooms</i></u>	3400 feet ¹	5600 feet ¹	
<u><i>Petting farm/zoo.</i></u>		Same as zone 400 feet ¹	Same as zone 600 feet ¹	Not applicable
<u><i>Store:</i></u>	<u><i>Agricultural Product Store:</i></u>	Same as zone 100 feet	Same as zone 200 feet ¹	Not applicable
	<u><i>Gift shop:</i></u>	100 feet ¹ Same as zone	200 feet ¹ Same as zone	200 square feet ²
	<u><i>Market:</i></u>	150 feet ¹	300 feet ¹	

Commented [E67]: Current code terms this "motor coach/caravan area."

Commented [E68]: New standard not in current code

Commented [E69]: Previously called "harvest market." Changing term because "harvest" usually refers to the harvesting of a crop at particular times of year, but this type of market is not limited herein on times of year or types of produce.

719 ¹ The setback distances listed in this table may be reduced by up to one-half when a six-foot high landscape berm is
 720 installed that screens the potential visual or audible impacts to neighboring properties.

721 ² This may be increased to 400 square feet for a medium agricultural operation, 600 for a large, and 800 for a ranch.
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Sec 108-21-7 Special Regulations.

The uses listed below correspond with certain uses listed in the Use or Activity Table in Section 108-21-5.
Due to their nature, each shall be further regulated as follows.

Commented [E70]: Check ref.

(a) Agricultural product processing and packaging.

- a. Agricultural Product processing and packaging shall be limited to fowl, livestock, dairy, apiculture, aquaculture, and botanical products produced by the onsite agricultural operation.
- b. Agricultural Product processing and packaging shall be limited to and agricultural operation with a gross area, as provided herein, of five acres or greater. The planning commission may allow up to a two-acre reduction to this limitation if it is found that the Agricultural Product processing and packaging will take place in a completely enclosed building and will emit no perceivable smoke, dust, vibration, noise, and/or objectionable smell at the agricultural operation's property boundary.

(b) Agritourism Hunting pPreserve.

- 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.

Commented [E71]: Where is this possible? All upland areas either public or developing in WW...

(c) Lodging House. For an agritourism operation, a Lodging House is governed as follows:

Commented [E72]: Replacing terms with those more commonly used in this Land Use Code.

- (1) The Lodging House shall be owned and managed by the same owner or manager as the agritourism operation.
- (2) The agritourism operator or manager shall be onsite at all times that Lodging House guests are onsite.
- (3) Despite the definition of "Lodging House" in Title 101, Chapter 2, a Lodging House that is part of an Agritourism operation may have as little as one quest room or suite.
- (4) In addition to providing lodging to customers and clients of the agritourism operation in general, a Lodging House may provide lodging for an Agroecology Research and Education Center, a Conference or Education Center, ~~or a Health Farm,~~ **or a Dude Ranch** conducted as part of the agritourism operation.
- (5) No more than one Lodging House shall be operated on an agritourism operation.

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

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

~~An AREC shall be limited to providing overnight lodging accommodations for faculty, staff, and/or students/apprentices only.~~

~~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.~~

~~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.~~

761 An AREC shall not be located closer than 50 feet to any agri-tourism operation's perimeter boundary line
762 and in no case located closer than 100 feet to an existing dwelling on an adjacent lot/parcel. These
763 standards may be reduced by up to one-half when a substantial natural landscape screen, standing at a
764 minimum of six feet in height for a majority of its length, is used to mitigate potential visual and/or
765 audible impacts to neighboring property.

766 ~~B&B farm dwelling (two guest rooms).~~

Commented [E73]: Replacing terms with those more commonly used in this Land Use Code.

767
768 An agri-tourism operation shall be limited to one B&B facility (i.e., one B&B dwelling, retreat, or inn)
769 conference/education center, or health farm.

770 A B&B farm dwelling shall be limited to a maximum of two guest units/rooms.

771 A B&B farm dwelling shall be subject to the Weber County zoning and platting requirements of the title
772 106, subdivision.

773 ~~B&B farm retreat (seven guest rooms).~~

774 An agri-tourism operation shall be limited to one B&B facility (i.e., one B&B dwelling, retreat, or inn)
775 conference/education center, or health farm.

776 A B&B farm retreat shall be limited to a maximum of seven guest units/rooms.

777 A B&B farm retreat shall not be located closer than 100 feet to any agri-tourism operation's perimeter
778 boundary line and in no case located closer than 300 feet to an existing dwelling on an adjacent
779 lot/parcel. These standards may be reduced by up to one-half when a substantial natural landscape
780 screen, standing at a minimum of six feet in height for a majority of its length, is used to mitigate
781 potential visual and/or audible impacts to neighboring property.

782 A B&B farm retreat shall be subject to the Weber County zoning and platting requirements of title 106,
783 subdivision.

784 ~~B&B farm inn (16 guest rooms).~~

785 An agri-tourism operation shall be limited to one B&B facility (i.e., one B&B dwelling, retreat, or inn)
786 conference/education center, or health farm.

787 A B&B farm inn shall be limited to a maximum of 16 guest units/rooms.

788 The B&B farm inn shall not be located closer than 300 feet to any agri-tourism operation's perimeter
789 boundary line and in no case located closer than 500 feet to an existing dwelling on an adjacent
790 lot/parcel. These standards may be reduced by up to one-half when a substantial natural landscape
791 screen, standing at a minimum of six feet in height for a majority of its length, is used to mitigate
792 potential visual and/or audible impacts to neighboring property.

793 ~~Luxury camping (glamping).~~

794 Glamping, approved as part of an agri-tourism operation, shall be limited to a number of tents that does
795 not exceed two tents or cabins per five gross acres.

796 ~~Occupancy shall not exceed six persons per tent or cabin.~~

797 ~~Meals shall only be served to overnight guests.~~

798 ~~Glamping area(s) shall be completely screened from street view.~~

799 ~~Glamping areas shall not be located closer than 300 feet to any agri-tourism operation's perimeter~~
800 ~~boundary line and in no case located closer than 500 feet to an existing dwelling on an adjacent~~
801 ~~lot/parcel. These standards may be reduced by up to one half when a substantial natural landscape~~
802 ~~screen, standing at a minimum of six feet in height for a majority of its length, is used to mitigate~~
803 ~~potential visual and/or audible impacts to neighboring property.~~

804 ~~Accessory dwelling unit.~~

805 ~~An agritourism operation may have one or more accessory dwelling units onsite. The number of~~
806 ~~accessory dwelling units shall not exceed the following calculation: net developable acreage of the~~
807 ~~parcel upon which an accessory dwelling unit is located, divided by the minimum lot area required by~~
808 ~~the zone in which the lot or parcel(s) is located, all multiplied by 20 percent (net developable acreage /~~
809 ~~minimum lot area) × 20 percent = Maximum number of accessory dwelling units at an approved agri-~~
810 ~~tourism operation.~~

811 ~~Meals shall only be served to overnight guests.~~

812 ~~An accessory dwelling unit shall not be located closer than 150 feet to the agri-tourism operation's~~
813 ~~exterior boundary, and in no case located closer than 300 feet from an existing dwelling on an adjacent~~
814 ~~lot/parcel. These standards may be reduced by up to one half when a substantial natural landscape~~
815 ~~screen, standing at a minimum of six feet in height for a majority of its length, is used to mitigate~~
816 ~~potential visual and/or audible impacts to neighboring property.~~

817 ~~Conference/education center.~~

818 ~~An agri-tourism operation shall be limited to one conference/education center.~~

819 ~~A conference/education center shall be limited to a maximum of 20 guest units/rooms.~~

820 ~~Conference/education centers shall not be located closer than 300 feet to any agri-tourism operation's~~
821 ~~perimeter boundary line and in no case located closer than 500 feet to an existing dwelling on an~~
822 ~~adjacent lot/parcel. These standards may be reduced by up to one half when a substantial natural~~
823 ~~landscape screen, standing at a minimum of six feet in height for a majority of its length, is used to~~
824 ~~mitigate potential visual and/or audible impacts to neighboring property.~~

825 ~~Health farm.~~

826 ~~An agri-tourism operation shall be limited to one health farm or B&B facility (i.e., one B&B dwelling, inn,~~
827 ~~or hotel).~~

828 ~~A health farm shall be limited to a maximum of ten guest units/rooms.~~

829 ~~A health farm shall not be located closer than 150 feet to any agri-tourism operation's perimeter~~
830 ~~boundary line and in no case located closer than 300 feet to an existing dwelling on an adjacent~~
831 ~~lot/parcel. These standards may be reduced by up to one half when a substantial natural landscape~~

832 screen, standing at a minimum of six feet in height for a majority of its length, is used to mitigate
833 potential visual and/or audible impacts to neighboring property.

834 ~~Motor coach/caravan area.~~

835 ~~A motor coach/caravan area, approved as part of an agri-tourism operation, shall be limited to a number~~
836 ~~of individual sites that does not exceed one site per five gross acres. In no case shall a motor~~
837 ~~coach/caravan area or combination of areas exceed 20 sites.~~

838 ~~A motor coach/caravan area shall not be located closer than 300 feet to any agri-tourism operation's~~
839 ~~perimeter boundary line and in no case located closer than 500 feet to an existing dwelling on an~~
840 ~~adjacent lot/parcel. These standards may be reduced by up to one-half when a substantial natural~~
841 ~~landscape screen, standing at a minimum of six feet in height for a majority of its length, is used to~~
842 ~~mitigate potential visual and/or audible impacts to neighboring property.~~

843 ~~Single family dwelling; a.k.a. farm house.~~

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

846 ~~Agriculturally related uses/activities.~~

847 ~~Arjo ecology research and education center (AREC).~~

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

849 ~~Educational classes. All courses of study or subject matter shall incorporate and consist of an agricultural~~
850 ~~and/or ecological component.~~

851 ~~Harvest market. Limited to agricultural products as defined in section 101-1-7 of this Land Use Code.~~

852 ~~Multi farmer open air (farmer's) market.~~

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

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

861 ~~Petting farm/zoo. Limited to parcels with access provided by a collector or arterial road when located~~
862 ~~within the Ogden Valley. See the Ogden Valley Transportation Element Map for road designation~~
863 ~~information.~~

864 ~~Non-Agriculturally Related Uses/Activities.~~

865 ~~Bakery/cafe featuring farm product(s).~~

866 ~~Not less than one agricultural product, offered at a bakery/cafe featuring farm product(s), shall be~~
867 ~~raised/cultivated and/or produced by the farm on which the bakery/cafe featuring farm product(s) is~~
868 ~~operated.~~

869 ~~A bakery/cafe shall not be located closer than 150 feet to any agri-tourism operation's perimeter~~
870 ~~boundary line, excepting the front property line, and in no case located closer than 300 feet to an~~
871 ~~existing dwelling on an adjacent lot/parcel. These standards may be reduced by up to one-half when a~~
872 ~~substantial natural landscape screen, standing at a minimum of six feet in height for a majority of its~~
873 ~~length, is used to mitigate potential visual and/or audible impacts to neighboring property.~~

874 ~~Farm stay.~~

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

876 ~~Gift shop (retail).~~

877 ~~A gift shop and its outdoor display area or gift shop area within a multi-use building shall be limited to~~
878 ~~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.

879 ~~a. **Hunting preserve.**~~

880 ~~(a) **Hunting preserve.**~~

881 ~~b.a. Limited to the Western Weber County Planning Area.~~

882 ~~c.a. Limited to upland game and waterfowl hunting only.~~

883 ~~(b) Subject to Utah Division of Wildlife Resource standards.~~

884 ~~(1) Motor coach/caravan area.~~

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

886 ~~(2) **On-farm store/retail market.**~~

887 a. ~~Not less than one agricultural product, offered at an on-farm store/retail market, shall be~~
888 ~~raised/cultivated and/or produced by the farm on which the on-farm store/retail market is~~
889 ~~operated.~~

890 b. ~~An on-farm store/retail market and its outdoor display area or on-farm store/retail market area~~
891 ~~within a multi-use building shall be limited to the following size standards:~~
892

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

893 c. ~~Products made available at an on-farm store/retail market shall be limited to those commonly~~
894 ~~offered by a small-scale neighborhood grocer.~~

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

901 (3) ~~Restaurant featuring farm product(s).~~

902 a. ~~Not less than one agricultural product, offered at a restaurant featuring farm product(s), shall~~
903 ~~be raised/cultivated and/or produced by the farm upon which the restaurant featuring farm~~
904 ~~product(s) is operated.~~

905 b. ~~A restaurant shall not be located closer than 150 feet to any agri-tourism operation's perimeter~~
906 ~~boundary line, excepting the front property line, and in no case located closer than 300 feet to~~
907 ~~an existing dwelling on an adjacent lot/parcel. These standards may be reduced by up to one-~~
908 ~~half when a substantial natural landscape screen, standing at a minimum of six feet in height~~
909 ~~for a majority of its length, is used to mitigate potential visual and/or audible impacts to~~
910 ~~neighboring property.~~

911 c. ~~Value-added Agricultural product processing and packaging (VAPPP).~~

912 d. ~~VAPPP Agricultural Product processing and packaging shall be limited to fowl, livestock, dairy,~~
913 ~~apiculture, aquaculture, and botanical products that have been raised, produced, and/or~~
914 ~~cultivated by the farm produced by the onsite agricultural operation, upon which the processing~~
915 ~~and packaging is taking place.~~

916 e. ~~VAPPP, related to the products listed immediately above, Agricultural Product processing and~~
917 ~~packaging shall be limited to and agricultural operation with a gross area, as provided herein,~~
918 ~~of five acres or greater, agri-tourism operations and parcels consisting of five acres or more.~~
919 ~~The planning commission may allow up to a two-acre reduction to this limitation if it is found~~
920 ~~that the Agricultural Product processing and packaging VAPPP will take place in a completely~~
921 ~~enclosed building and will emit no perceivable smoke, dust, vibration, noise, and/or~~
922 ~~objectionable smell at the agricultural operation's subject farm's property boundary.~~

923 f. ~~An Agricultural Product processing and packaging VAPPP building and any outdoor work area~~
924 ~~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.

- g. ~~Consumer direct (retail) sales of processed and packaged products shall only be made from an approved concession or other retail outlet.~~
- h. ~~The structure building 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.~~

925
926
927
928

PASSED AND ADOPTED BY THE WEBER COUNTY BOARD OF COUNTY COMMISSIONERS ON THIS 16TH DAY OF MAY, 2023.

AYE NAY ABSENT ABSTAIN

Gage Froerer
Jim "H" Harvery
Sharon Arrington Bolos

Presiding Officer

Attest

Gage Froerer, Chair

Ricky D. Hatch, CPA, Clerk/Auditor

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 Western Weber 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 **TITLE 101 GENERAL PROVISIONS**

2 ...

3 **CHAPTER 101-2 DEFINITIONS**

4 **Sec 101-2-2 A Definitions**

5 **Acreage, agri-tourism activity center.** The term "agri-tourism activity center acreage" means the land
6 area within an approved agri-tourism operation that contains the grouping or assemblage of agri-tourism
7 uses/activities. Activity center area consists of that impacted ground lying immediately adjacent to, in
8 between, and within a reasonable distance around each use/activity. Distances greater than 300 feet in
9 between uses/activities and their impacted grounds, represent a separation of activity centers.

10 **Acreage, gross.** The term "gross acreage" means a total of all acreage that lies within a project boundary.

11 **Acreage, net developable.** The phrase "net developable acreage" means the total acreage within a project
12 boundary, subtracting acreage unsuitable for development, as defined by this section or as otherwise
13 provided in this Land Use Code. When calculating net developable acreage, the area encumbered or
14 proposed to be encumbered by a street right-of-way or other required right-of-way providing primary access
15 to a lot is considered area unsuitable for development. The term "net developable area" shall have the
16 same meaning, unless the context clearly indicates otherwise.

17 ~~**Acreage, productive agri-tourism.** The term "productive agri-tourism acreage" means agriculturally
18 productive land area used for the combined purpose of cultivating agricultural products and hosting active
19 tourism attractions (e.g., pumpkin patch, corn maze, U-pick, U-cut Christmas trees, crop tour, bird watching,
20 hunting, horseback/sleigh/wagon rides etc.).~~

21 ...

22 **Agri-tourism.** The term "agri-tourism" means ~~a use, an agricultural accessory to an agricultural use, that~~
23 ~~which can provide a means of diversifying agricultural a farm's income through broadening its the agricultural~~
24 ~~use's offerings and adding value to its agricultural products. They An agritourism use operates during more~~
25 ~~than six (consecutive or non-consecutive) days per year and provides agriculturally related, and in some~~
26 ~~instances, non-agriculturally related products, and activities, provides product, activities, and other uses~~
27 ~~that are clearly related and incidental to the agricultural use, that attract members of the public to the farm~~
28 ~~for retail, educational, recreational, and/or general tourism purposes.~~

29 **Agritourism events facility.** The term "agritourism events facility" means an agritourism use or activity
30 that provides the opportunity for agritourists to rent an area that can act as a venue for events, including,
31 but not limited to, birthdays, weddings, family reunions, small scale fundraisers, or corporate picnics or
32 outings that do not constitute a special event as defined by Title 38.

33 **Agritourism farm tour.** The term "agritourism farm tour" means an agritourism use or activity that offers
34 opportunities for the public to learn how a farm functions and where and how food, fiber, fuel, and other
35 agricultural products are produced. Farm tours frequently highlight the history of the subject farm and, in
36 general, educate the public about agricultural practices and technology.

37 **Agritourism fee fishing.** The term "agritourism fee fishing" means an agritourism use or activity, approved
38 by the appropriate local, state and federal agency, which provides the opportunity for anglers to pay a fee
39 for the right to fish on a farm.

40 **Agritourism glamorous camping.** The term "agritourism glamorous camping" means an agritourism use
41 or activity that provides the opportunity for agritourists to rent, on a nightly basis, fully furnished tents or
42 rustic cabin sites that are characterized by furnishings, amenities, and comforts offered by that of a luxury

Commented [E1]: Changing from "special occasion"

Commented [E2]: Search code for conflicts or redundancies

Commented [E3]: Moved from elsewhere to here

Commented [E4]: Moved from elsewhere to here

Commented [E5]: Moved from elsewhere to here

43 [hotel room. Furnishings, amenities, and comforts may include but are not limited to luxurious decor, beds,](#)
44 [linens, baths, veranda, spa services, concierge, dining, and chef.](#)

45 [Agritourism health farm.](#) The term "agritourism health farm" means a farm building designed for the
46 purpose of providing proactive health and wellness education or physical exercise and diet regimens that
47 can improve one's quality of life in a rural or spa-like environment. Health and wellness opportunities may
48 consist of, but are not limited to, general and specialized exercise, wellness, and nutritional classes ~~/~~ and
49 consultations, organic cooking classes or workshops, yoga, meditation, and massage therapy.

Commented [E6]: Moved from elsewhere to here

50 [Agritourism hunting preserve.](#) The term "agritourism hunting preserve" means an agritourism use or
51 activity, approved by the appropriate local, state and federal agency, which provides the opportunity for an
52 individual or group to pay a fee for the right to hunt on a farm.

Commented [E7]: Moved from elsewhere to here

53 [Agritourism productive acreage.](#) The term "agritourism productive acreage" means agriculturally
54 productive land area used for the combined purpose of cultivating agricultural products and hosting active
55 tourism attractions (e.g., pumpkin patch, corn maze, U-pick, U-cut Christmas trees, crop tour, bird watching,
56 hunting, horseback/sleigh/wagon rides etc.).

Commented [E8]: Validate with new gross acreage requirements in (f) of 108-21-3

Is this term still used?

57 [Agritourism you-pick operation, agri-tourism.](#) The term "agri-tourism you-pick operation" means an
58 agri-tourism use ~~/~~ or activity that provides the opportunity for customers to pick or harvest fruits and
59 vegetables directly from the plant grown on a farm location.

Commented [E9]: Moved from elsewhere to here

60 ...

61 **Agricultural arts center.** The term "agricultural arts center" means a facility designed for the purpose of
62 offering public education, enjoyment, and enlightenment through artistic expression and/or a translation of
63 concepts related to art, art history, and art theory. In a conducive agricultural setting, it acts as a venue for
64 the community to experience, appreciate, and consume art in a variety of forms, including, but not limited
65 to, visual or media art, literature, music, theatre, film, ~~and~~ or dance. An agricultural arts center does not
66 provide accommodation for overnight lodging ~~farm-stays~~; however, it may serve meals when served to
67 event participants ~~and~~ or guests.

68 ...

69 **Store, agricultural product.** The phrase "Agricultural Product Store" means a market that is part of an
70 onsite agritourism operation that offers for sale a wide variety of Agricultural Products that were produced
71 in Weber County, and at least one of which is a product produced onsite. An Agricultural Product Market
72 does not consist of multiple vendors. It offers for sale agricultural products and goods derived from the farm
73 on which the harvest market is located as well as other agricultural operations.

74 ...

75 **Agro-ecology research and education center (AREC).** The term "agro-ecology research and education
76 center ~~(AREC)~~" means a facility designed for the purpose of providing academic training in the techniques
77 of agro-ecology and sustainable agricultural systems. An ~~AREC~~ [Agroecology Research and Education](#)
78 [Center](#) conducts ~~(~~theoretical and applied~~)~~ research and community outreach while offering academic
79 education, practical experience, ~~/~~training, and public service ~~and~~ ~~/~~instructional opportunities for audiences
80 ranging from ~~local~~-school children to international agencies. ~~Such a facility may afford meals and overnight~~
81 ~~lodging facilities for faculty, staff, and/or students/apprentices.~~

82 ...

83 **Sec 101-2-3 B Definitions**

84 ~~**Bed and breakfast (B&B) farm dwelling, agri-tourism.** The term "agri-tourism B&B farm dwelling" means~~
85 ~~an owner-occupied farm house further utilized for the purpose of providing overnight lodging~~
86 ~~accommodations and meals to overnight guests.~~

Commented [E10]: Consolidated into "lodging house"

87 ~~**Bed and breakfast (B&B) farm retreat, agri-tourism.** The term "agri-tourism B&B farm retreat" means an~~
88 ~~owner-occupied farm house further utilized for the purpose of providing overnight lodging accommodations~~
89 ~~as well as meals to overnight guests and the visiting day-use public within an internally incorporated dining~~
90 ~~area.~~

Commented [E11]: Consolidated into "lodging house"

91 ...

92 **Sec 101-2-5 D Definitions**

93 ~~**Dude ranch.** The term "dude ranch" means a commercial vacation ranch operation that provides~~
94 ~~activities related to a ranch lifestyle, which may include camping, horseback riding, and wrangling, and~~
95 ~~which may also offer short-term rental accommodations~~ a [lodging house](#) ~~for guests engaged in these~~
96 ~~activities.~~

Commented [E12]: Definition already in current code.

97 ...

98 **Sec 101-2-7 F Definitions**

99 ~~**Farm inn, agri-tourism.** The term "agri-tourism farm inn" means a farm building designed for the purpose~~
100 ~~of providing overnight lodging accommodations as well as meals to overnight guests and the visiting day-~~
101 ~~use public within an internally incorporated dining area.~~

Commented [E13]: Consolidated into "lodging house"

102 ~~**Farm stay, agri-tourism.** The term "agri-tourism farm stay" means a general agri-tourism use/activity~~
103 ~~category that comprises a variety of overnight lodging accommodations made available at a working farm~~
104 ~~that is approved for an agri-tourism operation. A farm stay, for any group or individual, does not exceed 14~~
105 ~~(consecutive or non-consecutive) calendar days per month; however, farm stays may serve as an~~
106 ~~interactive recreational activity that offers agri-tourists, including children, opportunities to participate in~~
107 ~~feeding animals, collecting eggs, and/or learning how a farm functions through practical day-to-day~~
108 ~~experience. A farm stay may also consist of a retreat or be described as a work exchange, where the~~
109 ~~guests, for recreational purposes, work in exchange for free or discounted accommodations.~~

Commented [E14]: The proposed changes herein make this definition irrelevant.

Commented [E15]: This is a standard, not a definition

110 ~~**Farm tour, agri-tourism.** The term "agri-tourism farm tour" means an agri-tourism use/ or activity that~~
111 ~~offers opportunities for the "non-farm" public to learn how a farm functions and where and /how food, fiber,~~
112 ~~fuel, and other agricultural products are produced and/or packaged. Farm tours frequently highlight the~~
113 ~~history of the subject farm and, in general, foster a broader understanding of the importance of agriculture~~
114 ~~and educate the public as to current agricultural practices and technology.~~

115 ~~**Fee fishing, agri-tourism.** The term "agri-tourism fee fishing" means an agri-tourism use/activity, approved~~
116 ~~by the appropriate local, state and/or federal agency, which provides the opportunity for anglers to pay a~~
117 ~~fee for the right to fish on a farm. Fee fishing is a non-agriculturally related use unless provided as an~~
118 ~~accessory to a bona fide aquaculture operation.~~

119 ...

120 **Sec 101-2-8 G Definitions**

121 ...

122 ~~**Glamorous camping (glamping), agri-tourism.** The term "agri-tourism glamorous camping (glamping)"~~
123 ~~means an agri-tourism use/activity that provides the opportunity for agri-tourists to rent, on a nightly basis,~~

124 fully furnished tents and/or rustic cabin sites that are characterized by furnishings, amenities, and comforts
125 offered by that of a luxury hotel room. Furnishings, amenities, and comforts may include but not be limited
126 to, luxurious decor, beds, linens, baths, veranda, spa services, concierge, dining, and chef.

127 ...

128 **Sec 101-2-9 H Definitions**

129 ...

130 ***Harvest market, agri-tourism.*** The term "agri-tourism harvest market" means an agri-tourism use/activity
131 that provides the opportunity for customers to purchase a wide variety of farm products at one farm location.
132 A harvest market does not consist of multiple farm vendors; however, it offers for sale, agricultural products
133 and goods derived from the farm on which the harvest market is located as well as other commonly owned
134 and/or independent or unaffiliated Weber County farms.

135 ...

136 ***Health farm, agri-tourism.*** The term "agri-tourism health farm" means a farm building, including overnight
137 lodging facilities, designed for the purpose of providing proactive health and wellness education and/or
138 physical exercise and diet regimens that can, in a rural and spa-like environment, improve one's quality of
139 life in a rural and spa-like environment. ~~Health and wellness opportunities may consist of, but are not limited~~
140 ~~to, general and specialized exercise, wellness, and nutritional classes/consultations, organic cooking~~
141 ~~classes or workshops, yoga, meditation, and massage therapy. A health farm may serve meals only when~~
142 ~~served to participating clientele.~~

143 ...

144 ***Hunting preserve, agri-tourism.*** The term "agri-tourism hunting preserve" means an agri-tourism use ~~or~~
145 ~~activity, approved by the appropriate local, state and/or federal agency, which provides the opportunity for~~
146 ~~an individual or group to pay a fee for the right to hunt on a farm. A hunting preserve is a non-agriculturally~~
147 ~~related use unless provided as an accessory to a bona fide agricultural operation.~~

148 ...

149 **Sec 101-2-13 Loc - Lod Definitions**

150 ...

151 ***Lodging house/boardinghouse.*** The term "~~Lodging H~~ouse/boardinghouse," also referred herein as
152 "~~E~~boardinghouse," means a building ~~where lodging only is provided~~ designed for temporary lodging for
153 compensation, ~~in which no provision is made for cooking in any individual quest room or suite. Unless~~
154 ~~otherwise more specifically provided in this Land Use Code, a Lodging House has between one in five or~~
155 ~~more and 15 guest rooms, but not exceeding 15 persons.~~

156 ...

157 **Sec 101-2-14 M Definitions**

158 ...

159 ***Motor coach/caravan area, agri-tourism.*** The term "agri-tourism motor coach/caravan area" means an
160 area, within an approved agri-tourism operation, that provides individual sites for the temporary parking
161 and occupation of recreational vehicles (i.e., motor coach, camper van, trailer, etc.).

162 ...

Commented [E16]: Revising this definition using similar language found in hotel. A hotel is defined this same way except has 16+ rooms.

163 **Sec 101-2-16 O Definitions**

164 ~~**On-farm store/retail market, agri-tourism.** The term "agri-tourism on farm store/retail market" means an~~
165 ~~agri-tourism use/activity that provides the opportunity for a farmer to sell retail quantities of agriculturally~~
166 ~~related products and, in some cases, non-agriculturally related products directly to the consumer or agri-~~
167 ~~tourist.~~

Commented [E17]: No longer needed. Revised code replaces this phrase with "market," which does not need a specialized definition outside of Merriam Webster.

168 ...

169 **Sec 101-2-17 P Definitions**

170 ...

171 ~~**Play area, agri-tourism.** The term "agri-tourism play area" means an area within an agri-tourism~~
172 ~~operation's activity center that is dedicated to open and informal play. The play area may include, but not~~
173 ~~be limited to, conventional and unconventional playground equipment.~~

Commented [E18]: Is this definition needed? If it is, is it overly vague? For example, would a noisy and dusty dirt-bike track fit under this?

174 ...

175 **Product, agricultural.** The term "agricultural product" means any raw product which is derived from
176 agriculture, including fruits, vegetables, crops, floriculture, herbs, forestry, animal husbandry, livestock,
177 aquaculture products, water plants, horticultural specialties, and other similar products that can be broadly
178 classified as a food, fiber, fuel, or a raw material group. Specific foods may include cereals, fruits,
179 vegetables, and meat. Fibers may include cotton, wool, hemp, silk and flax. Raw materials may include
180 lumber and other plant products.

181 ~~**Product, agriculturally related.** The term "agriculturally related product" means any item that is sold at a~~
182 ~~specific farm, approved for agri-tourism, which attracts customers and promotes the sale of agricultural~~
183 ~~products. Such items may include, but are not limited to, all agricultural products, baked goods, cheese, ice~~
184 ~~cream and ice cream-based desserts and beverages, jams, honey, and other food stuffs or products that~~
185 ~~feature ingredients produced on a specific farm, approved for agri-tourism, or other farm located within~~
186 ~~Weber County. Additional agriculturally related products may consist of, but are not limited to, gift items,~~
187 ~~clothing and other items that directly promote the specific farm and/or the agriculture industry in Weber~~
188 ~~County.~~

Commented [E19]: The proposal steers away from this term, in favor of specifically stating that non-ag products can only be offered for sale if offered alongside product produced by the farm.

189 ~~**Product, non-agriculturally related.** The term "non-agriculturally related product" means any item that is~~
190 ~~sold at a specific farm, approved for agri-tourism, which is not connected to farming nor derived from that~~
191 ~~farm's operation or other farm located in Weber County. Non-agriculturally related products may include,~~
192 ~~but are not limited to, novelty t-shirts or other clothing, crafts, knick-knacks and/or products imported from~~
193 ~~other counties, states or countries.~~

Commented [E20]: This proposed amendment eliminates the need for this definition.

194 ...

195 **Sec 101-2-20 Sp Definitions**

196 ...

197 **Recreational vehicle or travel trailer.** The term "recreational vehicle/travel trailer," [also known herein](#)
198 [as "travel trailer,"](#) means a vehicular unit, other than a mobile home, designed as a temporary dwelling for
199 travel, recreational, and vacation use, which is either self-propelled or is mounted on or pulled by another
200 vehicle including, but not limited to: travel trailer, camp trailer, folding tent trailer, truck camper, or motor
201 home, [but not including mobile or manufactured homes.](#)

202 ...

203 **Sec 101-2-20 S Definitions**

204 ...

205 ~~***Special occasion, agri-tourism.*** The term "agri-tourism special occasion" means an agri-tourism use/ or~~
206 ~~activity that provides the opportunity for agri-tourists to rent an area that can act as a venue for events,~~
207 ~~including, but not limited to, birthdays, weddings, family reunions, small-scale fundraisers, and/or corporate~~
208 ~~picnics/outings that do not constitute a special event as defined by title [Title 38](#), special events~~

209 ...

210 **Sec 101-2-22 U Definitions**

211 ~~***U-pick operation, agri-tourism.*** The term "agri-tourism u-pick operation" means an agri-tourism~~
212 ~~use/activity that provides the opportunity for customers to pick or harvest fruits and vegetables directly from~~
213 ~~the plant grown on a farm location.~~

214 ...

215

Commented [E21]: Replacing with "events facility"

216 **TITLE 104 ZONES**

217 ...

218 **Chapter 104-9 Forest Zones F-5, F-10, And F-40**

219 **Sec 104-9-1 Purpose**

220 (a) The intent of the forest zones is to protect and preserve the natural environment of those areas of the
221 county that are characterized by mountainous, forest or naturalistic land, and to permit development
222 compatible to the preservation of these areas.

223 (b) The objectives in establishing the forest zones are:

224 (1) To promote the use of the land for forest, fish and wildlife and to facilitate the conservation of the
225 natural resources, vegetation and attractions;

226 (2) To reduce the hazards of flood and fire;

227 (3) To prevent sanitation and pollution problems and protect the watershed;

228 (4) To provide areas for private and public recreation and recreation resorts; and

229 (5) To provide areas for homes, summer homes, and summer camp sites.

230 **Sec 104-9-2 (Reserved) Permitted Uses**

231 ~~The following uses are permitted in Forest Zones F-5, F-10, and F-40:~~

232 ~~(a) Accessory building incidental to the use of a main building; main building designed or used to~~
233 ~~accommodate the main use to which the premises are devoted; and accessory uses customarily~~
234 ~~incidental to a main use.~~

235 ~~(b) Accessory dwelling unit, in compliance with Chapter 108-19.~~

236 ~~(c) Agriculture.~~

237 ~~(d) Cluster subdivisions, which comply with the requirements of title 108, chapter 3.~~

238 ~~(e) Grazing and pasturing of animals, limited to one horse or cow per acre of land exclusively dedicated to~~
239 ~~the animal. The keeping of animals and fowl for family food production. Golf course, except miniature~~
240 ~~golf courses.~~

241 ~~(f) Home occupations.~~

242 ~~(g) Household pets.~~

243 ~~(h) Private stables, not to exceed one horse per acre.~~

244 ~~(i) Public parks and recreation grounds. Public campgrounds and picnic areas meeting the requirements~~
245 ~~of the Forest Campground Ordinance of Weber County; public buildings.~~

246 ~~(j) One recreational vehicle, temporarily parked on a lot or parcel for periodic short-term intervals of less~~
247 ~~than 180 days for recreational use only and not for longer term placement nor for full time living. The~~
248 ~~following additional conditions shall apply:~~

249 ~~(1) The lot has a minimum area of five acres in the F-5, ten acres in the F-10, and 40 acres in the F-~~
250 ~~40 Zone or is determined to be a legally approved or legal nonconforming lot or parcel or cluster~~
251 ~~subdivision and meet the minimum lot size, frontage, and setback requirements for all zones in this~~
252 ~~chapter.~~

253 ~~(2) County environmental health department approval as to waste disposal by an approved septic tank~~
254 ~~and drain field with approved connection to the R.V., and a land use permit from the county planning~~
255 ~~commission for each unit, which shall expire after 180 days from date of issue, and including only~~
256 ~~the following accessory uses: not more than one storage shed of not more than 200 square feet~~
257 ~~per lot, not to include electrical or plumbing connections; prepared R.V. parking pad; raised deck~~

Commented [E22]: This section reformats the F zones to follow the same conventions as other zone sections. No changes are intended except to add agritourism as an allowed use in all forest zones.

258 of not more than two feet in height adjacent to the R.V. parking pad; one outdoor camp fireplace;
259 picnic table and chairs and tent type screens.

260 (3) A second recreation vehicle may be placed on any lot, parcel, legal nonconforming lot or parcel as
261 qualified in subsection (f)(2) of this section containing a minimum area of two acres excluding land
262 known as common land and/or open space.

263 (4) The following state and local division of health codes and requirements are complied with:

264 a. International Utah Plumbing Code.

265 b. Rules and regulations relating to public water supplies.

266 c. Code of Waste Disposal Regulations.

267 d. Code of Solid Waste Disposal Regulations.

268 e. Recreation regulations.

269 (k) Signs shall comply with title 110, chapter 2, Ogden Valley signs, if located within the Ogden Valley
270 area.

271 (l) Single family residences.

272 **Sec 104-9-3 Land Use Table Conditional Uses**

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

277 (a) Accessory uses. An accessory use is prohibited unless located on the same lot or parcel as the
278 main use to which it is accessory.

F-5 F-10 F-40 Special Regulations

	F-5	F-10	F-40	Special Regulations
Accessory building, accessory and incidental to the use of a main building.	P	P	P	
Accessory dwelling unit.	P	P	P	See Title 108, <u>Chapter 19</u> .
Accessory use, accessory and incidental to the main use.	P	P	P	
Family food production, accessory to a residential use. Keeping of animals and fowl for family food production.	P	P	P	<u>See Section 104-9-4</u>
Home occupation, accessory to a residential use.	P	P	P	<u>See Chapter 108-13.</u>
Household pets, accessory to a residential use.	P	P	P	

Commented [E23]: 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.

Main building , designed or used to accommodate the main use.	P	P	P	
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279 (b) [Agricultural uses, non-animal.](#)

	F-5	F-10	F-40	<u>Special Regulations</u>
Agriculture.	P	P	P	
<u>Aquaculture.</u>	<u>P</u>	<u>P</u>	<u>P</u>	

Commented [E24]: Not specifically listed in the F zones, but presumed to be allowed under the “agriculture” use.

280 (c) [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.

	F-5	F-10	F-40	<u>Special Regulations</u>
Animal grazing. Animal grazing, as defined in Section 101-2.	P	P	P	See Section 104-9-4.
<u>Apiary.</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Aquaculture, animal related.</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Aviary.</u>	<u>P</u>	<u>P</u>	<u>P</u>	
Corral, stable or building for keeping animals or fowl.	P	P	P	See <u>Section 104-9-4.</u>

Commented [E25]: Not specifically listed in the F zones, but presumed to be allowed under the “agriculture” use.

Commented [E26]: Not specifically listed in the F zones, but presumed to be allowed under the “agriculture” use.

Commented [E27]: Not specifically listed in the F zones, but presumed to be allowed under the “agriculture” use.

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

	F-5	F-10	F-40	<u>Special Regulations</u>
<u>Agri-tourism.</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>See Chapter 108-21.</u>
Campground and picnic area.	C	C	C	See Title 108, <u>Chapter 20.</u>
Forest industries. Production of forest products.	C	C	C	

Golf course, except miniature golf course.	P	P	P	
Skeet or trap shooting range	N	N	C	
Ski resort.	C	C	C	

284 (e) Institutional uses.

F-5 F-10 F-40 [Special Regulations](#)

Cemetery.	C	C	C	
Church, synagogue or similar building used for regular religious worship.	C	C	C	

285 (f) Residential uses.

F-5 F-10 F-40 [Special Regulations](#)

Recreation lodge	C	C	C	
Single-family dwelling.	P	P	P	

286 (g) Recreational noncommercial uses. The following are recreational uses that are typically owned or
 287 operated by a nonprofit or governmental entity.

F-5 F-10 F-40 [Special Regulations](#)

Recreational vehicle parking.	P	P	P	See Section 104-9-4
Private park, playground or recreation area. No privately owned commercial amusement business.	C	C	C	
Public campground and picnic area.	P	P	P	See <u>Title 108, Chapter 20.</u>
Public park, recreation grounds and associated buildings.	P	P	P	

Public or nonprofit skeet or trap shooting range	N	N	C	
--	---	---	---	--

288 (h) Utility uses.

	F-5	F-10	F-40	Special Regulations
Hydro-electric dam.	C	C	C	
Public utility substations.	C	C	C	
Radio or television station or tower.	C	C	C	
Wastewater treatment or disposal facilities	C	C	C	
Water storage reservoir, when developed by a utility service provider.	C	C	C	See Title 108, Chapter 10.
Signs	P	P	P	

Commented [E28]: Sign code already governs this

289 (i) Other uses.

	F-5	F-10	F-40	Special Regulations
Heliport.	N	N	C	See Section 104-9-4
Mines, quarries, gravel pits.	C	C	C	Compliance with the Weber County Excavation and Clean Fill Ordinance required.

290
 291 ~~The following uses shall be permitted only when authorized by a conditional use permit obtained as~~
 292 ~~provided in this Land Use Code:~~
 293 ~~(a) Agri-tourism, in the Forest-5 Zone, subject to the requirements of the Weber County Agri-Tourism~~
 294 ~~Ordinance.~~
 295 ~~(b) Cemeteries, Churches.~~
 296 ~~(c) Forest industries; production of forest products.~~
 297 ~~(d) Dams.~~
 298 ~~(e) Educational/Institutional identification sign.~~
 299 ~~(f) Mines, quarries and gravel pits, sand and gravel operations subject to the provisions of the Weber~~
 300 ~~County Excavation Ordinance.~~

- 301 (g) ~~Private parks and recreation grounds. Private campgrounds and picnic areas meeting the requirements~~
 302 ~~of the Forest Campground Ordinance of Weber County. Dude ranches.~~
- 303 (h) ~~Public utility substations and transmission lines.~~
- 304 (i) ~~Radio and television towers.~~
- 305 (j) ~~Ski resorts.~~
- 306 (k) ~~Skeet and trap shooting ranges as an accessory use to public and/or private camps in the F-5 and F-~~
 307 ~~40 Zones.~~
- 308 (l) ~~Skeet and trap shooting ranges in the F-40 Zones.~~
- 309 (m) ~~Water pumping plants and reservoirs.~~
- 310 (n) ~~Wastewater treatment or disposal facilities meeting the requirements of the Utah State Department of~~
 311 ~~Environmental Quality Division of Water Quality but not including individual water disposal systems.~~
- 312 (o) ~~Recreation lodge.~~
- 313 (p) ~~Conference/education center.~~
- 314 (q) ~~Heliport in the F-40 Zone subject to the following standards:~~
- 315 (1) ~~A heliport must be located on a single parcel of record which is not less than 40 acres in area.~~
- 316 (2) ~~A heliport must be located at an elevation of at least 6,200 feet above sea level.~~
- 317 (3) ~~A heliport must be located at least 200 feet from any property line. The planning commission may~~
 318 ~~grant exceptions to the setback requirement if it can be demonstrated that locating the heliport~~
 319 ~~closer than 200 feet to the property line provides a more beneficial situation for purposes of safety,~~
 320 ~~noise abatement, access, or other valid reasons as determined by the planning commission.~~
- 321 (4) ~~The heliport landing surface must be dust proof and free from obstructions.~~
- 322 (5) ~~Prior to issuance of a conditional use permit for a heliport, written approval from the Federal Aviation~~
 323 ~~Administration (FAA) is required, if necessary.~~

324 **Sec 104-9-4 Special Regulations**

325 The uses listed below correspond with certain uses listed in the Land Use Table in Section 104-9-3. Due
 326 to the nature of the use, each shall be further regulated as follows:

327 (a) **Animal grazing.** This use shall not include the supplementary or full feeding of the animals, except
 328 when in compliance with the following:

- 329 (1) It may only be carried on during times that are reasonable and necessary due to lack of natural
 330 growing feed as a result of seasonal changes or extreme and temporary meteorological events.
- 331 (2) It shall not exceed a density of 40 head per acre of used land.
- 332 (3) It shall not be closer than 75 feet to any dwelling, public or semi-public building on an adjoining
 333 parcel of land.

334 (b) **Corral, stable or building for keeping animals or fowl.** This use shall be located no less than 100
 335 feet from a public street and not less than 25 feet from any side or rear lot line.

336 (c) **Family food production.**

- 337 (1) As used in this subsection, a Group A animal is either one pig, one sheep, one cow, or one goat,
 338 and Group B animals or fowl are either a set of ten rabbits, ten chickens, ten pheasants, five
 339 turkeys, five ducks, five geese, or five pigeons.
- 340 (2) No more than four sets of Group B animals or fowl may be kept on a lot or parcel that is less than
 341 40,000 square feet.

Commented [E29]: Pasting these regulations in from the corresponding section of the agricultural zones chapter. (Consistency)

342 ~~(4)~~(3) [No more than six combined sets of Group A animals and sets of Group B animals or fowl](#)
 343 [may be kept on a lot or parcel that is less than two acres. The same applies to a lot or parcel greater](#)
 344 [than two acres, except that an additional six combined sets of Group A and sets of Group B animals](#)
 345 [or fowl may be kept per each additional acre greater than two.](#)

346 ~~(b)~~(d) **Heliport.** This use shall comply with the following minimum standards:

Commented [E30]: This regulation already exists

- 347 (1) It shall be located on a single parcel of record which is not less than 40 acres in area.
- 348 (2) It shall be located at an elevation at least 6,200 feet above sea level.
- 349 (3) It shall be located at least 200 feet from any property line. The Land Use Authority may grant
 350 exceptions to this setback if it can be demonstrated that locating the heliport closer than 200 feet
 351 to the property line provides a more beneficial situation for purposes of safety, noise abatement,
 352 access, or other valid reasons as determined by the Land Use Authority.
- 353 (4) The landing surface shall be dust proof and free from obstructions.
- 354 (5) Prior to the issuance of a permit, written approval from the Federal Aviation Administration (FAA)
 355 is required, if necessary.

356 ~~(e)~~(e) **Recreational vehicle use.** A recreational vehicle shall be temporarily parked on a lot or parcel for
 357 periodic short-term intervals of 180 days or less and shall be limited to recreational use only and not
 358 for longer term placement or for full-time living. The use may be accompanied by no more than one
 359 storage shed no greater than 200 square feet and shall not include electrical or plumbing, one prepared
 360 recreational vehicle pad, one raised deck of no more than two feet in height adjacent to the recreational
 361 vehicle, one outdoor camp fireplace, and picnic table, chairs, tent-type screen. The following additional
 362 conditions shall apply:

Commented [E31]: This regulation already exists.

- 363 (1) The lot shall meet minimum lot requirements as specified in this Land Use Code, or be a
 364 nonconforming lot as specified in Title 108, Chapter 12.
- 365 (2) Health department approval is required for waste disposal by an approved septic tank and drain
 366 field with approved connection to the recreation vehicle.

367
 368 **Sec 104-9-4-5 Site Development Standards**~~Minimum Lot Area, Width And Yard Regulations~~
 369 ~~The following minimum lot areas, widths, and yard regulations apply to the Forest Zones F-5, F-10, and F-~~
 370 ~~40: The following site development standards apply to a lot or parcel in the Forest Zone F-5, F-10, and F-~~
 371 ~~40, unless specified otherwise in this Land Use Code.~~

372 (a) **Lot area:**

	F-5	F-10	F-40
Minimum for all uses:	5 acres	10 acres	40 acres

373 (b) **Lot width:**

	F-5	F-10	F-40
Minimum for all uses:	300 feet ¹	400 feet ¹	660 feet ¹

374 ¹ *The width of lots on the outside of the curved streets or on the ends of cul-de-sacs may be reduced*
 375 *by up to one-third, provided the required minimum lot width is provided back from the front lot line*
 376 *at a distance of 100 feet in the F-5 Zone; 140 feet in the F-10 Zone.*

377 (c) **Yard setback:**

378 (1) **Front yard setback:**

	F-5	F-10	F-40
Minimum front yard setback:	30 feet	50 feet	75 feet

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

	F-5	F-10	F-40
Minimum for all uses:	20 feet	20 feet	40 feet

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

	F-5	F-10	F-40
Main building:	30 feet		
Accessory building:	10 feet		

381 ~~(e)~~(d) [Building height:](#)

	F-5	F-10	F-40
Minimum main building height:	1 story		
Maximum main building height:	35 feet		
Maximum accessory building height:	25 feet unless meeting requirements of Section 108-7-16 , Large accessory buildings		

382

383

	F-5 Zone	F-10 Zone	F-40 Zone
Area	5-acres	10-acres	40-acres
Width	300 ft.*	400 ft.*	660 ft.*
**			
Yard, front	30 ft.+	50 ft.	75 ft.
Yard, side	20 ft.	20 ft.	40 ft.
Yard, rear	30 ft.	30 ft.	30 ft.

1)*The width of lots on the outside of the curved streets or on the ends of cul-de-sacs may be reduced by up to one-third, provided the required minimum lot width is provided back from the front lot line at a distance of 100 feet in the F-5 Zone; 140 feet in the F-10 Zone.

2)**In the F-40 Zone where property lot lines follow a basic rectangular pattern based upon section lines or regular divisions of section lines, road frontage requirements may be reduced to a minimum of 100 feet for each lot, but this in no way permits a reduction in the minimum required lot width which must be maintained.

3) + In the F-5 Zone, front yard setbacks will be 50 feet on right-of-way of 80 feet or more.

4) Main building maximum height	35 ft.	35 ft.	35 ft.
5) Accessory building height	25 feet, unless meeting requirements of section 108-7-16, Large accessory buildings.		

384 ...

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

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

- 387 (a) The shoreline zone has been established as a district in which the primary use of the land is for farming
 388 and for recreational purposes. In general, this zone covers the portion of the unincorporated area of
 389 the county ~~which that~~ is occupied by Pineview Reservoir and shores adjacent thereto.
- 390 (b) This zone is characterized by farms and pasture lands situated adjacent to the shore of the Pineview
 391 Reservoir and interspersed by dwellings, recreational camps, resorts and outdoor recreation facilities.
- 392 (c) The ~~purposes of objectives in establishing~~ the Shoreline Zone S-1 are:
- 393 (1) To promote the use of the land for agriculture and for fish, wildlife and recreational purposes both
 394 public and private;
 - 395 (2) To facilitate the conservation of water and other natural resources;
 - 396 (3) To reduce hazards from floods and fires;
 - 397 (4) To preserve open space, natural scenic attractions, natural vegetation, and other natural features
 398 within the zone;
 - 399 (5) To ensure adequate provision for water supply, domestic sewage disposal and sanitation.
- 400 (d) In order to accomplish these objectives and purposes and to protect the essential characteristics of the
 401 zone, the following regulations shall apply in the Shoreline Zone S-1.

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

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

- 404 ~~(a) Accessory building incidental to the use of a main building; main building designed or used to~~
 405 ~~accommodate the main use to which the premises are devoted; and accessory uses customarily~~
 406 ~~incidental to a main use.~~
- 407 ~~(b) Accessory dwelling unit, in compliance with Chapter 108-19.~~
- 408 ~~(c) Agriculture, grazing and pasturing of animals.~~
- 409 ~~(d) Boating.~~

Commented [E32]: Consolidating into Land Use Table below.

- 410 ~~(e) Cemeteries.~~
- 411 ~~(f) Fishing.~~
- 412 ~~(g) Golf courses, excluding miniature golf courses.~~
- 413 ~~(h) Home occupations.~~
- 414 ~~(i) Keeping of animals and fowl for family food production.~~
- 415 ~~(j) Public parks and recreation grounds. Public campgrounds and picnic areas meeting the requirements~~
- 416 ~~of the Forest Campground Ordinance of Weber County. Public buildings.~~
- 417 ~~(k) Single family dwelling. Signs.~~
- 418 ~~(l) Water skiing and other water recreation activities.~~

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

420 [The following tables display the uses permitted, conditionally permitted, or not permitted in the agricultural](#)

421 [zones. The letter "P" indicates a permitted use in the zone. The letter "C" indicates a use that requires a](#)

422 [conditional use permit, as governed by Title 108 Chapter 4, in the zone. The letter "N" indicates a use that](#)

423 [is prohibited in the zone. A use listed is a main use, unless listed in the "accessory uses" table.](#)

424 ~~(j)(i)~~ [Accessory uses. An accessory use is prohibited unless located on the same lot or parcel as the](#)

425 [main use to which it is accessory.](#)

S-1 Special Regulations

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

Commented [E33]: 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.

426 ~~(j)(k)~~ [Agricultural uses, non-animal.](#)

S-1 Special Regulations

Agriculture.	P	
Aquaculture.	P	

427 ~~(k)~~(l) **Animal-related noncommercial uses.** The following are animal-related uses that do not and shall
428 not typically generate customer-oriented traffic to the lot or parcel.

S-1 Special Regulations

Animal grazing. Animal grazing, as defined in Section 101-2.	P	See Section 104-10-4.
<u>Apiary.</u>	<u>P</u>	
<u>Aquaculture, animal related.</u>	<u>P</u>	
<u>Aviary.</u>	<u>P</u>	
Corral, stable or building for keeping animals or fowl.	P	See Section 104-10-4.

Commented [E34]: Not specifically listed in the S-1 zone, but presumed to be allowed under the "agriculture" use.

Commented [E35]: Not specifically listed in the S-1 zone, but presumed to be allowed under the "agriculture" use.

Commented [E36]: Not specifically listed in the S-1 zone, but presumed to be allowed under the "agriculture" use.

429 ~~(k)~~(m) **Commercial uses.** The following are uses that typically generate for-profit customer-oriented traffic
430 to the lot or parcel.

S-1 Special Regulations

<u>Agri-tourism.</u>	<u>C</u>	<u>See Chapter 108-21.</u>
Campground and picnic area.	C	<u>See Chapter 108-20.</u>
Golf course, except miniature golf course.	P	

Commented [E37]: Applicant's request

431 ~~(m)~~(n) **Institutional uses.**

S-1 Special Regulations

Cemetery.	P	
Church, synagogue or similar building used for regular religious worship.	P	

432 ~~(m)~~(o) **Residential uses.**

S-1 Special Regulations

Single-family dwelling.	P	
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433 (e)(p) Recreational noncommercial uses. The following are recreational uses that are typically owned
 434 or operated by a nonprofit or governmental entity.

S-1 Special Regulations

Boating	P	
Fishing	P	
Private park, playground or recreation area. No privately owned commercial amusement business.	C	
Public campground and picnic area.	P	See <u>Chapter 108-20.</u>
Public park, recreation grounds and associated buildings.	P	
Water skiing and other water recreation activities.	P	

Commented [E38]: Unnecessary to regulate in the land use code. This is not a land use.

Commented [E39]: Unnecessary to regulate in the land use code. This is not a land use.

Commented [E40]: Unnecessary to regulate in the land use code. This is not a land use.

435 (p)(q) Utility uses.

S-1 Special Regulations

Hydro-electric dam.	C	
Public utility substations.	C	
Radio or television station or tower.	C	
Signs	P	

Commented [E41]: Sign code already governs this

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

437 (e)(f) General use regulations. The above specified uses shall be permitted only under the following
 438 conditions:

- 439 (1) Public health requirements concerning domestic water supply and sewage disposal shall comply
 440 with provisions of section 108-7-9.
- 441 (2) No building or structure shall be constructed within the boundaries of any public reservoir as
 442 determined by the public agency having jurisdiction or within the boundaries of any natural
 443 waterway or watercourse as determined by the county engineer wherein no buildings or structures
 444 shall be constructed or land subdivided. Where buildings are to be constructed within 50 feet of the
 445 exterior boundaries of a flood channel existing at the effective date of the ordinance from which this
 446 chapter is derived, adequate measures must be taken as determined by the Weber County

447 Engineer so as to protect the building or structure from damage due to floods and so as not to
448 increase the hazard to surrounding lands and buildings.

449 (3) The required yard space shall be kept free of debris, refuse or other inflammable material which
450 may constitute a fire hazard.

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

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

454 (1) Animal grazing. This use shall not include the supplementary or full feeding of the animals, except
455 when in compliance with the following:

456 a. It may only be carried on during times that are reasonable and necessary due to lack of natural
457 growing feed as a result of seasonal changes or extreme and temporary meteorological events.

458 b. It shall not exceed a density of 25 head per acre of used land.

459 c. It shall not be closer than 75 feet to any dwelling, public or semi-public building on an adjoining
460 parcel of land.

461 (2) Corral, stable or building for keeping animals or fowl. This use shall be located no less than
462 100 feet from a public street and not less than 25 feet from any side or rear lot line.

463 (3) Family food production.

464 a. As used in this subsection, a Group A animal is either one pig, one sheep, one cow, or one
465 goat, and Group B animals or fowl are either a set of ten rabbits, ten chickens, ten pheasants,
466 five turkeys, five ducks, five geese, or five pigeons.

467 b. No more than four sets of Group B animals or fowl may be kept on a lot or parcel that is less
468 than 40,000 square feet.

469 c. No more than six combined sets of Group A animals and sets of Group B animals or fowl may
470 be kept on a lot or parcel that is less than two acres. The same applies to a lot or parcel greater
471 than two acres, except that an additional six combined sets of Group A and sets of Group B
472 animals or fowl may be kept per each additional acre greater than two.

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

474 The following site development standards apply to a lot or parcel in the Shoreline zone, unless specified
475 otherwise in this Land Use Code.

476 ~~(e)~~(e) Lot area:

S-1

Minimum for all uses:

5 acres

477 ~~(e)~~(f) Lot width:

S-1

Minimum for all uses:

300 feet

478 (g) Yard setback:

479 (1) Front yard setback:

Commented [E42]: Redundant.

Commented [E43]: Pasting these regulations in from the corresponding section of the agricultural zones chapter. (Consistency)

S-1

Minimum front yard setback:	30 feet
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480 (2) Side yard setback:

S-1

Minimum for all uses:	20 feet
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481 (3) Rear yard setback:

S-1

Main building:	30 feet
Accessory building:	10 feet

482 (f)(h) 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

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

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

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

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

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

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

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

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

492 ...

493

494 **CHAPTER 108-21 AGRITOURISM**

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

496 ~~The County desires to create a culture that supports and celebrates its agrarian heritage and open spaces~~
497 ~~in the unincorporated areas. This chapter's purpose is to do this by providing owners of agricultural~~
498 ~~operations the ability to generate additional income from land uses that are not otherwise allowed in the~~
499 ~~zone, provided those uses are accessory, incidental, and inextricably related to the an onsite agricultural~~
500 ~~operation. The intent of this chapter is to create allowances and regulations that govern agriculture-oriented~~
501 ~~land uses that cater to tourists and other visitors coming to the site for recreational, educational,~~
502 ~~gastronomical, or similar agriculture-oriented attraction.~~

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

512 **Sec 108-21-2 Applicability and Qualifications**

513 ~~(a) **Applicability.** The standards found in this chapter shall apply to all agritourism operations. Application~~
514 ~~and review provisions for an agritourism conditional use permit are set forth in Title 108, Chapter 4 of~~
515 ~~this Land Use Code. Any additional detail required by this chapter shall supplement the conditional use~~
516 ~~permit application. An agritourism event or activity that operates outside of expected hours of operation,~~
517 ~~or that involves crowds in a number greater than that which can be served by existing facilities, shall~~
518 ~~obtain a Special Event Permit pursuant to Title 38 of the Weber County Code.~~

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

528 ~~(b) **Primary use.** All agritourism operations shall clearly be accessory and incidental to a primary~~
529 ~~agricultural use of the property. To this end, at no time shall the activity area of an agritourism operation~~
530 ~~be greater than the actual area of the agricultural operation. Agriculture is the preferred use in~~
531 ~~agricultural zones; therefore, all agri-tourism uses/activities shall be complementary and clearly~~
532 ~~accessory to the primary agricultural use. To guarantee legitimacy and viability, an agri-tourism~~
533 ~~operation shall demonstrate that the subject property has been qualified under the Farmland~~
534 ~~Assessment Act or that the subject property is currently, or will be within the next growing season,~~
535 ~~producing an agricultural product in an amount that meets or exceeds the production requirement as~~
536 ~~established by the Farmland Assessment Act. A farmer, whose primary agricultural use is that of an~~
537 ~~apiary, shall be required to maintain two hives per acre with a ten-hive minimum. No more than 20~~
538 ~~hives shall be necessary when a farm exceeds ten acres.~~

Commented [E44]: This paragraph is intended to do the same thing while also eliminating fluff and subjective language.

Commented [E45]: Most of these entities are already expected to be a part of the conditional use permit review process. Stating them here is redundant and may create conflict as codes evolve over time.

Commented [E46]: It is not advisable to have a non-county entity as a reviewing entity. Rather, the planner will solicit comment from other experts if necessary during the review process.

539 (c) **Qualifications.** An agricultural operator seeking an agritourism permit shall demonstrate the following:

540 (1) The agricultural operator has owned the subject property for the last two years.;

541 (2) The agricultural operator has commercially sold an agricultural product that was produced on the

542 subject property for greater than one year;

543 (3) The subject property:

544 a. Has been qualified under the Farmland Assessment Act;

545 b. Is currently, or will be within the next growing season, producing an agricultural product in an

546 amount that meets or exceeds the production requirement as established by the Farmland

547 Assessment Act; or

548 c. If an apiary, contains at least ten hives.

549 (d) **Permit enforcement.** An agritourism permit includes all conditions of approval as may be applied by

550 the Land Use Authority. At no time shall an agritourism operation be conducted in a manner that

551 conflicts with the details of the agritourism permit application or the conditions of approval. If a condition

552 of approval conflicts with any detail provided in the application, the condition of approval shall prevail.

553 (e) **Supplemental application ~~N~~narrative.** In addition to the application requirements listed in ~~title-Title~~

554 108, ~~chapter-Chapter~~ 4 of this Land Use Code (~~conditional-uses~~), all agri-tourism applications shall be

555 accompanied by a detailed~~concise~~ narrative describing the ~~farm-agricultural operation~~ and the overall

556 vision for the proposed agri-tourism operation. The narrative shall also include the following:

557 (1) **History.** ~~farm-~~The history of the agricultural operation along with evidence that demonstrates the

558 operation meets the minimum qualifications herein.;

559 ~~— A description of the agricultural operation, its general functions, maintenance, product(s), and~~

560 ~~customer base, a description or plan for the general maintenance of its agricultural product(s).~~

561 (2) **Description of anticipated changes.** A description of any plans for changes to the agricultural

562 operation, its general functions, maintenance, product(s), and customer base.

563 (3) **Description of use's incidental and accessory nature.** A description of how the agritourism

564 operation is incidental and accessory to the agricultural operation, and a plan for how the owner

565 will ensure the agritourism operation remains incidental and accessory in perpetuity.

566 (4) **Description of new infrastructure and buildings.** A description of all intended new infrastructure,

567 including streets, driveways, parking lots, buildings, and utilities.

568 (5) **Description of operation.** An explanation or description of the agritourism operation including; ~~and~~

569 ~~proposals for the following~~

570 ~~Offerings for agriculturally-related and non-agriculturally-related-p~~

571 a. Products that will be sold onsite.

572 b. ~~—and uses/a~~Activities offered onsite.

573 c. The type of customer or clientele base that is expected to patronize the operation, categorized

574 based on the intensity of their visitation and the specific product or activity for which they are

575 or will be visiting. For example, the customer-base for a produce store may be the general

576 public with customers coming and going many hours throughout the day; the clientele for a

577 barn dance might be a private party of a specified number of people that come and go once on

578 [the day of the party; and the customers or clientele for a lodging house might be pre-registered](#)
579 [or reserved individuals or small groups.](#)

580 d. [Agriculturally related and non-agriculturally related types of facilities and equipment to be used](#)
581 [and their maintenance plan\(s\).](#)

582 e. [Traffic, circulation, and parking plan that accommodates the parking needs of both employees](#)
583 [and patrons.](#)

584 f. [Hours of operation and number of patrons.:](#) ~~Time(s) of normal day-to-day o~~

585 1. [Normal and routine hours of operation, and anticipated events, dates, and times, or](#)
586 [examples of anticipated events, dates, and times, that operations may go beyond those](#)
587 [normal and routine hours, as referenced in title 38, special events](#)

588 2. [Anticipated number of normal and routine daily patrons and employees, and vehicles, and](#)
589 [anticipated number of patrons, employees, and vehicles at times or for events that go](#)
590 [beyond what is normal and routine.](#)

591 3. [For the purpose of this paragraph, the phrase "normal and routine" means the time or](#)
592 [amount specified in the application, or if different, the approval. If the application or](#)
593 [approval does not specify:](#)

594 i. [As it relates to time, this shall mean the hours of operation specified in Section 108-](#)
595 [21-3](#)

596 ii. [As it relates to patrons or employees, this phrase means 25 people or less, or ten](#)
597 [typical passenger vehicles onsite at any one time.](#)

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

599 The development standards imposed by this section do not alter, supersede or nullify any codes,
600 ordinances, statutes, or other applicable standards which may also regulate these same [land](#)
601 [uses/activities.](#)

602 ~~(b) **Lot of record (lawfully created lot).** Notwithstanding title 106, subdivisions, a landowner who meets~~
603 ~~the standards, as set forth by this chapter, may develop an agri-tourism operation and its associated~~
604 ~~uses (excluding a single-family dwelling, B&B farm dwelling, and B&B farm retreat) as a lot of record.~~
605 ~~The parcel(s) shall be subject to the following:~~

606 ~~(1) The agri-tourism operation shall remain in compliance with approvals granted through further~~
607 ~~review and subsequent issuance of a conditional use permit.~~

608 ~~(2) The parcel and/or combination of all individual parcels shall consist of an area that is not less than~~
609 ~~twice the minimum lot area that is required by the zone in which the agri-tourism operation is~~
610 ~~located. For example an agri-tourism operation that lies in a zone that requires three acres as a~~
611 ~~minimum lot area shall be required to have at least a six-acre farm size. Parcels that are unable to~~
612 ~~meet this area requirement may pursue a legal (lot of record) status by demonstrating that the~~
613 ~~subject parcel(s) qualifies as lot of record through any other available means provided by the~~
614 ~~definition of a lot of record or by meeting the requirements of the Weber County Subdivision~~
615 ~~Ordinance.~~

616 (a) **Access and frontage.** ~~Notwithstanding section 108-7-31 (access to a lot/parcel using a private right-~~
617 ~~of-way/easement), an~~ [An agri-tourism operation shall provide customers access from an Arterial Street](#)
618 [or Collector Street. It is not required to have actual frontage on a street, but the access from the Arterial](#)
619 [Street or Collector Street to the operation shall either by owned in fee or recorded easement by the](#)

620 agricultural operation. The access from the public right-of-way to the operation shall meet the
621 requirements of Section 108-7-29 unless specified otherwise by the local fire authority. ~~or access~~
622 ~~directly off of a public or privately dedicated roadway.~~ The Land Use Authority may allow access from
623 a Major Neighborhood Street or Minor Neighborhood Street as long as the street is public and as long
624 as the agritourism operation does not increase traffic beyond that which is typical for the type of street.
625 Evidence of this shall be submitted with the application.

626 (b) **General site and building design/layout.** An agri-tourism operation shall have a general design and
627 layout that concentrates all tourism uses and activities into a distinct activity center(s). The area within
628 an developed activity center ~~or combined area of multiple activity centers, excluding productive agri-~~
629 ~~tourism acreage, trail corridors, and/or a half-acre for a farmer's residence and any uses confined~~
630 ~~thereto (i.e., home office, B&B, etc.), may consist of a total area that does~~ shall not exceed 20 percent
631 of an farm's agricultural operation's overall gross acreage. The agricultural operation's gross acreage
632 shall be determined by the area that is routinely maintained in an agriculturally productive manner,
633 including barns and similar buildings or structures intended to serve the agricultural operation. ~~The~~
634 ~~remaining acreage, shown outside of all activity centers, shall be maintained in an agriculturally~~
635 ~~productive manner that is consistent with the farm's main agricultural use(s). Acreage that is incapable~~
636 ~~of being agriculturally productive due to a topographic condition, physical constraint, and/or~~
637 ~~circumstance (i.e., wetlands, drainages, steep slopes, occupation by barn and/or farm equipment~~
638 ~~storage structure(s) etc.) that physically interferes with farm production may be kept in its natural,~~
639 ~~historic, or constructed state.~~ Newly constructed buildings and facilities intended for agri-tourism
640 purposes and/or to serve the agri-tourism needs-operation shall reflect an architectural vernacular that
641 is consistent with the area's rural character. Temporary sanitary facilities are discouraged; however, if
642 found necessary, they shall be discretely incorporated into the agri-tourism operation and completely
643 screened from street and adjacent property view.

644 (c) **Ownership.** An agri-tourism operation may consist of multiple properties; ~~however, all~~ All properties
645 shall have identical and common ownership and shall be contiguous except where contiguity is
646 interrupted by a public street right-of-way.

647 (d) **Production.** An agricultural operation to which an agri-tourism operation is accessory shall, with
648 exception of the winter season, actively and continuously produce an agricultural product ~~for sale and~~
649 ~~purchase on all of the 80 percent of the agricultural operation's gross acreage, as specified in~~
650 Subsection (f) of this Section. In the event that the ~~agri-tourism operation's~~ agricultural operation's
651 productivity ceases or becomes improperly maintained, as determined by the ~~planning~~
652 ~~commission~~ Land Use Authority, the ~~right to operate an~~ agri-tourism business operation's ~~under a~~
653 conditional use permit may be revoked.

654 (e) ~~Agri-tourism uses/activities.~~ To ensure an appropriate balance and mixture of agriculturally related
655 and non-agriculturally related uses/activities, it shall be required that a minimum of one-half of all
656 uses/activities be agriculturally related as defined in section 101-1-7 of this Land Use Code. The
657 method, by which measurements are made, shall be based on one agriculturally related use/activity
658 being equal to one non-agriculturally related use/activity. Uses/activities involving the sale of any
659 products or goods shall be prohibited from selling motorized vehicles and/or equipment. Exceptions to
660 this standard are made for the occasional sale of farm equipment personally owned by the farm owner
661 and/or other farm equipment sales events approved through title 38, special events.

662 (f) **Hours of operation.** ~~Agri-tourism uses/activities, not~~ Not including residential overnight lodging
663 accommodations, and unless specified otherwise in an approved application or other conditions of
664 approval, and/or those conducted within a completely enclosed building, ~~the hours of operation shall~~
665 be limited to between operating during the daily hours of 8:00 a.m. and 8:00 p.m., except if the use or

Commented [E47]: Is this section needed? There is already a use table in Section 108-21-5.

This paragraph conflicts with the "agriculturally related" requirement.

666 activity is restricted to an area of the property that is at least 500 feet from an existing dwelling unit
667 located on another property. ~~10:00 p.m. The planning commission.~~The Land Use Authority may, but is
668 not obligated to, consider a variation to this allow other hours of operation if the applicant can
669 demonstrate mitigation of detrimental effects. ~~standard upon finding that a proposed use/activity is~~
670 ~~reliant on and/or based on making observations that can only occur during hours otherwise not~~
671 ~~permitted.~~

672 (g) ~~Development agreement.~~ An agri-tourism operation shall, prior to the construction of any structure
673 intended for the purpose of accommodating non-agricultural uses, record a farm stay and commercial
674 development agreement, provided by Weber County, on all parcels utilized as part of an approved agri-
675 tourism operation. One single-family dwelling or farm house (per parcel) and/or any number of
676 structures that qualify for an agricultural exemption are excepted from this standard when developed in
677 accordance with the requirements found in the Weber County Land Use Code.

Commented [E48]: Is this needed? Isn't the CUP enough?
Maybe just a notice needs to be recorded to the property to
tell future owners that the lodging facilities can only be used
if a part of the agritourism operation?

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

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

680 (a) ~~Market g~~**Market garden agricultural operation** includes an agriculturally productive property consisting of
681 three acres or more, but fewer than five acres.

682 (b) ~~Family farm agricultural operation~~ includes an agriculturally productive property area consisting of
683 five acres or more, but fewer than ten acres.

684 (e)(a) ~~Small farm agricultural operation~~ includes an agriculturally productive ~~property area~~ consisting
685 of ~~ten six~~ acres or more, but fewer than 20 acres.

686 (e)(b) ~~Medium agricultural operation farm~~ includes an agriculturally productive ~~property area~~ consisting
687 of 20 acres or more, but fewer than 40 acres.

688 (e)(c) ~~Large agricultural operation farm~~ includes an agriculturally productive ~~property area~~ consisting
689 of 40 acres or more, but fewer than 80 acres.

690 (f)(d) ~~Ranch~~ includes an agriculturally productive ~~property area~~ consisting of 80 acres or more.

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

692 ~~If an applicant can demonstrate appropriate mitigation of detrimental effects, as specified in Chapter 108-~~
693 ~~4, the following uses and /activities have been determined desirable when thoughtfully incorporated into~~
694 ~~an approved shall be allowed for an~~ agri-tourism operation ~~when marked with an "A" under their~~
695 ~~corresponding agricultural operation designation. The use or activity is not allowed if marked with an "N."~~

696

697 As stated above, these uses/activities may be subject to other requirements beyond those imposed by this
 698 chapter; therefore, it shall not be construed to mean that this chapter alters or nullifies any requirements
 699 contained in other codes, ordinances, statutes, or applicable standards. Those uses/ or activities marked
 700 with an asterisk (*) have additional design and/or limitation standards beyond any provided within other
 701 specific, codes, ordinances, statutes, or other applicable standards. See section Section 108-21-7-6 for
 702 these specific design and/or limitation standards associated with each use/activity marked with an asterisk
 703 (*).

704

Uses/Activities <u>USES OR ACTIVITIES</u>	<u>AGRICULTURAL OPERATION DESIGNATION</u> Farm Designations						<u>SPECIAL REGULATIONS</u>
	Garden	Family	Small	Medium	Large	Ranch	
Farm Stay (Residential and Overnight Lodging Accommodation) Uses/Activities							
<u>Apiary</u>			A	A	A	A	<u>If the apiary is the primary agricultural operation, then the operation shall have no less than two hives per acre and a ten-hive minimum. However, no more than 20 hives are required.</u>
<u>Accessory dwelling unit*</u>	*	*	*	*	*	*	
<u>Agro-ecology research and education center (AREC)*</u>	*	*	*	*	*	*	
<u>Children's Camp</u>			A	A	A	A	<u>The camp shall be based on an agricultural theme and provide agriculturally related activities.</u>
<u>Dude Ranch</u>			N	N	N	A	
<u>Lodging House:</u>	<u>with up to 2 quest rooms: B&B farm dwelling (2 room)*</u>	*	*A	*A	*A	*A	<u>No more than two quest rooms per each acre of the agricultural operation.</u> <u>See Section 108-21-7</u>
	<u>with 3 to 7 quest rooms: B&B farm retreat (7 room)*</u>	*	*A	*A	*A	*A	
	<u>with 8 to 16 quest rooms: B&B farm inn (16 room)*</u>			N	*A	*A	
<u>Glamorous camping (glamping)*</u>	*	*	*A	*A	*A	*A	

Commented [E49]: This table needs to be re-alphabetized.

Commented [E50]: An accessory dwelling unit is only allowed as an accessory to a single-family dwelling use.

Commented [E51]: This is already listed in this table.

Commented [E52]: Standard taken from agroecology research and education center and applied to all lodging houses. Seems generally applicable for all lodging.

Commented [E53]: Moved to "camping"

Conference or Education Center²:			A	A	A	A	Conferences and educational topics shall relate to agriculture, agritourism, vegetation management, or similar.
Single-family dwelling; a.k.a. Farm house*							
Agritourism Health Farm²:			A	A	A	A	Limited to Health and wellness opportunities may consist of, but are not limited to, general and specialized exercise, wellness, and nutritional, and cooking classes/consultations, education, organic cooking classes or workshops, and exercise and yoga classes, and meditation, and massage therapy. A health farm may serve meals only when served to participating clientele.
Motor coach/caravan area, agri-tourism*			A	A	A	A	
Agriculturally-Related Uses/Activities							
Agro-ecology research and education center (AREC)²:			A	A	A	A	Lodging, if any, is limited to accommodations for faculty, staff, and students.
Barn dance²:			A	A	A	A	
Camping	Luxury-Glamorous camping area:		A	A	A	A	No more than two tents, cabins, recreational vehicles, or combination thereof, per each five acres of gross agricultural operation, and no more than six people per tent or cabin. Tent and cabin area shall be completely screened from the view of adjoining properties.
	Recreational Vehicle area-Motor coach/caravan area, agri-tourism ² :		N	A	A	A	
Rental garden or garden row(s).Community garden/rent-a-row²:			A	A	A	A	
Community supported agriculture²:							
Corn maze²:			A	A	A	A	
Educational classes²:			A	A	A	A	All courses of study or subject matter shall incorporate and consist of an agricultural or ecological component related to an Agricultural Product produced onsite.

Commented [E54]: Adding this qualifier

Commented [E55]: Unnecessary. This use is already allowed in all of the zones in which agritourism is allowed.

Commented [E56]: Moved to camping.

Commented [E57]: According to the USU Extension Office, this is essentially a farm-to-table program where locals collectively own a farm and hire a grower to grow their produce. Listing this here is unnecessary because there are no other land use regulations that govern farm ownership.

Commented [E58]: Combined into "seasonal amusement" below.

<u>Agritourism Events Facility:</u>			A	A	A	A	
<u>Farm museum:</u>	*	*	A*	A*	A*	A*	
<u>Agritourism Farm Tour:</u>	*	*	A*	A*	A*	A*	
<u>Agritourism Fee Fishing (if aquaculture)</u>	*	*	A*	A*	A*	A*	
Harvest market*	*	*	*	*	*	*	
Multi-farmer open air (farmer's) market <u>Farmers Market. A farmer's market where multiple agricultural operators may sell their products;</u> agri-tourism*			N	A*	A*	A*	
<u>Greenhouse or nursery (plant cultivation)</u>	*	*	A*	A*	A*	A*	<u>Sales are limited to plants produced on the premises.</u>
<u>Petting farm/zoo:</u>	*	*	A*	A*	A*	A*	
<u>Sleigh or hay ride:</u>			A*	A*	A*	A*	
Special event; as defined by title 38, special events	*	*	*	*	*	*	
Special occasion; agri-tourism			*	*	*	*	
Agritourism you-pick operation/pumpkin patch:	*	*	A*	A*	A*	A*	
Non-Agriculturally Related Uses/ and Activities							
<u>Agricultural arts center:</u>			A*	A*	A*	A*	
Agricultural Value-added Product Processing and Packaging; *	*	*	A*	A*	A*	A*	<u>Onsite retail sales of processed and packaged products is only allowed as otherwise specified herein.</u>
Conference/education center*					*	*	
<u>Fee fishing:</u>	*	*	A*	A*	A*	A*	
<u>Food Prep:</u>	Bakery or cafe <u>café featuring farm products*</u>		N	A*	A*	A*	<u>At least one type of the onsite agricultural operation's products shall be continuously offered for sale. It may be combined into another product.</u>
	<u>Food concessions stand;</u> *		A*	A*	A*	A*	

Commented [E59]: Changing from "special occasion"

Commented [E60]: Moved to "Agricultural Product Store" in the Store category below.

Commented [E61]: Unnecessary to specify here. Already provided in Title 38.

Commented [E62]: Changing to "events facilities" above.

Commented [E63]: Already listed above

Store:	Restaurant featuring farm products*			N	A*	A*	A*	At least one type of the onsite agricultural operation's products shall be continuously offered for sale.
	Agricultural Product Store:			A	A	A	A	The market shall only be operated by the owner or manager of the onsite agricultural operation, and is limited to Agricultural Products, at least one of which must be produced onsite.
	Gift shop (retail)	*	*	A*	A*	A*	A*	
	Market:			N	N	A	A	At least one type of the onsite agricultural operation's products shall be continuously offered for sale. It may be combined into another product. Products shall be limited to those commonly offered by a small grocer.
Haunted house/hay stack/farm Seasonal amusement such as haunted house, corn maze, hay stack slide or climbing area, and similar seasonal amusement uses:				A*	A*	A*	A*	
Agritourism Hunting preserve/Preserve*				N	N	N	A*	See Section 108-21-7
On-farm store/retail market, agri-tourism*						*	*	
Play area, agri-tourism		*	*	*	*	*	*	
Health farm*					*	*	*	
Motor coach/caravan area, agri-tourism*					*	*	*	

Commented [E64]: Moved to "Market" in the Store category above.

Commented [E65]: Already listed above.

Commented [E66]: Check ref.

705

706 **Sec 108-21-6 Use/Activity Site Development Standards And Limitations Regulations**

707 The following table contains certain uses listed in the Use or Activity Table in Section 108-21-5. Each use
708 shall comply with the development standards provided in the table.

709 To ensure considerate integration of agri-tourism operations into established rural neighborhoods, the uses
710 listed below shall be subject to additional standards beyond any provided within other, expressed and/or
711 unexpressed, codes, ordinances, statutes, rules, or requirements. The uses listed below correspond with
712 certain uses listed in the Use or Activity Table in Section 108-21-5. Due to their nature, each shall be further
713 regulated as follows. One or more of these additional standards and/or limitations, restrictions may be
714 waived by the Planning Commission/Land Use Authority upon finding that either: a proposed use poses no
715 detrimental effects to neighboring properties due to unique circumstances, or that a proposed use can be
716 mitigated to an acceptable level due to the imposition of other more appropriate, site specific conditions
717 that justify the use's or /activity's approval.

		SETBACK STANDARDS		MAXIMUM ALLOWED FOOTPRINT
		From agricultural operation's exterior boundary	From existing dwelling on an adjacent lot	
<u>Agroecology Research and Education Center:</u>		50100 feet ¹	400200 feet ¹	Not applicable
<u>Agricultural Product processing and packaging:</u>		Same as zone 100 feet	200 feet ¹	200 square feet ²
<u>Camping:</u>	<u>Glamorous camping area:</u>	300 feet ¹	500 feet ¹	Not applicable
	<u>Recreational Vehicle area:</u>			
<u>Conference or education center:</u>		300 feet ¹	500 feet ¹	Not applicable
<u>Educational classes:</u>		100 feet ¹ Same as zone	200 feet ¹ Same as zone	Not applicable
<u>Food Prep:</u>	<u>Bakery or café:</u>	150200 feet ¹	3400 feet ¹	Not applicable
	<u>Restaurant</u>			
<u>Market, farmers:</u>		200 feet ¹	3400 feet ¹	Not applicable
<u>Lodging House:</u>	<u>2 quest rooms</u>	5100 feet ¹	4200 feet ¹	
	<u>3 to 7 quest rooms</u>	4200 feet ¹	3400 feet ¹	Not applicable
	<u>8 to 16 quest rooms</u>	3400 feet ¹	5600 feet ¹	
<u>Petting farm/zoo.</u>		Same as zone 400 feet ¹	Same as zone 600 feet ¹	Not applicable
<u>Store:</u>	<u>Agricultural Product Store:</u>	Same as zone 100 feet	Same as zone 200 feet ¹	Not applicable
	<u>Gift shop:</u>	100 feet ¹ Same as zone	200 feet ¹ Same as zone	200 square feet ²
	<u>Market:</u>	150 feet ¹	300 feet ¹	

Commented [E67]: Current code terms this "motor coach/caravan area."

Commented [E68]: New standard not in current code

Commented [E69]: Previously called "harvest market." Changing term because "harvest" usually refers to the harvesting of a crop at particular times of year, but this type of market is not limited herein on times of year or types of produce.

719 ¹ The setback distances listed in this table may be reduced by up to one-half when a six-foot high landscape berm is
 720 installed that screens the potential visual or audible impacts to neighboring properties.

721 ² This may be increased to 400 square feet for a medium agricultural operation, 600 for a large, and 800 for a ranch.
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Sec 108-21-7 Special Regulations.

The uses listed below correspond with certain uses listed in the Use or Activity Table in Section 108-21-5.
Due to their nature, each shall be further regulated as follows.

Commented [E70]: Check ref.

(a) Agricultural product processing and packaging.

- a. Agricultural Product processing and packaging shall be limited to fowl, livestock, dairy, apiculture, aquaculture, and botanical products produced by the onsite agricultural operation.
- b. Agricultural Product processing and packaging shall be limited to and agricultural operation with a gross area, as provided herein, of five acres or greater. The planning commission may allow up to a two-acre reduction to this limitation if it is found that the Agricultural Product processing and packaging will take place in a completely enclosed building and will emit no perceivable smoke, dust, vibration, noise, and/or objectionable smell at the agricultural operation's property boundary.

(b) Agritourism Hunting pPreserve.

- 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.

Commented [E71]: Where is this possible? All upland areas either public or developing in WW...

(c) Lodging House. For an agritourism operation, a Lodging House is governed as follows:

Commented [E72]: Replacing terms with those more commonly used in this Land Use Code.

- (1) The Lodging House shall be owned and managed by the same owner or manager as the agritourism operation.
- (2) The agritourism operator or manager shall be onsite at all times that Lodging House guests are onsite.
- (3) Despite the definition of "Lodging House" in Title 101, Chapter 2, a Lodging House that is part of an Agritourism operation may have as little as one quest room or suite.
- (4) In addition to providing lodging to customers and clients of the agritourism operation in general, a Lodging House may provide lodging for an Agroecology Research and Education Center, a Conference or Education Center, ~~or a Health Farm,~~ **or a Dude Ranch** conducted as part of the agritourism operation.
- (5) No more than one Lodging House shall be operated on an agritourism operation.

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

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

~~An AREC shall be limited to providing overnight lodging accommodations for faculty, staff, and/or students/apprentices only.~~

~~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.~~

~~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.~~

761 An AREC shall not be located closer than 50 feet to any agri-tourism operation's perimeter boundary line
762 and in no case located closer than 100 feet to an existing dwelling on an adjacent lot/parcel. These
763 standards may be reduced by up to one-half when a substantial natural landscape screen, standing at a
764 minimum of six feet in height for a majority of its length, is used to mitigate potential visual and/or
765 audible impacts to neighboring property.

766 ~~B&B farm dwelling (two guest rooms).~~

Commented [E73]: Replacing terms with those more commonly used in this Land Use Code.

767

768 An agri-tourism operation shall be limited to one B&B facility (i.e., one B&B dwelling, retreat, or inn)
769 conference/education center, or health farm.

770 A B&B farm dwelling shall be limited to a maximum of two guest units/rooms.

771 A B&B farm dwelling shall be subject to the Weber County zoning and platting requirements of the title
772 106, subdivision.

773 ~~B&B farm retreat (seven guest rooms).~~

774 An agri-tourism operation shall be limited to one B&B facility (i.e., one B&B dwelling, retreat, or inn)
775 conference/education center, or health farm.

776 A B&B farm retreat shall be limited to a maximum of seven guest units/rooms.

777 A B&B farm retreat shall not be located closer than 100 feet to any agri-tourism operation's perimeter
778 boundary line and in no case located closer than 300 feet to an existing dwelling on an adjacent
779 lot/parcel. These standards may be reduced by up to one-half when a substantial natural landscape
780 screen, standing at a minimum of six feet in height for a majority of its length, is used to mitigate
781 potential visual and/or audible impacts to neighboring property.

782 A B&B farm retreat shall be subject to the Weber County zoning and platting requirements of title 106,
783 subdivision.

784 ~~B&B farm inn (16 guest rooms).~~

785 An agri-tourism operation shall be limited to one B&B facility (i.e., one B&B dwelling, retreat, or inn)
786 conference/education center, or health farm.

787 A B&B farm inn shall be limited to a maximum of 16 guest units/rooms.

788 The B&B farm inn shall not be located closer than 300 feet to any agri-tourism operation's perimeter
789 boundary line and in no case located closer than 500 feet to an existing dwelling on an adjacent
790 lot/parcel. These standards may be reduced by up to one-half when a substantial natural landscape
791 screen, standing at a minimum of six feet in height for a majority of its length, is used to mitigate
792 potential visual and/or audible impacts to neighboring property.

793 ~~Luxury camping (glamping).~~

794 Glamping, approved as part of an agri-tourism operation, shall be limited to a number of tents that does
795 not exceed two tents or cabins per five gross acres.

796 ~~Occupancy shall not exceed six persons per tent or cabin.~~

797 ~~Meals shall only be served to overnight guests.~~

798 ~~Glamping area(s) shall be completely screened from street view.~~

799 ~~Glamping areas shall not be located closer than 300 feet to any agri-tourism operation's perimeter~~
800 ~~boundary line and in no case located closer than 500 feet to an existing dwelling on an adjacent~~
801 ~~lot/parcel. These standards may be reduced by up to one half when a substantial natural landscape~~
802 ~~screen, standing at a minimum of six feet in height for a majority of its length, is used to mitigate~~
803 ~~potential visual and/or audible impacts to neighboring property.~~

804 ~~Accessory dwelling unit.~~

805 ~~An agritourism operation may have one or more accessory dwelling units onsite. The number of~~
806 ~~accessory dwelling units shall not exceed the following calculation: net developable acreage of the~~
807 ~~parcel upon which an accessory dwelling unit is located, divided by the minimum lot area required by~~
808 ~~the zone in which the lot or parcel(s) is located, all multiplied by 20 percent (net developable acreage /~~
809 ~~minimum lot area) × 20 percent = Maximum number of accessory dwelling units at an approved agri-~~
810 ~~tourism operation.~~

811 ~~Meals shall only be served to overnight guests.~~

812 ~~An accessory dwelling unit shall not be located closer than 150 feet to the agri-tourism operation's~~
813 ~~exterior boundary, and in no case located closer than 300 feet from an existing dwelling on an adjacent~~
814 ~~lot/parcel. These standards may be reduced by up to one half when a substantial natural landscape~~
815 ~~screen, standing at a minimum of six feet in height for a majority of its length, is used to mitigate~~
816 ~~potential visual and/or audible impacts to neighboring property.~~

817 ~~Conference/education center.~~

818 ~~An agri-tourism operation shall be limited to one conference/education center.~~

819 ~~A conference/education center shall be limited to a maximum of 20 guest units/rooms.~~

820 ~~Conference/education centers shall not be located closer than 300 feet to any agri-tourism operation's~~
821 ~~perimeter boundary line and in no case located closer than 500 feet to an existing dwelling on an~~
822 ~~adjacent lot/parcel. These standards may be reduced by up to one half when a substantial natural~~
823 ~~landscape screen, standing at a minimum of six feet in height for a majority of its length, is used to~~
824 ~~mitigate potential visual and/or audible impacts to neighboring property.~~

825 ~~Health farm.~~

826 ~~An agri-tourism operation shall be limited to one health farm or B&B facility (i.e., one B&B dwelling, inn,~~
827 ~~or hotel).~~

828 ~~A health farm shall be limited to a maximum of ten guest units/rooms.~~

829 ~~A health farm shall not be located closer than 150 feet to any agri-tourism operation's perimeter~~
830 ~~boundary line and in no case located closer than 300 feet to an existing dwelling on an adjacent~~
831 ~~lot/parcel. These standards may be reduced by up to one half when a substantial natural landscape~~

832 screen, standing at a minimum of six feet in height for a majority of its length, is used to mitigate
833 potential visual and/or audible impacts to neighboring property.

834 ~~Motor coach/caravan area.~~

835 ~~A motor coach/caravan area, approved as part of an agri-tourism operation, shall be limited to a number~~
836 ~~of individual sites that does not exceed one site per five gross acres. In no case shall a motor~~
837 ~~coach/caravan area or combination of areas exceed 20 sites.~~

838 ~~A motor coach/caravan area shall not be located closer than 300 feet to any agri-tourism operation's~~
839 ~~perimeter boundary line and in no case located closer than 500 feet to an existing dwelling on an~~
840 ~~adjacent lot/parcel. These standards may be reduced by up to one-half when a substantial natural~~
841 ~~landscape screen, standing at a minimum of six feet in height for a majority of its length, is used to~~
842 ~~mitigate potential visual and/or audible impacts to neighboring property.~~

843 ~~Single family dwelling; a.k.a. farm house.~~

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

846 ~~Agriculturally related uses/activities.~~

847 ~~Arjo ecology research and education center (AREC).~~

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

849 ~~Educational classes. All courses of study or subject matter shall incorporate and consist of an agricultural~~
850 ~~and/or ecological component.~~

851 ~~Harvest market. Limited to agricultural products as defined in section 101-1-7 of this Land Use Code.~~

852 ~~Multi farmer open air (farmer's) market.~~

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

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

861 ~~Petting farm/zoo. Limited to parcels with access provided by a collector or arterial road when located~~
862 ~~within the Ogden Valley. See the Ogden Valley Transportation Element Map for road designation~~
863 ~~information.~~

864 ~~Non-Agriculturally Related Uses/Activities.~~

865 ~~Bakery/cafe featuring farm product(s).~~

866 ~~Not less than one agricultural product, offered at a bakery/cafe featuring farm product(s), shall be~~
867 ~~raised/cultivated and/or produced by the farm on which the bakery/cafe featuring farm product(s) is~~
868 ~~operated.~~

869 ~~A bakery/cafe shall not be located closer than 150 feet to any agri-tourism operation's perimeter~~
870 ~~boundary line, excepting the front property line, and in no case located closer than 300 feet to an~~
871 ~~existing dwelling on an adjacent lot/parcel. These standards may be reduced by up to one-half when a~~
872 ~~substantial natural landscape screen, standing at a minimum of six feet in height for a majority of its~~
873 ~~length, is used to mitigate potential visual and/or audible impacts to neighboring property.~~

874 ~~Farm stay.~~

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

876 ~~Gift shop (retail).~~

877 ~~A gift shop and its outdoor display area or gift shop area within a multi-use building shall be limited to~~
878 ~~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.

879 ~~a. **Hunting preserve.**~~

880 ~~(a) **Hunting preserve.**~~

881 ~~b.a. Limited to the Western Weber County Planning Area.~~

882 ~~c.a. Limited to upland game and waterfowl hunting only.~~

883 ~~(b) Subject to Utah Division of Wildlife Resource standards.~~

884 ~~(1) Motor coach/caravan area.~~

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

886 ~~(2) **On-farm store/retail market.**~~

887 a. ~~Not less than one agricultural product, offered at an on-farm store/retail market, shall be~~
888 ~~raised/cultivated and/or produced by the farm on which the on-farm store/retail market is~~
889 ~~operated.~~

890 b. ~~An on-farm store/retail market and its outdoor display area or on-farm store/retail market area~~
891 ~~within a multi-use building shall be limited to the following size standards:~~
892

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

893 c. ~~Products made available at an on-farm store/retail market shall be limited to those commonly~~
894 ~~offered by a small-scale neighborhood grocer.~~

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

901 (3) ~~Restaurant featuring farm product(s).~~

902 a. ~~Not less than one agricultural product, offered at a restaurant featuring farm product(s), shall~~
903 ~~be raised/cultivated and/or produced by the farm upon which the restaurant featuring farm~~
904 ~~product(s) is operated.~~

905 b. ~~A restaurant shall not be located closer than 150 feet to any agri-tourism operation's perimeter~~
906 ~~boundary line, excepting the front property line, and in no case located closer than 300 feet to~~
907 ~~an existing dwelling on an adjacent lot/parcel. These standards may be reduced by up to one-~~
908 ~~half when a substantial natural landscape screen, standing at a minimum of six feet in height~~
909 ~~for a majority of its length, is used to mitigate potential visual and/or audible impacts to~~
910 ~~neighboring property.~~

911 c. ~~Value-added Agricultural product processing and packaging (VAPPP).~~

912 d. ~~VAPPP Agricultural Product processing and packaging shall be limited to fowl, livestock, dairy,~~
913 ~~apiculture, aquaculture, and botanical products that have been raised, produced, and/or~~
914 ~~cultivated by the farm produced by the onsite agricultural operation, upon which the processing~~
915 ~~and packaging is taking place.~~

916 e. ~~VAPPP, related to the products listed immediately above, Agricultural Product processing and~~
917 ~~packaging shall be limited to and agricultural operation with a gross area, as provided herein,~~
918 ~~of five acres or greater, agri-tourism operations and parcels consisting of five acres or more.~~
919 ~~The planning commission may allow up to a two-acre reduction to this limitation if it is found~~
920 ~~that the Agricultural Product processing and packaging VAPPP will take place in a completely~~
921 ~~enclosed building and will emit no perceivable smoke, dust, vibration, noise, and/or~~
922 ~~objectionable smell at the agricultural operation's subject farm's property boundary.~~

923 f. ~~An Agricultural Product processing and packaging VAPPP building and any outdoor work area~~
924 ~~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.

925
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928

- ~~g.—Consumer direct (retail) sales of processed and packaged products shall only be made from an approved concession or other retail outlet.~~
- ~~h.—The structure building 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.~~

PASSED AND ADOPTED BY THE WEBER COUNTY BOARD OF COUNTY COMMISSIONERS ON THIS 16TH DAY OF MAY, 2023.

AYE NAY ABSENT ABSTAIN

Gage Froerer
Jim "H" Harvery
Sharon Arrington Bolos

Presiding Officer

Attest

Gage Froerer, Chair

Ricky D. Hatch, CPA, Clerk/Auditor

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 Western Weber 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 **TITLE 101 GENERAL PROVISIONS**

2 ...

3 **CHAPTER 101-2 DEFINITIONS**

4 **Sec 101-2-2 A Definitions**

5 ***Acreage, agritourism activity center.*** The term "agritourism activity center acreage" means the land area
6 within an approved agritourism operation that contains the grouping or assemblage of agritourism
7 uses/activities. Activity center area consists of that impacted ground lying immediately adjacent to, in
8 between, and within a reasonable distance around each use/activity. Distances greater than 300 feet in
9 between uses/activities and their impacted grounds, represent a separation of activity centers.

10 ***Acreage, gross.*** The term "gross acreage" means a total of all acreage that lies within a project boundary.

11 ***Acreage, net developable.*** The phrase "net developable acreage" means the total acreage within a project
12 boundary, subtracting acreage unsuitable for development, as defined by this section or as otherwise
13 provided in this Land Use Code. When calculating net developable acreage, the area encumbered or
14 proposed to be encumbered by a street right-of-way or other required right-of-way providing primary access
15 to a lot is considered area unsuitable for development. The term "net developable area" shall have the
16 same meaning, unless the context clearly indicates otherwise.

17 ...

18 ***Agritourism.*** The term "agritourism" means a use, accessory to an agricultural use, which can provide a
19 means of diversifying agricultural income through broadening the agricultural use's offerings and adding
20 value to its agricultural product. An agritourism use , provides product, activities, and other uses that are
21 clearly related and incidental to the agricultural use.

22 ***Agritourism events facility.*** The term "agritourism events facility" means an agritourism use or activity
23 that provides the opportunity for agritourists to rent an area that can act as a venue for events, including,
24 but not limited to, birthdays, weddings, family reunions, small scale fundraisers, or corporate picnics or
25 outings that do not constitute a special event as defined by Title 38.

26 ***Agritourism farm tour.*** The term "agritourism farm tour" means an agritourism use or activity that offers
27 opportunities for the public to learn how a farm functions and where and how food, fiber, fuel, and other
28 agricultural products are produced. Farm tours frequently highlight the history of the subject farm and, in
29 general, educate the public about agricultural practices and technology.

30 ***Agritourism fee fishing.*** The term "agritourism fee fishing" means an agritourism use or activity, approved
31 by the appropriate local, state and federal agency, which provides the opportunity for anglers to pay a fee
32 for the right to fish on a farm.

33 ***Agritourism glamorous camping.*** The term "agritourism glamorous camping" means an agritourism use
34 or activity that provides the opportunity for agritourists to rent, on a nightly basis, fully furnished tents or
35 rustic cabin sites that are characterized by furnishings, amenities, and comforts offered by that of a luxury
36 hotel room. Furnishings, amenities, and comforts may include but are not limited to luxurious decor, beds,
37 linens, baths, veranda, spa services, concierge, dining, and chef.

38 ***Agritourism health farm.*** The term "agritourism health farm" means a farm building designed for the
39 purpose of providing proactive health and wellness education or physical exercise and diet regimens that
40 can improve one's quality of life in a rural or spa-like environment. Health and wellness opportunities may
41 consist of, but are not limited to, general and specialized exercise, wellness, and nutritional classes and
42 consultations, organic cooking classes or workshops, yoga, meditation, and massage therapy.

43 ***Agritourism hunting preserve.*** The term "agritourism hunting preserve" means an agritourism use or
44 activity, approved by the appropriate local, state and federal agency, which provides the opportunity for an
45 individual or group to pay a fee for the right to hunt on a farm.

46 ***Agritourism productive acreage.*** The term "agritourism productive acreage" means agriculturally
47 productive land area used for the combined purpose of cultivating agricultural products and hosting active
48 tourism attractions (e.g., pumpkin patch, corn maze, U-pick, U-cut Christmas trees, crop tour, bird watching,
49 hunting, horseback/sleigh/wagon rides etc.).

50 ***Agritourism you-pick operation.*** The term "agri-tourism you-pick operation" means an agritourism use or
51 activity that provides the opportunity for customers to pick or harvest fruits and vegetables directly from the
52 plant grown on a farm location.

53 ...

54 ***Agricultural arts center.*** The term "agricultural arts center" means a facility designed for the purpose of
55 offering public education, enjoyment, and enlightenment through artistic expression and/or a translation of
56 concepts related to art, art history, and art theory. In a conducive agricultural setting, it acts as a venue for
57 the community to experience, appreciate, and consume art in a variety of forms, including, but not limited
58 to, visual or media art, literature, music, theatre, film, or dance. An agricultural arts center does not provide
59 accommodation for overnight lodging; however, it may serve meals when served to event participants or
60 guests.

61 ...

62 **Store, agricultural product.** The phrase "Agricultural Product Store" means a market that is part of an
63 onsite agritourism operation that offers for sale a wide variety of Agricultural Products that were produced
64 in Weber County, and at least one of which is a product produced onsite. An Agricultural Product Market
65 does not consist of multiple vendors. It offers for sale agricultural products and goods derived from the farm
66 on which the harvest market is located as well as other agricultural operations.

67 ...

68 ***Agroecology research and education center.*** The term "agroecology research and education center"
69 means a facility designed for the purpose of providing academic training in the techniques of agroecology
70 and sustainable agricultural systems. An Agroecology Research and Education Center conducts theoretical
71 and applied research and community outreach while offering academic education, practical experience,
72 training, and public service and instructional opportunities for audiences ranging from school children to
73 international agencies.

74 ...

75 **Sec 101-2-3 B Definitions**

76

77 ...

78 **Sec 101-2-5 D Definitions**

79 ***Dude ranch.*** The term "dude ranch" means a commercial vacation ranch operation that provides
80 activities related to a ranch lifestyle, which may include camping, horseback riding, and wrangling, and
81 which may also offer a lodging house for guests engaged in these activities.

82 ...

83 **Sec 101-2-7 F Definitions**

84 ...

85 **Sec 101-2-8 G Definitions**

86 ...

87 ...

88 **Sec 101-2-9 H Definitions**

89 ...

90 ...

91 ...

92 ...

93 **Sec 101-2-13 Loc - Lod Definitions**

94 ...

95 ***Lodging house.*** The term "Lodging House," also referred herein as "Boardinghouse," means a building
96 designed for temporary lodging for compensation, in which no provision is made for cooking in any
97 individual guest room or suite. Unless otherwise more specifically provided in this Land Use Code, a
98 Lodging House has between one and 15 guest rooms.

99 ...

100 **Sec 101-2-14 M Definitions**

101 ...

102 ...

103 **Sec 101-2-16 O Definitions**

104 ...

105 **Sec 101-2-17 P Definitions**

106 ...

107 ...

108 ***Product, agricultural.*** The term "agricultural product" means any raw product which is derived from
109 agriculture, including fruits, vegetables, crops, floriculture, herbs, forestry, animal husbandry, livestock,
110 aquaculture, water plants, horticulture, and other similar products that can be broadly classified as a food,
111 fiber, fuel, or a raw material group. Specific foods may include cereals, fruits, vegetables, and meat. Fibers
112 may include cotton, wool, hemp, silk and flax. Raw materials may include lumber and other plant products.

113 ...

114 **Sec 101-2-20 Sp Definitions**

115 ...

116 ***Recreational vehicle or travel trailer.*** The term "recreational vehicle," also known herein as "travel
117 trailer," means a vehicular unit, other than a mobile home, designed as a temporary dwelling for travel,

118 recreational, and vacation use, which is either self-propelled or is mounted on or pulled by another vehicle
119 including, but not limited to: travel trailer, camp trailer, folding tent trailer, truck camper, or motor home,
120 but not including mobile or manufactured homes.

121 ...

122 **Sec 101-2-20 S Definitions**

123 ...

124 ...

125 **Sec 101-2-22 U Definitions**

126 ...

127

128 **TITLE 104 ZONES**

129 ...

130 **Chapter 104-9 Forest Zones F-5, F-10, And F-40**

131 **Sec 104-9-1 Purpose**

132 (a) The intent of the forest zones is to protect and preserve the natural environment of those areas of the
 133 county that are characterized by mountainous, forest or naturalistic land, and to permit development
 134 compatible to the preservation of these areas.

135 (b) The objectives in establishing the forest zones are:

136 (1) To promote the use of the land for forest, fish and wildlife and to facilitate the conservation of the
 137 natural resources, vegetation and attractions;

138 (2) To reduce the hazards of flood and fire;

139 (3) To prevent sanitation and pollution problems and protect the watershed;

140 (4) To provide areas for private and public recreation and recreation resorts; and

141 (5) To provide areas for homes, summer homes, and summer camp sites.

142 **Sec 104-9-2 (Reserved)**

143 **Sec 104-9-3 Land Use Table**

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

148 (a) **Accessory uses.** An accessory use is prohibited unless located on the same lot or parcel as the
 149 main use to which it is accessory.

	F-5	F-10	F-40	Special Regulations
Accessory building, accessory and incidental to the use of a main building.	P	P	P	
Accessory dwelling unit.	P	P	P	See Title 108, <u>Chapter 19</u> .
Accessory use, accessory and incidental to the main use.	P	P	P	
Family food production, accessory to a residential use.	P	P	P	See Section 104-9-4
Home occupation, accessory to a residential use.	P	P	P	See <u>Chapter 108-13</u> .
Household pets, accessory to a residential use.	P	P	P	

Main building , designed or used to accommodate the main use.	P	P	P	
--	---	---	---	--

150 (b) **Agricultural uses, non-animal.**

	F-5	F-10	F-40	Special Regulations
Agriculture.	P	P	P	
Aquaculture.	P	P	P	

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

	F-5	F-10	F-40	Special Regulations
Animal grazing. Animal grazing, as defined in Section 101-2.	P	P	P	See Section 104-9-4.
Apiary.	P	P	P	
Aquaculture, animal related.	P	P	P	
Aviary.	P	P	P	
Corral, stable or building for keeping animals or fowl.	P	P	P	See <u>Section 104-9-4.</u>

153 (d) **Commercial uses.** The following are uses that typically generate for-profit customer-oriented traffic to
 154 the lot or parcel.

	F-5	F-10	F-40	Special Regulations
Agri-tourism.	C	C	C	See <u>Chapter 108-21.</u>
Campground and picnic area.	C	C	C	See Title 108, <u>Chapter 20.</u>
Forest industries. Production of forest products.	C	C	C	

Golf course , except miniature golf course.	P	P	P	
Skeet or trap shooting range	N	N	C	
Ski resort.	C	C	C	

155 (e) **Institutional uses.**

	F-5	F-10	F-40	Special Regulations
Cemetery.	C	C	C	
Church, synagogue or similar building used for regular religious worship.	C	C	C	

156 (f) **Residential uses.**

	F-5	F-10	F-40	Special Regulations
Recreation lodge	C	C	C	
Single-family dwelling.	P	P	P	

157 (g) **Recreational noncommercial uses.** The following are recreational uses that are typically owned or
 158 operated by a nonprofit or governmental entity.

	F-5	F-10	F-40	Special Regulations
Recreational vehicle parking.	P	P	P	See Section 104-9-4
Private park, playground or recreation area. No privately owned commercial amusement business.	C	C	C	
Public campground and picnic area.	P	P	P	See <u>Title 108, Chapter 20.</u>
Public park, recreation grounds and associated buildings.	P	P	P	

Public or nonprofit skeet or trap shooting range	N	N	C	
---	---	---	---	--

159 (h) **Utility uses.**

	F-5	F-10	F-40	Special Regulations
Hydro-electric dam.	C	C	C	
Public utility substations.	C	C	C	
Radio or television station or tower.	C	C	C	
Wastewater treatment or disposal facilities	C	C	C	
Water storage reservoir, when developed by a utility service provider.	C	C	C	See Title 108, Chapter 10.

160 (i) **Other uses.**

	F-5	F-10	F-40	Special Regulations
Heliport.	N	N	C	See Section 104-9-4
Mines, quarries, gravel pits.	C	C	C	Compliance with the Weber County Excavation and Clean Fill Ordinance required.

161

162 **Sec 104-9-4 Special Regulations**

163 The uses listed below correspond with certain uses listed in the Land Use Table in Section 104-9-3. Due
164 to the nature of the use, each shall be further regulated as follows:

165 (a) **Animal grazing.** This use shall not include the supplementary or full feeding of the animals, except
166 when in compliance with the following:

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

169 (2) It shall not exceed a density of 40 head per acre of used land.

170 (3) It shall not be closer than 75 feet to any dwelling, public or semi-public building on an adjoining
171 parcel of land.

172 (b) **Corral, stable or building for keeping animals or fowl.** This use shall be located no less than 100
173 feet from a public street and not less than 25 feet from any side or rear lot line.

174 (c) **Family food production.**

175 (1) As used in this subsection, a Group A animal is either one pig, one sheep, one cow, or one goat,
176 and Group B animals or fowl are either a set of ten rabbits, ten chickens, ten pheasants, five
177 turkeys, five ducks, five geese, or five pigeons.

178 (2) No more than four sets of Group B animals or fowl may be kept on a lot or parcel that is less than
179 40,000 square feet.

180 (3) No more than six combined sets of Group A animals and sets of Group B animals or fowl may be
181 kept on a lot or parcel that is less than two acres. The same applies to a lot or parcel greater than
182 two acres, except that an additional six combined sets of Group A and sets of Group B animals or
183 fowl may be kept per each additional acre greater than two.

184 (d) **Heliport.** This use shall comply with the following minimum standards:

185 (1) It shall be located on a single parcel of record which is not less than 40 acres in area.

186 (2) It shall be located at an elevation at least 6,200 feet above sea level.

187 (3) It shall be located at least 200 feet from any property line. The Land Use Authority may grant
188 exceptions to this setback if it can be demonstrated that locating the heliport closer than 200 feet
189 to the property line provides a more beneficial situation for purposes of safety, noise abatement,
190 access, or other valid reasons as determined by the Land Use Authority.

191 (4) The landing surface shall be dust proof and free from obstructions.

192 (5) Prior to the issuance of a permit, written approval from the Federal Aviation Administration (FAA)
193 is required, if necessary.

194 (e) **Recreational vehicle use.** A recreational vehicle shall be temporarily parked on a lot or parcel for
195 periodic short-term intervals of 180 days or less and shall be limited to recreational use only and not
196 for longer term placement or for full-time living. The use may be accompanied by no more than one
197 storage shed no greater than 200 square feet and shall not include electrical or plumbing, one prepared
198 recreational vehicle pad, one raised deck of no more than two feet in height adjacent to the recreational
199 vehicle, one outdoor camp fireplace, and picnic table, chairs, tent-type screen. The following additional
200 conditions shall apply:

201 (1) The lot shall meet minimum lot requirements as specified in this Land Use Code, or be a
202 nonconforming lot as specified in Title 108, Chapter 12.

203 (2) Health department approval is required for waste disposal by an approved septic tank and drain
204 field with approved connection to the recreation vehicle.

205

206 **Sec 104-9-5 Site Development Standards**

207 The following site development standards apply to a lot or parcel in the Forest Zone F-5, F-10, and F-40,
208 unless specified otherwise in this Land Use Code.

209 (a) **Lot area:**

	F-5	F-10	F-40
Minimum for all uses:	5 acres	10 acres	40 acres

210 (b) **Lot width:**

F-5 F-10 F-40

Minimum for all uses:	300 feet ¹	400 feet ¹	660 feet ¹
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211 ¹The width of lots on the outside of the curved streets or on the ends of cul-de-sacs may be reduced
 212 by up to one-third, provided the required minimum lot width is provided back from the front lot line
 213 at a distance of 100 feet in the F-5 Zone; 140 feet in the F-10 Zone.

214 (c) **Yard setback:**

215 (1) Front yard setback:

	F-5	F-10	F-40
Minimum front yard setback:	30 feet	50 feet	75 feet

216 (2) Side yard setback:

	F-5	F-10	F-40
Minimum for all uses:	20 feet	20 feet	40 feet

217 (3) Rear yard setback:

	F-5	F-10	F-40
Main building:	30 feet		
Accessory building:	10 feet		

218 (d) **Building height:**

	F-5	F-10	F-40
Minimum main building height:	1 story		
Maximum main building height:	35 feet		
Maximum accessory building height:	25 feet unless meeting requirements of Section 108-7-16 , Large accessory buildings		

219

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

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

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

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

229 (c) The purposes of the Shoreline Zone S-1 are:

- 230 (1) To promote the use of the land for agriculture and for fish, wildlife and recreational purposes both
 231 public and private;
- 232 (2) To facilitate the conservation of water and other natural resources;
- 233 (3) To reduce hazards from floods and fires;
- 234 (4) To preserve open space, natural scenic attractions, natural vegetation, and other natural features
 235 within the zone;
- 236 (5) To ensure adequate provision for water supply, domestic sewage disposal and sanitation.
- 237 (d) In order to accomplish these objectives and purposes and to protect the essential characteristics of the
 238 zone, the following regulations shall apply in the Shoreline Zone S-1.

239 **Sec 104-10-2 (Reserved)**

240 **Sec 104-10-3 Land Use Table**

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

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

S-1 Special Regulations

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

- 247 (k) **Agricultural uses, non-animal.**

S-1 Special Regulations

Agriculture.	P	
Aquaculture.	P	

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

S-1 Special Regulations

Animal grazing. Animal grazing, as defined in Section 101-2.	P	See Section 104-10-4.
Apiary.	P	
Aquaculture, animal related.	P	
Aviary.	P	
Corral, stable or building for keeping animals or fowl.	P	See <u>Section 104-10-4.</u>

250 (m) **Commercial uses.** The following are uses that typically generate for-profit customer-oriented traffic to
 251 the lot or parcel.

S-1 Special Regulations

Agri-tourism.	C	See <u>Chapter 108-21.</u>
Campground and picnic area.	C	See <u>Chapter 108-20.</u>
Golf course, except miniature golf course.	P	

252 (n) **Institutional uses.**

S-1 Special Regulations

Cemetery.	P	
Church, synagogue or similar building used for regular religious worship.	P	

253 (o) **Residential uses.**

S-1 Special Regulations

Single-family dwelling.	P	
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254 (p) **Recreational noncommercial uses.** The following are recreational uses that are typically owned or
 255 operated by a nonprofit or governmental entity.

S-1 Special Regulations

Private park, playground or recreation area. No privately owned commercial amusement business.	C	
Public campground and picnic area.	P	See <u>Chapter 108-20</u> .
Public park, recreation grounds and associated buildings.	P	

256 (q) **Utility uses.**

S-1 Special Regulations

Hydro-electric dam.	C	
Public utility substations.	C	
Radio or television station or tower.	C	

257 **Sec 104-10-4 Special Regulations**

258 (f) **General use regulations.** The above specified uses shall be permitted only under the following
 259 conditions:

- 260 (1) Public health requirements concerning domestic water supply and sewage disposal shall comply
 261 with provisions of section 108-7-9.
- 262 (2) No building or structure shall be constructed within the boundaries of any public reservoir as
 263 determined by the public agency having jurisdiction or within the boundaries of any natural
 264 waterway or watercourse as determined by the county engineer wherein no buildings or structures
 265 shall be constructed or land subdivided. Where buildings are to be constructed within 50 feet of the
 266 exterior boundaries of a flood channel existing at the effective date of the ordinance from which this
 267 chapter is derived, adequate measures must be taken as determined by the Weber County

268 Engineer so as to protect the building or structure from damage due to floods and so as not to
269 increase the hazard to surrounding lands and buildings.

270 (3) The required yard space shall be kept free of debris, refuse or other inflammable material which
271 may constitute a fire hazard.

272 (g) **Specific use regulations.** The uses listed below correspond with certain uses listed in the Land Use
273 Table in Section 104-10-3. Due to the nature of the use, each shall be further regulated as follows:

274 (1) **Animal grazing.** This use shall not include the supplementary or full feeding of the animals, except
275 when in compliance with the following:

276 a. It may only be carried on during times that are reasonable and necessary due to lack of natural
277 growing feed as a result of seasonal changes or extreme and temporary meteorological events.

278 b. It shall not exceed a density of 25 head per acre of used land.

279 c. It shall not be closer than 75 feet to any dwelling, public or semi-public building on an adjoining
280 parcel of land.

281 (2) **Corral, stable or building for keeping animals or fowl.** This use shall be located no less than
282 100 feet from a public street and not less than 25 feet from any side or rear lot line.

283 (3) **Family food production.**

284 a. As used in this subsection, a Group A animal is either one pig, one sheep, one cow, or one
285 goat, and Group B animals or fowl are either a set of ten rabbits, ten chickens, ten pheasants,
286 five turkeys, five ducks, five geese, or five pigeons.

287 b. No more than four sets of Group B animals or fowl may be kept on a lot or parcel that is less
288 than 40,000 square feet.

289 c. No more than six combined sets of Group A animals and sets of Group B animals or fowl may
290 be kept on a lot or parcel that is less than two acres. The same applies to a lot or parcel greater
291 than two acres, except that an additional six combined sets of Group A and sets of Group B
292 animals or fowl may be kept per each additional acre greater than two.

293 **Sec 104-10-5 Site Development Standards**

294 The following site development standards apply to a lot or parcel in the Shoreline zone, unless specified
295 otherwise in this Land Use Code.

296 (e) **Lot area:**

S-1

Minimum for all uses:	5 acres
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297 (f) **Lot width:**

S-1

Minimum for all uses:	300 feet
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298 (g) **Yard setback:**

299 (1) Front yard setback:

S-1

Minimum front yard setback:	30 feet
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300 (2) Side yard setback:

S-1

Minimum for all uses:	20 feet
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301 (3) Rear yard setback:

S-1

Main building:	30 feet
Accessory building:	10 feet

302 (h) **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

303

304 ...

305

306 **CHAPTER 108-21 AGRITOURISM**

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

308 The County desires to create a culture that supports and celebrates its agrarian heritage and open spaces
309 in the unincorporated areas. This chapter's purpose is to do this by providing owners of agricultural
310 operations the ability to generate additional income from land uses that are not otherwise allowed in the
311 zone, provided those uses are accessory, incidental, and inextricably related to the an onsite agricultural
312 operation. The intent of this chapter is to create allowances and regulations that govern agriculture-oriented
313 land uses that cater to tourists and other visitors coming to the site for recreational, educational,
314 gastronomical, or similar agriculture-oriented attraction.

315 **Sec 108-21-2 Applicability and Qualifications**

316 (a) **Applicability.** The standards found in this chapter shall apply to all agritourism operations. Application
317 and review provisions for an agritourism conditional use permit are set forth in Title 108, Chapter 4 of
318 this Land Use Code. Any additional detail required by this chapter shall supplement the conditional use
319 permit application. An agritourism event or activity that operates outside of expected hours of operation,
320 or that involves crowds in a number greater than that which can be served by existing facilities, shall
321 obtain a Special Event Permit pursuant to Title 38 of the Weber County Code.

322

323 (b) **Primary use.** All agritourism operations shall clearly be accessory and incidental to a primary
324 agricultural use of the property. **To this end, at no time shall the activity area of an agritourism operation**
325 **be greater than the actual area of the agricultural operation.**

326 (c) **Qualifications.** An agricultural operator seeking an agritourism permit shall demonstrate the following:

327 (1) The agricultural operator has owned the subject property for the last two years;

328 (2) The agricultural operator has commercially sold an agricultural product that was produced on the
329 subject property for greater than one year;

330 (3) **The subject property:**

331 a. **Has been qualified under the Farmland Assessment Act;**

332 b. **Is currently, or will be within the next growing season, producing an agricultural product in an**
333 **amount that meets or exceeds the production requirement as established by the Farmland**
334 **Assessment Act; or**

335 c. **If an apiary, contains at least ten hives.**

336 (d) **Permit enforcement.** **An agritourism permit includes all conditions of approval as may be applied by**
337 **the Land Use Authority. At no time shall an agritourism operation be conducted in a manner that**
338 **conflicts with the details of the agritourism permit application or the conditions of approval. If a condition**
339 **of approval conflicts with any detail provided in the application, the condition of approval shall prevail.**

340 (e) **Supplemental application narrative.** In addition to the application requirements listed in Title 108,
341 Chapter 4 of this Land Use Code, all agritourism applications shall be accompanied by a detailed
342 narrative describing the agricultural operation and the overall vision for the proposed agritourism
343 operation. The narrative shall also include the following:

344 (1) **History.** The history of the agricultural operation along with evidence that demonstrates the
345 operation meets the minimum qualifications herein.

- 346 (2) **Description of anticipated changes.** A description of any plans for changes to the agricultural
 347 operation, its general functions, maintenance, product(s), and customer base.
- 348 (3) **Description of use's incidental and accessory nature.** A description of how the agritourism
 349 operation is incidental and accessory to the agricultural operation, and a plan for how the owner
 350 will ensure the agritourism operation remains incidental and accessory in perpetuity.
- 351 (4) **Description of new infrastructure and buildings.** A description of all intended new infrastructure,
 352 including streets, driveways, parking lots, buildings, and utilities.
- 353 (5) **Description of operation.** An explanation or description of the agritourism operation including:
 354
- 355 a. Products that will be sold onsite.
 - 356 b. Activities offered onsite.
 - 357 c. The type of customer or clientele base that is expected to patronize the operation, categorized
 358 based on the intensity of their visitation and the specific product or activity for which they are
 359 or will be visiting. For example, the customer-base for a produce store may be the general
 360 public with customers coming and going many hours throughout the day; the clientele for a
 361 barn dance might be a private party of a specified number of people that come and go once on
 362 the day of the party; and the customers or clientele for a lodging house might be pre-registered
 363 or reserved individuals or small groups.
 - 364 d. Agriculturally related and non-agriculturally related types of facilities and equipment to be used
 365 and their maintenance plan(s).
 - 366 e. **Traffic, circulation, and parking plan that accommodates the parking needs of both employees
 367 and patrons.**
 - 368 f. Hours of operation and number of patrons:
 - 369 1. Normal and routine hours of operation, and anticipated events, dates, and times, or
 370 examples of anticipated events, dates, and times, that operations may go beyond those
 371 normal and routine hours.
 - 372 2. Anticipated number of normal and routine daily patrons, employees, and vehicles, and
 373 anticipated number of patrons, employees, and vehicles at times or for events that go
 374 beyond what is normal and routine.
 - 375 3. For the purpose of this paragraph, the phrase "normal and routine" means the time or
 376 amount specified in the application, or if different, the approval. If the application or
 377 approval does not specify;
 - 378 i. As it relates to time, this shall mean the hours of operation specified in Section 108-
 379 21-3
 - 380 ii. As it relates to patrons or employees, this phrase means 25 people or less, or ten
 381 typical passenger vehicles onsite at any one time.

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

- 383 (a) The development standards imposed by this section do not alter, supersede or nullify any codes,
 384 ordinances, statutes, or other applicable standards which may also regulate these same land uses.
 385 **Access and frontage.** An agritourism operation shall provide customers access from an Arterial Street
 386 or Collector Street. It is not required to have actual frontage on a street, but the access from the Arterial

387 Street or Collector Street to the operation shall either be owned in fee or recorded easement by the
388 agricultural operation. The access from the public right-of-way to the operation shall meet the
389 requirements of Section 108-7-29 unless specified otherwise by the local fire authority. The Land Use
390 Authority may allow access from a Major Neighborhood Street or Minor Neighborhood Street as long
391 as the street is public and as long as the agritourism operation does not increase traffic beyond that
392 which is typical for the type of street. Evidence of this shall be submitted with the application.

393 (b) **General site and building design/layout.** An agritourism operation shall have a general design and
394 layout that concentrates all tourism uses and activities into a distinct activity center. The area within an
395 activity center shall not exceed 20 percent of an agricultural operation's gross acreage. The agricultural
396 operation's gross acreage shall be determined by the area that is routinely maintained in an
397 agriculturally productive manner, including barns and similar buildings or structures intended to serve
398 the agricultural operation. Newly constructed buildings and facilities intended to serve the agritourism
399 operation shall reflect an architectural vernacular that is consistent with the area's rural character.
400 Temporary sanitary facilities are discouraged; however, if found necessary, they shall be discretely
401 incorporated into the agritourism operation and completely screened from street and adjacent property
402 view.

403 (c) **Ownership.** An agritourism operation may consist of multiple properties. All properties shall have
404 identical and common ownership and shall be contiguous except where contiguity is interrupted by a
405 public street right-of-way.

406 (d) **Production.** An agricultural operation to which an agritourism operation is accessory shall, with
407 exception of the winter season, actively and continuously produce an agricultural product on all of the
408 80 percent of the agricultural operation's gross acreage, as specified in Subsection (f) of this Section.
409 In the event that the agricultural operation's productivity ceases or becomes improperly maintained, as
410 determined by the Land Use Authority, the agritourism operation's conditional use permit may be
411 revoked.

412 (e)

413 (f) **Hours of operation.** Not including residential overnight lodging accommodations, and unless specified
414 otherwise in an approved application or other conditions of approval, the hours of operation shall be
415 limited to between 8:00 a.m. and 8:00 p.m., except if the use or activity is restricted to an area of the
416 property that is at least 500 feet from an existing dwelling unit located on another property. The Land
417 Use Authority may, but is not obligated to, allow other hours of operation if the applicant can
418 demonstrate mitigation of detrimental effects.

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

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

421 (a) **Small agricultural operation** includes an agriculturally productive area consisting of **six** acres or more,
422 but fewer than 20 acres.

423 (b) **Medium agricultural operation** includes an agriculturally productive area consisting of 20 acres or
424 more, but fewer than 40 acres.

425 (c) **Large agricultural operation** includes an agriculturally productive area consisting of 40 acres or more,
426 but fewer than 80 acres.

427 (d) **Ranch** includes an agriculturally productive area consisting of 80 acres or more.

428 **Sec 108-21-5 Use and Activity Table**

429 If an applicant can demonstrate appropriate mitigation of detrimental effects, as specified in Chapter 108-
430 4, the following uses and activities shall be allowed for an agritourism operation when marked with an “A”
431 under their corresponding agricultural operation designation. The use or activity is not allowed if marked
432 with an “N.”

433

USES OR ACTIVITIES		AGRICULTURAL OPERATION DESIGNATION						SPECIAL REGULATIONS
				Small	Medium	Large	Ranch	
Apiary				A	A	A	A	If the apiary is the primary agricultural operation, then the operation shall have no less than two hives per acre and a ten-hive minimum. However, no more than 20 hives are required.
Children's Camp				A	A	A	A	The camp shall be based on an agricultural theme and provide agriculturally related activities.
Dude Ranch				N	N	A	A	
Lodging House:	<i>with up to 2 guest rooms:</i>			A	A	A	A	No more than two guest rooms per each acre of the agricultural operation. See Section 108-21-7
	<i>with 3 to 7 guest rooms:</i>			A	A	A	A	
	<i>with 8 to 16 guest rooms:</i>			N	A	A	A	
Conference or Education Center:				A	A	A	A	Conferences and educational topics shall relate to agriculture, agritourism, vegetation management, or similar.
Agritourism Health Farm:				A	A	A	A	Limited to wellness, nutrition, and cooking education, and exercise and yoga classes, and meditation, and massage therapy. A health farm may serve meals only when served to participating clientele.
				A	A	A	A	
Agro-ecology research and education center :				A	A	A	A	Lodging, if any, is limited to accommodations for faculty, staff, and students.
Barn dance:				A	A	A	A	

Camping	<i>Glamorous camping area:</i>			A	A	A	A	No more than two tents, cabins, recreational vehicles, or combination thereof, per each five acres of gross agricultural operation, and no more than six people per tent or cabin. Tent and cabin area shall be completely screened from the view of adjoining properties.
	<i>Recreational Vehicle area:</i>			N	A	A	A	
Rental garden or garden row(s).				A	A	A	A	
Educational classes:				A	A	A	A	All courses of study or subject matter shall incorporate and consist of an agricultural or ecological component related to an Agricultural Product produced onsite.
Agritourism Events Facility:				A	A	A	A	
Farm museum:				A	A	A	A	
Agritourism Farm Tour:				A	A	A	A	
Agritourism Fee Fishing:				A	A	A	A	
Farmers Market. A farmer's market where multiple agricultural operators may sell their products:				N	A	A	A	
Greenhouse or nursery:				A	A	A	A	Sales are limited to plants produced on the premises.
Petting zoo:				A	A	A	A	
Sleigh or hay ride:				A	A	A	A	
Agritourism you-pick operation:				A	A	A	A	
Agricultural arts center:				A	A	A	A	
Agricultural Product Processing and Packaging:				A	A	A	A	Onsite retail sales of processed and packaged products is only allowed as otherwise specified herein.
Fee fishing:				A	A	A	A	

Food Prep:	<i>Bakery or café:</i>			N	A	A	A	At least one type of the onsite agricultural operation's products shall be continuously offered for sale. It may be combined into another product.
	<i>Food concessions stand:</i>			A	A	A	A	
	<i>Restaurant:</i>			N	A	A	A	At least one type of the onsite agricultural operation's products shall be continuously offered for sale.
Store:	<i>Agricultural Product Store:</i>			A	A	A	A	The market shall only be operated by the owner or manager of the onsite agricultural operation, and is limited to Agricultural Products, at least one of which must be produced onsite.
	<i>Gift shop:</i>			A	A	A	A	
	<i>Market:</i>			N	N	A	A	At least one type of the onsite agricultural operation's products shall be continuously offered for sale. It may be combined into another product. Products shall be limited to those commonly offered by a small grocer.
	Seasonal amusement such as haunted house, corn maze, hay stack slide or climbing area, and similar seasonal amusement uses:			A	A	A	A	
	Agritourism Hunting Preserve			N	N	N	A	See Section 108-21-7

435

436 **Sec 108-21-6 Site Development Standards**

437 The following table contains certain uses listed in the Use or Activity Table in Section 108-21-5. Each use

438 shall comply with the development standards provided in the table.

	SETBACK STANDARDS		MAXIMUM ALLOWED FOOTPRINT
	From agricultural operation's exterior boundary	From existing dwelling on an adjacent lot	
<i>Agroecology Research and Education Center:</i>	100 feet¹	200 feet¹	Not applicable
<i>Agricultural Product processing and packaging:</i>	100 feet¹	200 feet ¹	200 square feet ²

Camping:	<i>Glamorous camping area:</i>	300 feet ¹	500 feet ¹	Not applicable
	<i>Recreational Vehicle area:</i>			
Conference or education center:		300 feet ¹	500 feet ¹	Not applicable
Educational classes:		100 feet ¹	200 feet ¹	Not applicable
Food Prep:	<i>Bakery or café:</i>	200 feet ¹	400 feet ¹	Not applicable
	<i>Restaurant</i>			
Market, farmers:		200 feet ¹	400 feet ¹	Not applicable
Lodging House:	<i>2 guest rooms</i>	100 feet ¹	200 feet ¹	Not applicable
	<i>3 to 7 guest rooms</i>	200 feet ¹	400 feet ¹	
	<i>8 to 16 guest rooms</i>	400 feet ¹	600 feet ¹	
Petting zoo.		400 feet ¹	600 feet ¹	Not applicable
Store:	<i>Agricultural Product Store:</i>	100 feet ¹	200 feet ¹	Not applicable
	<i>Gift shop:</i>	100 feet ¹	200 feet ¹	200 square feet ²
	<i>Market:</i>	150 feet ¹	300 feet ¹	

440 ¹ The setback distances listed in this table may be reduced by up to one-half when a six-foot high landscape berm is
441 installed that screens the potential visual or audible impacts to neighboring properties.

442 ² This may be increased to 400 square feet for a medium agricultural operation, 600 for a large, and 800 for a ranch.

443 **Sec 108-21-7 Special Regulations.**

444 The uses listed below correspond with certain uses listed in the Use or Activity Table in Section 108-21-5.
445 Due to their nature, each shall be further regulated as follows.

446 (a) **Agricultural product processing and packaging.**

447 a. Agricultural Product processing and packaging shall be limited to fowl, livestock, dairy,
448 apiculture, aquaculture, and botanical products produced by the onsite agricultural operation.

449 b. Agricultural Product processing and packaging shall be limited to and agricultural operation
450 with a gross area, as provided herein, of five acres or greater. The planning commission may
451 allow up to a two-acre reduction to this limitation if it is found that the Agricultural Product
452 processing and packaging will take place in a completely enclosed building and will emit no
453 perceivable smoke, dust, vibration, noise, or objectionable smell at the agricultural operation's
454 property boundary.

455 (b) **Agritourism Hunting Preserve.**

456 a. Limited to the Western Weber County Planning Area.

- 457 b. Limited to upland game and waterfowl hunting only.
- 458 c. Subject to Utah Division of Wildlife Resource standards.
- 459 (c) **Lodging House.** For an agritourism operation, a Lodging House is governed as follows:
- 460 (1) The Lodging House shall be owned and managed by the same owner or manager as the
- 461 agritourism operation.
- 462 (2) The agritourism operator or manager shall be onsite at all times that Lodging House guests are
- 463 onsite.
- 464 (3) Despite the definition of “Lodging House” in Title 101, Chapter 2, a Lodging House that is part of
- 465 an Agritourism operation may have as little as one guest room or suite.
- 466 (4) In addition to providing lodging to customers and clients of the agritourism operation in general, a
- 467 Lodging House may provide lodging for an Agroecology Research and Education Center, a
- 468 Conference or Education Center, a Health Farm, or a Dude Ranch conducted as part of the
- 469 agritourism operation.
- 470 (5) No more than one Lodging House shall be operated on an agritourism operation.
- 474

PASSED AND ADOPTED BY THE WEBER COUNTY BOARD OF COUNTY COMMISSIONERS ON THIS 16TH DAY OF MAY, 2023.

AYE

NAY

ABSENT ABSTAIN

Gage Froerer

Jim “H” Harvery

Sharon Arrington Bolos

Presiding Officer

Attest

Gage Froerer, Chair

Ricky D. Hatch, CPA, Clerk/Auditor