



Staff Report to the Western Weber Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on a conditional use permit application for an Agri-Tourism operation identified as the Green Acres Dairy.

Agenda Date: Tuesday, September 12, 2017

Type of Decision: Administrative

Applicant: Ron Gibson

Authorized Agent: Andrea Gibson

File Number: CUP# 2017-13

Property Information

Approximate Address: 449 S 4700 W, Ogden, UT

Project Area: 60 Acres

Zoning: Agricultural Zone (A-1) and (A-2)

Existing Land Use: Agricultural

Proposed Land Use: Agri-Tourism

Parcel ID: 15-048-0012, 15-048-0026, 15-050-0014, 15-050-0016

Township, Range, Section: Township 6 North, Range 2 West, Section 17

Adjacent Land Use

North: Agricultural/Residential	South: Agricultural/Residential
East: Residential	West: Residential

Staff Information

Report Presenter: Steve Burton
sburton@co.weber.ut.us
801-399-8766

Report Reviewer: RK

Applicable Ordinances

- Title 101, Chapter 1 General Provisions, Section 7, Definitions
- Title 104, Chapter 5 Agricultural Zone (A-1)
- Title 104, Chapter 7 Agricultural Zone (A-2)
- Title 108, Chapter 4 Conditional Uses
- Title 108, Chapter 7 Supplementary and Qualifying Regulations
- Title 108, Chapter 8 Parking and Loading Space, Vehicle Traffic and access Regulations
- Title 108, Chapter 21 Agri-Tourism
- Title 110, Chapter 1 Western Weber Signs

Summary and Background

The applicant is requesting approval of a conditional use permit for an Agri-Tourism operation known as “Green Acres Dairy”. The operation will consist of approximately 60 acres and lies in the Agricultural (A-1) and (A-2) Zones which allow Agri-Tourism only when authorized by a conditional use permit. The proposed Agri-Tourism operation will be considered an accessory use to the existing agricultural uses located on all parcels involved. The Planning Division is recommending approval based on the findings and conditions outlined in this report.

Green Acres Dairy currently qualifies as a “Large Farm” as outlined the Uniform Land Use Code of Weber County, Utah (LUC) §108-21-4 which includes agriculturally productive property consisting of 40 acres or more but fewer than 80 acres. The proposed use will allow the owner to continue utilizing the farm as it has been historically operated and to allow for some additional commercial and education abilities to be implemented while promoting the preservation of agricultural property.

Conditional use permits should be approved as long as any harmful impact is mitigated. The LUC already specifies certain standards necessary for mitigation of harmful impact to which the proposal must adhere. The proposed application meets these standards. The following is staff's evaluation of the request.

Analysis

General Plan: The West Central Weber County General Plan identifies agriculture as a prominent feature of the County and has the desire to preserve the openness by promoting and protecting working farms (see the West Central Weber County General Plan adopted September 23, 2003 pages 1.3, 2.4 & 2.).

Zoning: The subject property is located within the A-1 and A-2 zones which are categorized as "Agricultural Zones".

The purpose and intent of the A-1 Zone is further described in LUC §104-5-1 as follows:

"The purpose of the A-1 Zone is to designate farm areas, which are likely to undergo a more intensive urban development, to set up guidelines to continue agricultural pursuits, including the keeping of farm animals, and to direct orderly low-density residential development in a continuing rural environment."

The purpose and intent of the A-2 Zone is further described in LUC §104-7-1 as follows:

"The purpose of the A-2 Zone is to designate farming areas where agricultural pursuits and the rural environment should be promoted and preserved."

The A-1 and A-2 Zones have specific standards identified in LUC §104-5-7 and §104-7-6 that shall be met as part of the development process. The standards are as follows:

- Minimum lot area: 40,000 square feet
 - LUC§108-21-3(2)(b) requires the minimum lot area for all agri-tourism parcels to consist of an area not less than twice the minimum lot area per the zone.
- Minimum lot width: 150', 300' for permitted uses requiring 5 acres in the A-2 zone.
- Minimum yard setbacks:
 - Front: 30'
 - Side: 10'/14' (total width of 2 side yards not less than 24 feet)
 - Rear: 30'
- Main Building height:
 - Maximum: 35'
- Accessory building height:
 - Maximum: 25', unless meeting requirements of LUC §108-7-16, Large accessory buildings

The A-1 and A-2 zones allow permitted and conditional uses as well as additional permitted uses that require 2 and 5 acres at a minimum for the more intensive uses in the zone.

Conditional Use Review: The proposed agri-tourism use is conditionally allowed in both the A-1 and A-2 Zone. A review process has been outlined in LUC §108-4-3 to ensure compliance with the applicable ordinances and to mitigate anticipated detrimental effects. The applicant has provided the required material to facilitate a thorough review of the proposed project (see Exhibit A).

Agri-tourism Applicability and Review: General development standards have been established to ensure the purpose and intent of the LUC §108-21 has been met and to provide an acceptable level of assurance that authentic, agriculturally related products and experiences are offered to the public.

Narrative: The applicant has provided an extensive narrative (see Exhibit A) that depicts the history of the farm, the overall vision for the proposed agri-tourism operation, the proposals for both agriculturally related and non-agriculturally related products, uses, activities, facilities and equipment, the anticipated seasonal operations, patrons, employees and parking needs.

Green Acres Dairy has been in Weber County for 150 years and is currently a 6th generation farm that plans on continuing to farm in Weber County for many years. The applicant is seeking to create hands on farm experiences for the community. The applicant will host groups of people, including school groups, church groups, local leaders, and businesses, to tour the dairy and provide hayrides throughout the year. The applicant has included a seasonal plan to continue the operation year round.

General site and building design/layout: The applicant has provided a site plan for the combined 60 acre site identifying the proposed uses on the site (see Exhibit B). The site plan includes a parking area that is approximately 34,165 sq ft; Corn maze 1, which will be approximately 283,140 sq ft; Corn maze 2, which will be approximately 100,000 sq ft; a hay maze area and pumpkin patch, which will be approximately 123,274 sq ft. Food trucks will be located at the southern end of Maze 1. The rest of the site includes the existing dairy that will also be part of the operation. The combined area of all activity centers (areas) does not exceed 20 percent of the farm's overall gross acreage, as shown on the site plan. The application states that 3 portable toilet units will be provided and that waste water will be hauled away. The applicant will be providing barrels for garbage that will be hauled to the applicant's dumpster.

The existing buildings on the 60 acre site include a single family dwelling located east of the pumpkin patch. The bookkeeping and paperwork will be done inside of the dwelling. The other buildings are part of the existing dairy, which will be toured by visitors as part of the operation.

- **Production:** The operation will include growing pumpkins, onions, and potatoes. This produce will be available to the community to purchase by way of, what the applicant calls a "pick your own produce" activity. The "pick your own produce" is being classified as a Farmers Market which is considered a permitted use on "Large Farms".
- **Agri-tourism uses/activities:** To ensure an acceptable balance and mixture of agriculture and non-agriculture related uses/activities a minimum of one-half of all uses and activities will be agriculturally related. The proposed activities and uses consist of the following:

Agriculture Related Uses/Activities:

Corn Maze
 Hay Maze
 Educational classes
 Pumpkin Patch
 Pick Your Own Produce (Farmers Market)
 Petting Zoo
 Planting seeds
 Milking Cows
 Hay Rides
 Cow Train Rides
 Live Animal Nativity
 Dairy Tours
 Farm Games

Non-agricultural Uses/Activities:

Corn Blasters
 Contained Fire Pits
 Small Boutique
 Play Area
 Special events
 Jumping Pillow
 Farm Camp
 Easter Egg Hunt
 Small Group Birthday Parties
 Paintball Games

Some of the proposed uses, including weddings, 5K runs and paintball games may be classified as a "Special Event" which is permitted and a special event permit will be required. The application states that 100 guests are anticipated to attend each event. The application also states that 4 employees will be monitoring grounds, parking, and the mazes at all times.

- **Hours of operation:** LUC §108-21-3(9) states that "Agri-tourism uses/activities, not including residential overnight accommodations and/or those conducted within a completely enclosed building, shall be limited to operating during the daily hours of 8:00 a.m. and 10:00 p.m. The planning commission may consider a variation to this standard upon finding that a proposed use/activity is reliant on and/or based on making observations that can only occur during hours otherwise not permitted." The applicant has proposed the following hours of operation:

September-October:

Monday - Thursday: 4-9 PM
 Friday: 4-11PM
 Saturday: 11 AM - 11 PM
 Sunday: Closed

Special hours for school tours and field trips as needed.

- **Development agreement:** Prior to the construction of any structure intended for the purpose of accommodating non-agricultural uses, the applicant will be required to record a farm stay and a commercial development agreement provided by Weber County on all parcels utilized as part of an approved agri-tourism operation. A single family dwelling or farm house and/or any number of structures that qualify for an agricultural exemption are exempted from this requirement. The applicant will need to amend the site plan for any structures that are not currently identified on the site plan (see Exhibit B). A condition of approval has been added to ensure that a development agreement is executed and recorded prior to the issuance of any non-agricultural building permits as a part of the approved conditional use permit.

Staff Recommendation

The Planning Division recommends approval of file# CUP 2017-13, a conditional use permit for an agri-tourism operation identified as Green Acres Dairy located at 449 S 4700 W, Ogden, UT. This recommendation for approval is subject to all review agency requirements and with the following conditions:

1. A farm stay and a commercial development agreement will be executed and recorded prior to any construction of any structure intended for the purpose of accommodating non-agricultural uses.

This recommendation is based on the following findings:

1. The proposed use conforms to the West Central Weber County General Plan.
2. The proposed use will protect and preserve agricultural property in Weber County.
3. The proposed use, if conditions are imposed, will not be detrimental to the public health, safety, or welfare.
4. The proposed use, if conditions are imposed, will comply with applicable County ordinances.
5. The proposed use will not deteriorate the environment of the general area so as to negatively impact surrounding properties and uses.

Exhibits

- A. Application
- B. Site Plan

Weber County Conditional Use Permit Application

Application submittals will be accepted by appointment only. (801) 399-8791. 2380 Washington Blvd. Suite 240, Ogden, UT 84401

Date Submitted / Completed 6/28/17	Fees (Office Use)	Receipt Number (Office Use)	File Number (Office Use)
Property Owner Contact Information			
Name of Property Owner(s) Ron Gibson		Mailing Address of Property Owner(s) 429 S 5000 W Ogden, UT 84404	
Phone 8019400477	Fax 8017318456		
Email Address gibsonsgreenacres@gmail.com		Preferred Method of Written Correspondence <input type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
Authorized Representative Contact Information			
Name of Person Authorized to Represent the Property Owner(s) Andrea Gibson		Mailing Address of Authorized Person 4790 W 500 S Ogden, UT 84404	
Phone 8019406339	Fax 8017318546		
Email Address gibsonsgreenacres@gmail.com		Preferred Method of Written Correspondence <input type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
Property Information			
Project Name Green Acres Dairy		Total Acreage 60	Current Zoning
Approximate Address 449 S 4700 W Ogden, UT 84404		Land Serial Number(s) 150500014 150500016 150480012 150480026	
Proposed Use Agritourism			
<p>Project Narrative</p> <p>Green Acres Dairy has been in Weber County for 150 years. We are a 6th generation farm and want to continue to farm in Weber county for many years to come. With the growth of our community, we want to reach out and create hands on farm experiences for our community and county. We want people to come visit, learn, and enjoy our farm. We want to build relationships with the public so that they can become our agricultural advocates so that farming can remain a viable part of Weber County. We also want to diversify by growing products that the public wants and needs. Will now have pumpkins and onions and plan to start growing potatoes. We will make these available to the community as pick your own produce. We will host groups of people to tour the dairy and go one hayrides throughout the year. This includes school groups, church groups, local leaders and businesses.</p> <p>Fall activites may will include: 2 corn mazes, 1 hay maze, large and small farm games, hayrides, narrative/educational history tour of western weber county agriculture, dairy tours, petting zoo, cow train rides, giant corn pit and tire playground. Farm Equipment will also be on display. We will also have a pick your own pumpkin patch and fall farm decorations (corn stalks, hay bales) for purchase. small contained fire pits will be available for roasting marshmallows. A jumping pillow for exercise will be available. Corn blasters will be available to aim corn at targets.</p> <p>Winter activies will be farm tours & a live animal nativity.</p> <p>Spring activites will include a baby animal days, petting zoo, planting seeds, small boutique, cow train rides, milking cows, Easter egg hunt and dairy tour. Farm games will also be included.</p> <p>Summer activities will include small group birthday parties, a farm camp for children ages 4-12, farm tours.</p> <p>We also plan to host occasional on the farm weddings, 5K runs, and paintball games.</p> <p>We anticipate around 100 guests at each event.</p>			

Basis for Issuance of Conditional Use Permit

That the proposed use of the particular location is necessary or desirable to provide a service or facility which will contribute to the general well being of the community:

In order for our community to stay rural and viable, we need the partnerships of local families and political officials. We believe as we open up our farm to others, that they will see the value of agriculture in Weber County.

The location is away from main traffic roads and is seperated by housing or ditch banks. Temporary fencing is installed where needed.

That such use will not, under the circumstances of the particular case and the conditions imposed, be detrimental to the health, safety and general welfare of persons nor injurious to property or improvements in the community, but will be compatible with and complimentary to the existing surrounding uses, buildings and structures when considering traffic generation, parking, building design and location, landscaping and signs:

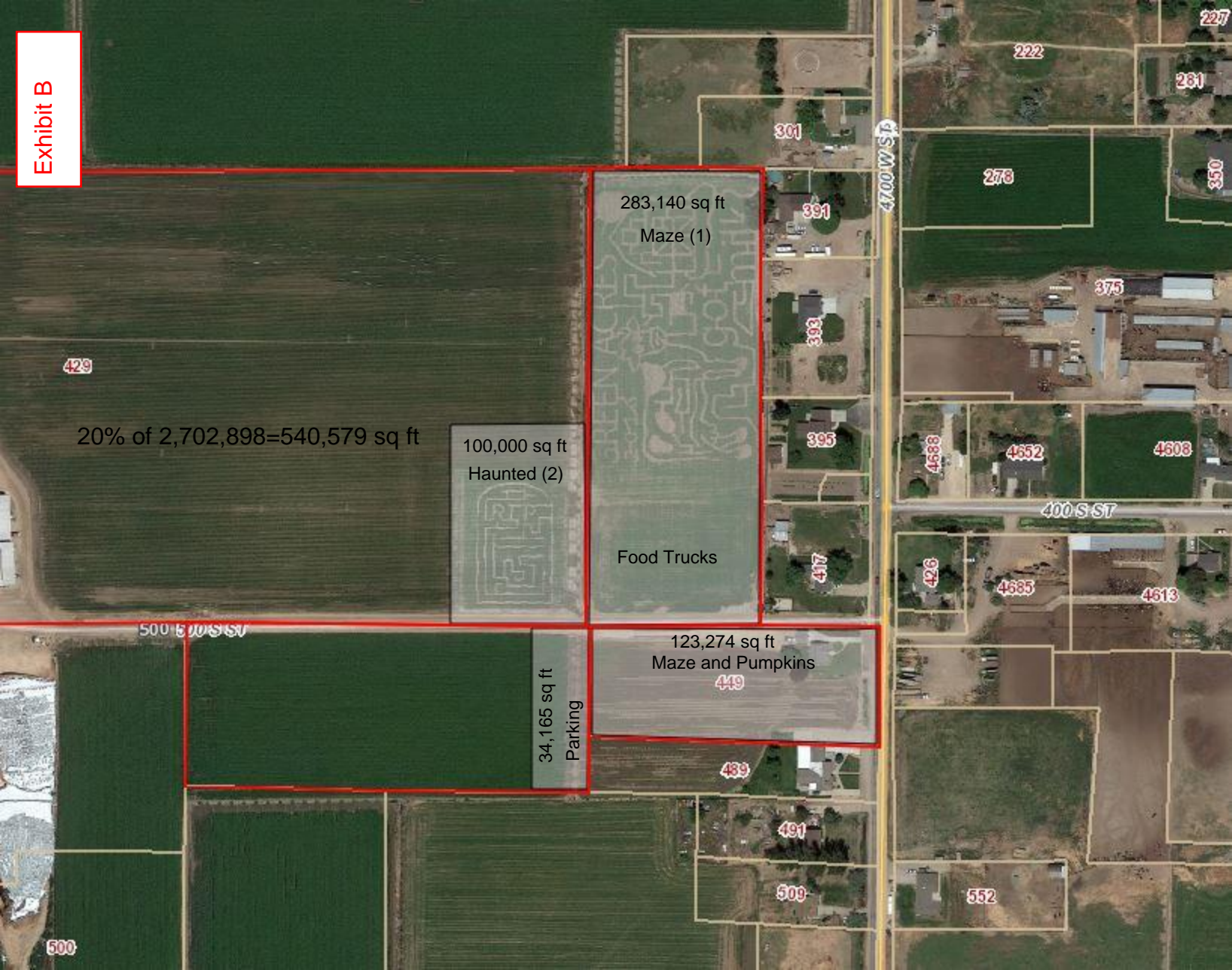
The location is away from main traffic roads and is seperated by housing or ditch banks. Temporary fending is installed where needed. We will have hand sanitizer stations by food and toilets. We will have running water and will haul all waste water away. We will provide 3 portable toilet units. We will provide barrels for garbage and haul our garbage to our dumpster.

Parking is abundant and well lit. It is away from houses and adjacent to our pumpkin patch. We will have 4 employees monitoring grounds, parking and maze at all times.

We have Farm Bureau Property and Casualty Insurance #78170199 Agent: Steve Bowden 801-866-9472

Fire extinguishers are on site as well as an evacuation plan during the corn maze. No smoking and/or drinking will be allowed.

Exhibit B



429

20% of 2,702,898=540,579 sq ft

100,000 sq ft
Haunted (2)

283,140 sq ft
Maze (1)

Food Trucks

123,274 sq ft
Maze and Pumpkins

34,165 sq ft
Parking

4700 W St

500 E W St

222

281

350

301

391

393

395

417

278

375

4588

4552

4608

400 S St

426

4685

4613

489

491

500

552

500