



# Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

## Synopsis

### Application Information

**Application Request:** Public hearing to discuss, take comment, and potentially take action on a county-initiated proposal to amend various zones to remove the use of conference center from zones that are primarily residential in nature.

**Agenda Date:** Tuesday, November 17, 2020

**Applicant:** Weber County

**File Number:** ZTA 2020-08

### Staff Information

**Report Presenter:** Scott Perkes  
sperkes@co.weber.ut.us  
(801) 399-8772

**Report Reviewer:** RG

## Applicable Ordinances

- § 104-9 Forest Zones F-5, F-10, and F-40
- § 104-11 Commercial Valley Resort Recreation Zone CVR-1
- § 104-13 Forest Residential Zone FR-1
- § 104-14 Forest Valley Zone FV-3
- § 104-17 Forest Residential Zone FR-3
- § 104-29 Ogden Valley Destination and Recreation Resort Zone DRR-1

## Legislative Decisions

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

## Summary and Background

The County Commission has request consideration of amended language to the zoning ordinances for the F-5, F-10, F-40, CVR-1, FR-1, FV-3, FR-3, & DRR-1 zones to potentially remove the use of "Conference Center" from zones that are primarily residential in nature.

## Policy Analysis

The current zoning ordinances for the F-5, F-10, F-40, CVR-1, FR-1, FV-3, and FR-3 zones currently list the use of "Conference Center" as a conditional use. The DRR-1 zone is currently the only zone in which a conference center is listed as a permitted use.

The planning division recently received a conditional use permit application for a conference center in the FV-3 zone which spurred conversation as to whether a conference center is an appropriate use in zones that are primarily intended for residential uses.

Below is listed each of the affected zone's Purpose and Intent statements from their respective ordinances:

### § 104-9 Forest Zones F-5, F-10, and F-40:

- (a) *The intent of the forest zones is to protect and preserve the natural environment of those areas of the county that are characterized by mountainous, forest or naturalistic land, and to permit development compatible to the preservation of these areas.*
- (b) *The objectives in establishing the forest zones are:*
  - (1) *To promote the use of the land for forest, fish and wildlife and to facilitate the conservation of the*

- natural resources, vegetation and attractions;
- (2) To reduce the hazards of flood and fire;
  - (3) To prevent sanitation and pollution problems and protect the watershed;
  - (4) To provide areas for **private and public recreation and recreation resorts**; and
  - (5) To provide areas for homes, summer homes, and summer camp sites.

§ 104-11 Commercial Valley Resort Recreation Zone CVR-1:

- (a) The purpose of this zone is to provide locations in the Ogden Valley and at major recreation resort areas, where **service facilities** and goods normally required by the public in the pursuit of general recreation activities can be obtained.
- (b) In this role, even though the area is **primarily commercial in nature**, it should be compatible with the general surrounding natural environment. To this end, the general siting and architectural design of buildings and structures, the layout of parking areas and landscaping shall be subject to review and recommendations by the public agencies, design review and approval by the planning commission to ensure that the natural environment is preserved to the greatest possible extent.

§ 104-13 Forest Residential Zone FR-1:

The purpose of the forest residential zone is to provide area for **residential development** in a forest setting at a low density, as well as to protect as much as possible the naturalistic environment of the development.

§ 104-14 Forest Valley Zone FV-3:

The purpose of the Forest Valley Zone, FV-3 is to provide area for **residential development** in a forest setting at a low density, as well as to protect as much as possible the naturalistic environment of the development.

§ 104-17 Forest Residential Zone FR-3:

The purpose in establishing the Forest Residential, FR-3 zone is to provide for medium density residential uses of apartment clusters or **condo-tels adjacent to and in conjunction with major recreational resorts**, recreation areas and facilities in the mountain areas of Weber County on the basis that such medium density multiple-family housing is an integral and normal part of a recreational resort complex catering to the needs of both tourists and permanent home ownership. This zone is intended to be used in mountain locations in **areas associated with major recreational resorts**.

§ 104-29 Ogden Valley Destination and Recreation Resort Zone DRR-1:

The purpose of this chapter is to provide flexible development standards to resorts that are dedicated to preserving open space and creating extraordinary recreational resort experiences while promoting the goals and objectives of the Ogden Valley general plan. It is intended to benefit the residents of the county and the resorts through its ability to preserve the valley's rural character, by utilizing a mechanism that allows landowners to voluntarily transfer development rights to areas that are more suitable for growth when compared to sensitive land areas such as wildlife habitats, hazardous hillsides or prime agricultural parcels. Resorts within an approved destination and recreation resort zone shall, by and large, enhance and **diversify quality public recreational opportunities**, contribute to the surrounding community's well-being and overall, instill a sense of stewardship for the land.

Staff's analysis of the zones in which a conference center is either a conditional or permitted use (listed above) has found that both the FR-1 and FV-3 zones are primarily intended for residential uses and may not be appropriate for a conference center use. Additionally, the FR-1 zone is entirely contained to Ogden Canyon where the majority of properties are constrained by narrow rights-of-way and other unique topographical characteristics that are not entirely hospitable to a conference center use.

The other applicable zones F-5, F-10, F-40, CVR-1, FR-3, and DDR-1 are intended to be more commercial or resort oriented and a conference center use may be acceptable as either a conditional use permit (F-5, F-10, F-40, CVR-1, FR-3), or as a permitted use (DDR-1) as is already required under their existing ordinances.

### **Noticing Compliance**

A public hearing for this item before the Planning Commission has been posted for public notice in compliance with UCA §17-27a-205 and UCA §17-27a-502 in the following manners:

Posted on the County's Official Website

Posted on the Utah Public Notice Website

Published in a local newspaper

### **Staff Recommendation**

Staff recommends that the Planning Commission consider which zones are desirable and appropriate for the conference center use. Staff also recommends that based on the analysis provided, that conference centers be removed as a conditional use from both the FR-1 and the FV-3 zones. Should the planning commission concur, a positive recommendation could be forwarded to the County Commission for file ZTA 2020-08.

### **Exhibits**

- A. Ogden Valley Zones – Use Matrix
- B. Proposed Ordinance

<b>Ogden Valley Zones</b>	<b>Conference/Education Center</b>
	<b>Permitted Use</b>
	Destination & Recreation Resort (DRR-1)
	<b>Conditional Use</b>
	Commercial Valley Resort Recreation (CVR-1)
	Forest Residential 1 (FR-1) (5 Acre Minimum)
	Forest Valley 3 (FV-3)
	Forest Residential 3 (FR-3)
	Forest 5 (F-5)
	Forest 10 (F-10)
	Forest 40 (F-40)
	<b>Not Permitted</b>
	Gravel (G)
	Manufacturing Valley (MV-1)
	Commercial Valley 2 (CV-2)
	Commercial Valley 1 (CV-1)
	(RE-20)
	(RE-15)
	Shoreline (S-1)
	Open Space (O-1)

1 **Chapter 104-14 Forest Valley Zone FV-3**  
2 **Sec 104-14-1 Zone Character And Objectives**  
3 **Sec 104-14-2 Permitted Uses**  
4 **Sec 104-14-3 Conditional Uses**  
5 **Sec 104-14-4 Permitted Signs And Regulations**  
6 **Sec 104-14-5 Site Development Standards**  
7

8 **Sec 104-14-1 Zone Character And Objectives**

10 The purpose of the Forest Valley Zone, FV-3 is to provide area for residential development in a forest setting at a low  
11 density, as well as to protect as much as possible the naturalistic environment of the development.  
12

13 (Ord. of 1956, § 12B-1)

14 **Sec 104-14-2 Permitted Uses**

15 The following uses are permitted in the Forest Valley Zone FV-3:

- 16
- 17 (a) Accessory building incidental to the use of a main building; main building designed or used to accommodate the  
18 main use to which the premises are devoted; and accessory uses customarily incidental to a main use.
- 19 (b) Agriculture.
- 20 (c) Animals and fowl kept for family food production.
- 21 (d) Cluster subdivision, in accordance with title 108, chapter 3.
- 22 (e) Corral, stable or building for keeping animals or fowl, provided such building shall be located not less than 100  
23 feet from a public street, and not less than 25 feet from any side or rear lot line.
- 24 (f) Greenhouse, noncommercial only.
- 25 (g) Home occupations.
- 26 (h) Horses for private use only, and provided that not more than two horses may be kept for each one acre of land  
27 exclusively devoted to the keeping of horses.
- 28 (i) Household pets which do not constitute a kennel.
- 29 (j) Single-family dwelling.
- 30 (k) Temporary building for use incidental to construction work. Such building shall be removed upon the completion  
31 or abandonment of the construction work.
- 32 (l) Residential facilities for handicapped persons meeting the requirements of section 108-7-13.

33  
34 (Ord. of 1956, § 12B-2; Ord. No. 2009-14; Ord. No. 2010-20; Ord. No. 2015-7, Exh. A, 5-5-2015)  
35

36 **Sec 104-14-3 Conditional Uses**  
37

38 The following uses shall be permitted only when authorized by a conditional use permit obtained as provided in title 108,  
39 chapter 4 of this Land Use Code:  
40

- 41 (a) Agri-tourism; meeting the requirements of title 108, chapter 21 (agri-tourism).
- 42 (b) Bed and Breakfast dwelling subject to the following standards:
- 43 (1) Two parking spaces shall be provided for the host family plus one space for each guest room;
- 44 (2) Proprietor or owner shall occupy the property;
- 45 (3) Meals shall only be served to overnight guests;
- 46 (4) Signs are limited to a nameplate identification sign not exceeding two square feet in area per  
47 dwelling;
- 48 (5) Not more than two guests sleeping rooms per dwelling;

- 49 (6) Allowed only in existing dwellings with no exterior additions nor change in residential character;
- 50 (7) Business license shall be obtained.
- 51
- 52 (c) Bed and breakfast inn subject to the following standards and criteria:
- 53 (1) Proprietor or owner shall occupy the premises;
- 54 (2) Not more than seven sleeping rooms per inn;
- 55 (3) The lot shall be at least three acres in area with frontage on a public street of at least 250 feet in
- 56 width;
- 57 (4) The lot shall have frontage on a major street as shown on the county master plan (state highway or
- 58 county major street);
- 59 (5) The inn shall be at least 300 feet from the nearest existing dwelling;
- 60 (6) Two parking spaces shall be provided for the host family plus one space for each guest sleeping
- 61 room;
- 62 (7) The guest parking shall be in the rear of the Inn;
- 63 (8) Meals shall be served to registered overnight guests only;
- 64 (9) Signs are limited to one name plate or one identification sign of not more than eight square feet in
- 65 area;
- 66 (10) The site shall be landscaped to provide a visual and noise buffer to adjoining property; a landscape
- 67 plan shall be submitted with site plan.
- 68 (11) The inn shall be of a historic period or other distinguishable architectural style or design so as not to
- 69 resemble the modern block motel appearance;
- 70 (12) A business license shall be obtained;
- 71 (13) All units to be in one building together with owner's residence.
- 72
- 73 (d) Small events, such as weddings, family reunions, business retreats and art/cooking classes, not to exceed 75
- 74 participants and not more than four events held per calendar month, and only when conducted as an accessory
- 75 use to an approved bed and breakfast inn.
- 76 (e) Church, synagogue or similar permanent building used for regular religious worship.
- 77 (f) ~~Conference/~~Education center.
- 78 (g) Educational institution.
- 79 (h) Educational/institutional identification sign.
- 80 (i) Golf course, except miniature golf.
- 81 (j) Parking lot accessory to uses permitted in this zone.
- 82 (k) Planned residential unit development in accordance with title 108, chapter 5 of the Land Use Code.
- 83 (l) Private park, playground or recreation area, but not including privately owned commercial amusement business.
- 84 (m) Public building, public park, recreation grounds and associated buildings.
- 85 (n) Public utility substations.
- 86 (o) Recreation lodge.
- 87 (p) Ski resorts, including summer skateboard activities as an accessory use.
- 88 (q) Water pumping plants and reservoirs.
- 89 (r) Recreation lodge.
- 90 (s) Waste water treatment or disposal facilities meeting the requirements of the Utah State Division of Health Code
- 91 of Waste Disposal Regulations, but not including individual water disposal systems.
- 92
- 93

7(§ 12B-3), 12-18-2012)

**Sec 104-14-4 Permitted Signs And Regulations**

The following signs and regulations shall apply to the Forest Valley Zone, FV-3:

- (a) *Nameplate.* One nameplate for each dwelling unit, not exceeding two square feet in area, indicating the name of the occupant and/or permitted home occupation.
- (b) *Identification signs.* One sign, not exceeding eight square feet in area.
- (c) *Property signs.* One or more signs not exceeding eight square feet in combined total area for each street frontage of the lot, appertaining to lease or sale of the property. In addition, one or more signs of a temporary nature for each approved subdivision under development, or main building or uses under development other than dwellings, provided such signs shall not exceed in combined total area 200 square feet and that no one sign shall exceed 100 square feet in area.
- (d) *Location of signs.* Identification signs shall not be in any required front or side yard except that signs attached to a building may project not more than six feet into a required yard and must be not less than ten feet above the ground. Property signs shall be located not closer than ten feet to any property line. Nameplates may be located on the main structure.
- (e) *Lighting of signs.* Signs may be illuminated or floodlighted by indirect lighting only and the source of light shall not be visible beyond the property upon which located nor constitute a nuisance. Visible luminous tubes shall be considered as direct lighting. Animated signs are prohibited.
- (f) *Location.* Signs shall meet requirements of title 110, chapter 2, Ogden Valley signs, if located within the Ogden Valley area.

(Ord. of 1956, § 12B-4)

**Sec 104-14-5 Site Development Standards**

The following site development standards shall apply to the Forest Valley Zone, FV-3:

Minimum lot area	3 acres
Minimum lot width	150 feet except the width of lots on the outside of the curved streets or on the ends of cul-de-sacs may be reduced by up on one-third provided the lot has the required lot width at a distance of 70 feet back from the front lot line
Minimum yard setbacks	
Front	30 feet on streets of less than 80 feet in width; 50 feet on streets and highways of 80 feet or more in width
Side	20 feet, except 30 feet on side facing street on corner lot
Rear	
Main building	30 feet
Accessory building	10 feet
Main building height	
Minimum	1 story
Maximum	35 feet
Accessory building height	25 feet, unless meeting requirements of section 108-7-16, Large accessory buildings

(Ord. of 1956, § 12B-5; Ord. No. 2002-8; Ord. No. 2009-14)

**Chapter 104-13 Forest Residential Zone FR-1**Sec 104-13-1 Zone Character And ObjectivesSec 104-13-2 Permitted UsesSec 104-13-3 Conditional UsesSec 104-13-4 Permitted Signs And RegulationsSec 104-13-5 Site Development Standards**Sec 104-13-1 Zone Character And Objectives**

The purpose of the forest residential zone is to provide area for residential development in a forest setting at a low density, as well as to protect as much as possible the naturalistic environment of the development.

(Ord. of 1956, § 12-1)

**Sec 104-13-2 Permitted Uses**

The following uses are permitted in the Forest Residential Zone FR-1:

- (a) Accessory building incidental to the use of a main building; main building designed or used to accommodate the main use to which the premises are devoted; and accessory uses customarily incidental to a main use.
- (b) Agriculture.
- (c) Animals and fowl kept for family food production.
- (d) Cluster subdivision, in accordance with title 108, chapter 3.
- (e) Corral, stable or building for keeping animals or fowl, provided such building shall be located not less than 100 feet from a public street, and not less than 25 feet from any side or rear lot line, 40 feet from the residence and 75 from the nearest adjacent residence.
- (f) Greenhouse, noncommercial only.
- (g) Home occupations.
- (h) Horses for private use only, and provided that not more than two horses may be kept for each one acre of land - exclusively devoted to the keeping of horses.
- (i) Household pets which do not constitute a kennel.
- (j) Single-family dwelling.
- (k) Temporary building for use incidental to construction work. Such building shall be removed upon the completion or abandonment of the construction work.
- (l) Residential facilities for persons with a disability meeting the requirements of section 108-7-13.

(Ord. of 1956, § 12-2; Ord. No. 14-92; Ord. No. 96-35; Ord. No. 99-23; Ord. No. 2009-14; Ord. No. 2010-20; Ord. No. 2015-7, Exh. A, 5-5-2015)

**Sec 104-13-3 Conditional Uses**

The following uses shall be permitted only when authorized by a conditional use permit obtained as provided in title 108, chapter 4 of this Land Use Code:

- (a) Bed and breakfast dwelling, subject to the following standards:
  - (1) Two parking spaces shall be provided for the host family plus one space for each guest room;
  - (2) Proprietor or owner shall occupy the property;
  - (3) Meals shall only be served to overnight guests;
  - (4) Signs are limited to a nameplate identification sign not exceeding two square feet in area per dwelling;
  - (5) Not more than two guests sleeping rooms per dwelling;
  - (6) Allowed only in existing dwellings with no exterior additions nor change in residential character; and
  - (7) Business license shall be obtained.
- (b) Bed and breakfast inn, subject to the following standards and criteria:
  - (1) Proprietor or owner shall occupy the premises;
  - (2) Not more than seven sleeping rooms per inn.
  - (3) The lot must be at least 2½ acres in area with frontage on a public street of at least 250 feet in width;
  - (4) The lot shall have frontage on a major street as shown on the county general plan (state highway or county major street);



- 177 (5) The lot shall not be in a recorded subdivision unless the lot is specifically created for the purpose of a bed
- 178 and breakfast inn;
- 179 (6) The inn shall be at least 300 feet from the nearest existing dwelling;
- 180 (7) Two parking spaces shall be provided for the host family plus one space for each guest sleeping room;
- 181 (8) The guest parking shall be in the rear of the inn;
- 182 (9) Meals shall be served to registered overnight guests only;
- 183 (10) Signs are limited to one nameplate or one identification sign of not more than eight square feet in area;
- 184 (11) The site shall be landscaped to provide a visual and noise buffer to adjoining property; a landscape plan
- 185 shall be submitted with site plan;
- 186 (12) The inn shall be of a historic period or other distinguishable architectural style or design so as not to
- 187 resemble the modern block motel appearance;
- 188 (13) A business license shall be obtained;
- 189 (14) All units to be in one building together with owner's residence.
- 190 (c) Church, synagogue or similar permanent building used for regular religious worship.
- 191 (d) Educational institution.
- 192 (e) Educational/institutional identification sign.
- 193 (f) Golf course, except miniature golf.
- 194 (g) Parking lot accessory to uses permitted in this zone.
- 195 (h) Planned residential unit development in accordance with title 108, chapter 5 of this Land Use Code.
- 196 (i) Private park, playground or recreation area, but not including privately owned commercial amusement business.
- 197 (j) Public building, public park, recreation grounds and associated buildings.
- 198 (k) Public utility substations.
- 199 (l) Ski resorts, including summer skateboard activities as an accessory use.
- 200 (m) Water storage reservoir developed by a public agency.
- 201 (n) ~~Conference~~ Education center, with five acre minimum lot size.

202 (Ord. of 1956, § 12-3; Ord. No. 3-72; Ord. No. 19-77; Ord. No. 15-86; Ord. No. 9-90; Ord. No. 14-92; Ord. No. 20-94; Ord.

203 No. 30-94; Ord. No. 96-42; Ord. No. 99-23; Ord. No. 2003-2; Ord. No. 2010-20)

204 **Sec 104-13-4 Permitted Signs And Regulations**

205 Signs shall meet requirements of chapter 32B, Valley Commercial Signs if located within the Ogden Canyon or Ogden

206 Valley area.

207 (Ord. of 1956, § 12-4)

208 **Sec 104-13-5 Site Development Standards**

209 The following site development standards shall apply to the Forest Residential Zone FR-1:

Minimum lot area	1 acre
Minimum lot width	150 feet, except the width of lots on the outside of the curved streets or on the ends of cul-de-sacs may be reduced by up on one-third, provided the lot has the required lot width at a distance of 70 feet back from the front lot line
Minimum yard setbacks	
Front	30 feet on streets of less than 80 feet in width; 50 feet on streets and highways of 80 feet or more in width
Side	20 feet
Rear	
Main building	30 feet

Accessory building	10 feet
Main building height	
Minimum	1 story
Maximum	35 feet
Accessory building height	25 feet, unless meeting requirements of section 108-7-16, Large accessory buildings

210 (Ord. of 1956, § 12-5; Ord. No. 7-77; Ord. No. 2-89; Ord. No. 2002-8; Ord. No. 2009-14)