

WEBER COUNTY ORDINANCE 2022-04

THE CREATION OF A FORM-BASED VILLAGE OVERLAY ZONE

WHEREAS, The Board of Commissioners of Weber County has heretofore adopted a land use code that includes zones for the purpose of providing for an orderly development of land; and

WHEREAS, The Board of Commissioners of Weber County has heretofore adopted the 2016 Ogden Valley General Plan to help guide and facilitate an orderly development of land in the Ogden Valley; and

WHEREAS, The general plan provides guidance for the creation of village areas in certain locations in the Ogden Valley; and

WHEREAS, The Board of Commissioners of Weber County desires to create a form-based village zone to implement the guidance from the general plan; and

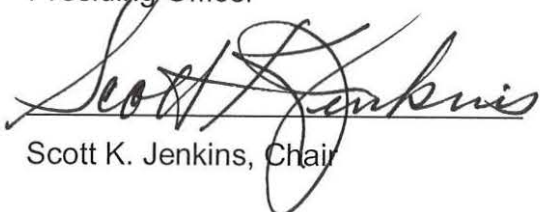
WHEREAS, The Board of Commissioners of Weber County has received a positive recommendation from the Ogden Valley Planning Commission for the creation of a form-based village zone;

NOW THEREFORE, Be it ordained by the Board of Commissioners of Weber County, in the state of Utah, as follows:

SECTION 1: AMENDMENT. The Weber County Code is hereby amended as provided in Exhibit A. Any part of the Weber County Code not explicitly provided herein shall remain unchanged. For all text herein except "Chapter 104-22 Form-Based Village Zone," text in blue underline is being added, text in red strikethrough is being deleted. For "Chapter 104-22 Form-Based Village Zone," all text therein is being added.

PASSED AND ADOPTED BY THE BOARD OF WEBER COUNTY COMMISSIONERS ON THIS 18th DAY OF January, 2022.

Gage Froerer:	AYE <input checked="" type="checkbox"/>	NAY <input type="checkbox"/>	ABSENT <input type="checkbox"/>	ABSTAIN <input type="checkbox"/>
Jim "H" Harvey:	AYE <input checked="" type="checkbox"/>	NAY <input type="checkbox"/>	ABSENT <input type="checkbox"/>	ABSTAIN <input type="checkbox"/>
Scott K. Jenkins:	AYE <input checked="" type="checkbox"/>	NAY <input type="checkbox"/>	ABSENT <input type="checkbox"/>	ABSTAIN <input type="checkbox"/>

Presiding Officer

Scott K. Jenkins, Chair

Attest

Ricky D. Hatch, Clerk

1 **Sec 101-2-20 St Definitions**

2 **Stable.** The term "stable" means an accessory or main building for the keeping of horses, cattle and other
3 farm animals.

4 **Stable, private horse.** The term "private horse stable" means a horse stable which is accessory to a
5 residential dwelling unit or other main building, for the use of the owner/occupant, his friends and guests,
6 not for the purpose of remuneration, hire or sale or any other commercial use nor use by an ad hoc informal
7 association or group.

8 **Stable, public horse.** The term "public horse stable" means a stable where the general public may rent,
9 lease, purchase, sale or board horses.

10 **Stockyard.** The term "stockyard" means a commercial operation consisting of yards and enclosures where
11 livestock are kept temporarily for slaughter, marketing or shipping, together with necessary offices, chutes,
12 loading and unloading pens.

13 **Story.** The term "story" means ~~the space within a building included between the surface of any floor and~~
14 ~~the surface of the ceiling next above.~~ that portion of a building included between the upper surface of a floor
15 and the upper surface of the floor or roof next above.

16 **Stream.** The term "stream" means those areas where surface waters flow sufficiently to produce a defined
17 channel or bed. A defined channel or bed is indicated by hydraulically sorted sediments or the removal of
18 vegetation litter or loosely rooted vegetation by action of moving water. The channel or bed need not contain
19 water year-round. This definition is not meant to include stormwater runoff devices or entirely artificial
20 watercourse unless they are used to store or convey pass through stream flows naturally occurring prior to
21 construction of such devices. Stream watercourses where the definition may apply are those that appear
22 on the U.S. Geological Survey Quad maps excluding irrigation canals and ditches. For instance, an
23 irrigation canal following a natural or jurisdictional watercourse would not be exempt, but others would be
24 exempt.

25 **Stream corridor.** The term "stream corridor" means the water's passageway defined by the stream's
26 ordinary high water mark.

27 **Street block.** The term "street block," also referred to as "block," means land bounded on all sides by a
28 street or lane that is open to use by the general public, or land which is designated as a block or street
29 block on any recorded subdivision plat.

30 **Street, collector.** The term "collector street" means a street existing or proposed of considerable continuity
31 which is the main means of access to the major street system.

32 **Street major.** The term "major street," means a street, existing or proposed, which serves or is intended to
33 serve as a major traffic way and is designated on the master street plan as a controlled access highway,
34 major street, parkway or other equivalent term to identify those streets comprising the basic structure of the
35 street plan.

36 **Street, marginal access.** The term "marginal access street," means a minor street which is parallel to and
37 adjacent to a limited access major street and which provides access to abutting properties and protection
38 from through traffic.

39 **Street, private.** The term "private street" means a thoroughfare within a subdivision which has been
40 reserved by dedication unto the subdivider or lot owners to be used as private access to serve the lots
41 platted within the subdivision and complying with the adopted street cross section standards of the county
42 and maintained by the developer or other private agency.

43 **Street, public.** The term "public street" means a thoroughfare which has been dedicated or abandoned to
44 the public and accepted by proper public authority, or a thoroughfare, not less than 26 feet wide, which has
45 been made public by right of use and which affords the principal means of access to abutting property.

46 **Street, standard residential.** The term "standard residential street," means a street, existing or proposed,
 47 which is supplementary to a collector street and of limited continuity which serves or is intended to serve
 48 the local needs of a neighborhood.

49 **Structural alterations.** The term "structural alterations" means any change in supporting members of a
 50 building or structure, such as bearing walls, columns, beams or girders.

51 **Structure.** The term "structure" means anything constructed or erected which requires location on the
 52 ground or attached to something having a location on the ground.

53 **Structure, height of.** The phrase "height of structure," or any of its variations, shall have the same meaning
 54 as "height of building" as defined in this section.

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58 **Sec 104-1-1 Establishment Of Zones** Edit

59 For the purpose of this title, the Territory of Weber County to which this title applies is divided into classes
 60 of zones as follows:

<u>ZONE DISTRICT</u>	<u>ZONE NAME</u>
Residential Estates Zone	RE-15
Residential Estates Zone	RE-20
Gravel Zone	G
Agricultural Zone	A-1
Agricultural Zone	A-2
Agricultural Zone	A-3
Agricultural Valley Zone	AV-3
Forestry Zone	F-5
Forestry Zone	F-10
Forestry Zone	F-40
Forest Valley Zone	FV-3
Shoreline Zone	S-1
Commercial Valley Resort Recreation Zone	CVR-1

Form Based Village Zone Exhibit A

Residential Zone	R-1-12
Residential Zone	R-1-10
Forest Residential Zone	FR-1
Residential Zone	R-2
Residential Zone	R-3
Forest Residential Zone	FR-3
Residential Mobile/Manufactured Home Park Zone	RMHP
Residential Manufactured Home Zone	RMH-1-6
Commercial Zone, (Neighborhood)	C-1
Commercial Zone, (Limited Community)	C-2
Commercial Zone, (Business DistrictRegional)	C-3
Commercial, Valley Zone, <u>Neighborhood</u>	CV-1
Commercial, Valley Zone, <u>Community</u>	CV-2
Manufacturing Zone, <u>Light</u>	M-1
Manufacturing Zone, <u>Medium</u>	M-2
Manufacturing Zone, <u>Heavy</u>	M-3
Manufacturing <u>Zone</u> , Valley	MV-1
<u>Form-Based Village Zone</u>	<u>FBV</u>
Open Space Zone	O-1
Master Planned Development Overlay Zone	MPDOZ
Ogden Valley Sensitive Lands Overlay Zone	SLOZ
Ogden Valley Destination and Recreation Resort Zone	DRR-1
Large Solar Energy System Overlay Zone	SOZ

61 (Ord. of 1956, § 2-1; Ord. No. 2008-20; Ord. No. 2009-15; Ord. No. 2010-09; Ord. No. 2019-2, Exh. A, 2-
62 5-2019)

63 HISTORY

64 *Amended by Ord. 2021-6 on 3/23/2021*

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68 **Chapter 104-22 Form-Based Village Zone**

69 Sec 104-22-1 Purpose And Intent

70 Sec 104-22-2 Applicability

71 Sec 104-22-3 Land Use Table

72 Sec 104 -22-5 Special Regulations For Specific Uses

73 Sec 104-22-4 Site Development Standards

74 Sec 104-22-7 Building Design Standards

75 Sec 104-22-6 Street Design

76 Sec 104-22-8 Street Regulating Plans

77 Sec 104-22-10 Signage

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79 ***Editors Note: Ord 2021-16, adopted May 25, 2021, merged the MV-1, M-1, M-2, and M-3 zones into a***
80 ***single chapter, removing them from Chapter 22, 23, 24, and 25, and placing them into Chapter 21.***

81 HISTORY

82 *Adopted by Ord. 2021-16 on 5/25/2021*

83

84 **Sec 104-22-1 Purpose And Intent**

85 The purpose and intent of the Form-Based Village Zone is to provide a form-based regulatory tool that
86 focuses on the public street design and the buildings that frame the public street. This deemphasizes
87 separation of land uses as is typically found elsewhere in this Land Use Code. Form-based regulations help
88 enable a mixture of allowed uses, multimodal active transportation, and enhanced building
89 design. Additionally:

90 (a) ***Implements the general plan.*** The Form-Based Village Zone regulations are intended to carry out
91 the objectives of the 2016 Ogden Valley General Plan through the implementation of form-based
92 small area zoning and transferable development rights.

93 (b) ***Creates street regulating plans.*** Each Village area affected by the Form-Based Village Zone shall
94 be governed by a Street Regulating Plan. The purpose of the Street Regulating Plan is to address
95 specific design and functionality of streets and building facades along these streets. The intent is
96 to stimulate the creation of buildings and streets that frame the public rights-of-way with
97 architectural and design elements that are unified under a common design theme whilst enabling
98 unique building facades.

99 **Sec 104-22-2 Applicability**

100 (a) ***New development to comply.*** The principles, standards and guidelines of this chapter apply to
101 proposals for new development, changes in land uses, and site improvements to existing buildings,
102 lots, or parcels that are in the Form-Based Village Zone. Exterior modifications to existing
103 development shall comply if the exterior modification exceeds either 25 percent of the street-facing
104 facade of the building, or 25 percent of the lot's street frontage.

105 (b) ***Other regulations apply.*** In the Form-Based Village Zone, except when more specific regulations
106 are provided in this chapter, the CV-2 zoning regulations of Section 104-20, and the design review

107 regulations and architectural, landscape, screening, and design standards of Section 108-1 and
 108 108-2 apply to all lots, except a lot with only one single-family dwelling.

109 (c) **Street regulating plan.** The applicable regulations herein are specific to the street type, as
 110 designated by the applicable street regulating plan. New development within the Form-Based
 111 Village Zone shall comply with the applicable street regulating plan. Development of any property
 112 along a street or that gains primary access from that street shall comply with the street design
 113 requirements, as provided in Section 104-22-7, and the building design standards in Section 104-
 114 22-6, for the specific type of street. A list and explanation of each street type is provided in Section
 115 104-22-7.

116 (d) **Effect of street regulating plan and graphics.** Details in a street regulating plan or any graphic
 117 in this chapter have no effect unless expressly provided by this chapter.

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119 **Sec 104-22-3 Land Use Table**

120 The uses outlined in the CV-2 zone, as provided in Section 104-20, apply to any property in the FBV zone
 121 that has frontage to or gains access from a government/institutional, vehicle-oriented commercial, mixed-
 122 use commercial, or multifamily commercial street type. The following land use table provides additional use
 123 regulations applicable for each street type. In the list, those designated for any street type as "P" will be a
 124 permitted use. Uses designated as "C" will be allowed only when authorized by a conditional use permit
 125 obtained as provided in Title 108, Chapter 4 of this Land Use Code. Uses designated "N" will not be allowed
 126 on property with frontage on, or that gains access from, that street type.

STREET TYPE:	GOV/ NST	VOC	MUC	MFR	SLR	LLR	VLLR	RR	OS	Special Provisions
Automobile repair of any kind:	N	C	N	N	N	N	N	N	N	See Section 104-22-4.
Automobile sales or service:	N	C	N	N	N	N	N	N	N	See Section 104-22-4.
Automobile sales, classic or antique cars:	P	P	P	N	N	N	N	N	N	See Section 104-22-4.
Boat sales and service:	N	C	N	N	N	N	N	N	N	See Section 104-22-4.
Contractor shop:	N	N	N	N	N	N	N	N	N	
Drive up (drive-thru) window	P	P	C	N	N	N	N	N	N	
Dwelling unit:	P	P	P	P	P	P	P	P	P	The types of dwelling units allowed by street type is provided in Section 104-

										22-7. See also TDR requirements of 104-22-4.
Gas or fuel station:	P	P	N	N	N	N	N	N	N	See Section 104-22-4.
Office, commercial:	P	P	P	P	N	N	N	N	N	See Section 104-22-4.
Trailer sales and service:	N	C	N	N	N	N	N	N	N	See Section 104-22-4.
Tire shop:	N	C	N	N	N	N	N	N	N	See Section 104-22-4.

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129 **Sec 104-22-4 Special Regulations For Specific Uses**

130 (a) **Automobile or other vehicle related uses.** The use of a lot for automobile repair of any kind,
 131 automobile sales or service, boat sales or service, gas or fuel station, a tire shop, or any other use
 132 governed by this section by reference shall only be conducted within a completely enclosed building
 133 that meets the standards of this chapter.

134 (1) No vehicle awaiting service shall be stored outside.

135 (2) Sufficient parking for all employee or customer uses, including the temporary parking of
 136 vehicles awaiting pickup from owners, shall be provided on the lot.

137 (3) No vehicles associated with the use shall be parked on the street. However, up to 20
 138 vehicles may be temporarily parked in a parking lot meeting all applicable parking
 139 standards of this land use code if the vehicle is available for immediate purchase, lease,
 140 or rent, and as long as all other standards of this Land Use Code are met.

141 (b) **Automobile repair of any kind.** Refer to paragraph (a) of this section.

142 (c) **Automobile sales or service.** Refer to paragraph (a) of this section.

143 (d) **Boat sales or service.** Refer to paragraph (a) of this section.

144 (e) **Drive up (drive-thru) window.** Any business with a drive up (drive-thru) window shall comply with
 145 the following:

146 (1) The window shall be located on the rear of the building. The rear of the building shall be
 147 determined as the side of the building opposite from the building's facade that faces the
 148 public street. If on a corner, the window may be located on the side of the building that can
 149 be visible from the less prominent street.

150 (2) The stacking lanes and drive up (drive-thru) queue, and the parking spaces devoted to the
 151 drive up (drive-thru) window shall be locate in an area that is not visible from the more
 152 prominent street right-of-way.

153 (3) One drive up (drive-thru) queue space that is at least 20 feet in length may substitute a
 154 parking space required by this Land Use Code.

155 (f) **Dwelling unit.** The regulations for a dwelling unit are as follows:

- 156 (1) **Types of dwellings allowed.** The type of dwelling or dwelling unit allowed along any given
157 street type is governed as provided Section 104-22-7.
- 158 (2) **Density allowance and transferable development rights.** As provided in the Ogden
159 Valley General Plan, the creation of dwelling units in the FBV zone shall not create any
160 new density in the Ogden Valley Planning Area unless otherwise provided in this Land Use
161 Code. To establish the residential dwelling unit rights that exist on a lot or parcel in the FBV
162 zone, or to increase or decrease residential dwelling unit rights on a lot or parcel in the FBV
163 zone, the following apply:
- 164 a. For a lot or parcel rezoned to the Form-Based Village Zone from a zone that allows
165 residential dwelling units, the base density shall be the same as the density that
166 was allowed in the prior zone. This shall be documented by recording a covenant
167 to the lot or parcel that provides a calculation of the base density. The covenant
168 shall run with land, and be between the owner and the County.
- 169 b. Additional residential dwelling units are permitted on any lot that has street
170 frontage on any street type in the street regulating plan except a rural residential
171 street and a general open space street. However, no new density is allowed unless
172 the landowner has successfully negotiated the reallocation of an equal number of
173 dwelling unit rights from another lot or parcel that has an available dwelling unit
174 right as determined by the lot or parcel's base density and adjusted for any
175 previous dwelling unit right reduction or addition. The reallocation shall be made
176 by recording a covenant to each affected lot or parcel. Each covenant shall run
177 with the land and be between the owner and the County. Each covenant shall
178 document the applicable lot or parcel's calculated base density; the number of
179 dwelling units already developed on the lot or parcel; the number of dwelling unit
180 rights subtracted from, or added to, the base density by any means; and the
181 number of dwelling unit rights remaining for the lot or parcel.
- 182 c. Residential dwelling unit rights may be transferred to a lot or parcel in a FBV zone
183 from any lot or parcel in the following zones within the Ogden Valley Planning Area:
184 RE-15, RE-20, AV-3, F-5, FV-3, S-1, FR-1, FR-3, RMH-1-6, CVR-1, and FBV.
- 185 d. Regardless of number of residential dwelling unit rights transferred to a lot or parcel
186 in the FBV zone, the number of dwelling units actually constructed shall be limited
187 by what can be constructed given compliance with the standards of this chapter.
- 188 (3) **Dwelling unit location.**
- 189 a. A dwelling unit is allowed above any street-level commercial space.
- 190 b. A multi-family dwelling, where allowed, shall be located behind a building that
191 provides street-level commercial space, or if no such building exists at the time of
192 application, behind the area reserved for street-level commercial space as
193 otherwise required herein. The only exception to this rule is when it is located
194 adjacent to a street designated for multi-family. The location shall provide for the
195 existing and future planned street layout of the area, including the future street-
196 level commercial space that will face future streets, and internal block alleyways.
- 197 (4) **Gas or fuel station.** A gas or fuel canopy shall not be located closer to a public street right-
198 of-way, excluding a mid-block alley, than 60 feet. The canopy shall be located to the rear
199 of the convenience store associated with the canopy.
- 200 (5) **Office, commercial.** Along mixed-use streets, commercial office space may be located
201 above or behind first-floor street-level commercial space, reserving the street frontage for
202 first-floor street-level commercial space. A local recreation and tourism office devoted to
203 providing services, information, and events primarily for visitors to the Ogden Valley is
204 exempt from this requirement provided that it is open and accessible to all members of the
205 public.

206 (6) *Tire shop*. Refer to paragraph (a) of this section.

207

208 **Sec 104-22-5 Lot Development Standards**

209 The following site development standards apply to a lot or parcel in the Form-Based Village Zone, unless
 210 specified otherwise in this Land Use Code. The table headers provide the street types, as described in
 211 Section 104-22-7, in abbreviated form. A lot fronting or gaining access from one of these street types shall
 212 be developed in accordance with the corresponding development standard.

213

214 (a) *Lot area*.

STREET TYPE:	GOV/ INST	VOC	MUC	MFR	SLR	LLR	VLLR	RR	OS
<i>Minimum lot area:</i>			None		6,000 square feet	20,000 square feet	40,000 square feet	3- acres	None

215

216 (b) *Lot width and frontage*.

STREET TYPE:	GOV / INST	VOC	MUC	MFR	SLR	LLR	VLLR	RR	OS
<i>Minimum lot width and street frontage:</i>			12 feet		60 feet	100 feet	150 feet	150 feet	None

217

218 (c) *Front lot-line setback*.

STREET TYPE:	GOV / INST	VOC	MUC	MFR	SLR	LLR	VLLR	RR	OS
<i>Maximum front lot-line setback for building with first-floor street-level commercial space:</i>									
<i>Minimum front lot-line setback for building with first-floor street-level commercial space:</i>			None						

Not Applicable

Maximum front lot-line setback for all other buildings:

None 10 feet* None

Minimum front lot-line setback for all other buildings:

60 feet 5 feet 20 feet 30 feet

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*The maximum front yard setback shall be waived if at least 90 percent of the lot's street front is already occupied by a similar building.

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(d) Side yard setback.

STREET TYPE:	GOV/ INST	VOC	MUC	MFR	SLR	LLR	VLLR	RR	OS
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Minimum side lot-line setback:

None, unless the side lot line is within 10 feet of an agricultural or residential zone, in which case the setback is 10 feet.

5 feet 10 feet

Maximum side lot-line setback:

None, however any space between buildings shall be open for pedestrian passage to internal block areas, unless designed, constructed, and actively used (when whether permits) for outdoor dining, shopping, or other street activities that are open to the public.

None None

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(e) Rear yard setback.

STREET TYPE:	GOV/ INST	VOC	MUC	MFR	SLR	LLR	VLLR	RR	OS
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Minimum rear lot-line setback:

None, unless the rear lot line is within 10 feet of an agricultural or residential zone, in which case the setback is 10 feet.

20 feet 30 feet

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(f) Lot coverage.

STREET TYPE:	GOV/ INST	VOC	MUC	MFR	SLR	LLR	VLL R	RR	OS
Maximum percent of lot coverage by buildings:		None					80		20
Maximum number of residential buildings per lot:		None			1*	1*	1*	1*	Not applicable

226 *Not including an accessory dwelling unit, as provided in Section 108-19.

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228 (g) **Loading and unloading.** Each building anticipated to receive deliveries from a truck that has a
 229 gross vehicle weight greater than 26,000 lbs shall be provided with an off-street loading and
 230 unloading area behind the building.

231

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

233 **Sec 104-22-6.1 Building Design Standards per Street Type**

234 The follow table provides regulations applicable to all buildings in the FBV zone. They are broken out by
 235 street type, as represented in the applicable street regulating plan.

236

237 (a) **Height.**

STREET TYPE:	GOV/ INST	VOC	MUC	MFR	SLR	LLR	VLLR	RR	OS
Minimum building height on a street corner lot*:		40 feet					One story		None
Maximum building height on a street corner lot*:		45 feet					35 feet		25 feet
Minimum building height on an internal lot:		One story					One story		None
Maximum building height on an internal lot:		35 feet					35 feet		25 feet

238 *A lot on the corner of a mid-block alley, as illustrated on the applicable street regulating plan, is
 239 not a corner lot for the purpose of this table.

240

241 (b) **Area.**

STREET TYPE:	GOV/ INST	VOC	MUC	MFR	SLR	LLR	VLLR	RR	OS
Maximum building footprint area devoted to a single retail store or establishment:	30,000 square feet*		10,000 square feet					None	

242 *Government buildings and schools are exempt from building area maximum.

243

244 (c) **First floor building standards.**

STREET TYPE:	GOV/ INST	V O C	M U C	MFR	S L R	L L R	V L L R	R R	O S
Maximum vertical distance of first-floor surface elevation from the street sidewalk's surface elevation, as measured along the sidewalk at the center of the building:	30 inches			5 feet above or below the surface of the sidewalk, except 0 feet for building area to be used for commercial purposes.				Not applicable	
First-floor story height:	12 feet	16 feet		10 feet, except 16 feet for areas of the first floor to be used for commercial space.					
First-floor load-bearing supports		Columns and beams, no interior load bearing walls. A column shall be at least 10 feet away from another column or exterior load-bearing wall.		For commercial area, same as MUC. Not applicable for residential parts of the building				Not applicable	

245

246 (d) **Main entrance recess from façade.**

STREET TYPE:	GOV/ INST	V O C	M U C	MFR	S L R	L L R	V L L R	R R	O S

Building façade for first-floor street-level commercial area shall have a main entrance that is recessed from the façade by no less than:

5	5	5	Not applicable
feet	feet	feet	

Other: Not applicable

247

248 (e) **Percent of façade require to be transparent fenestration.**

STREET TYPE:	GOV/ INST	V O C	M U C	MFR	S L R	L L R	V L L R	R R	O S
Minimum percent for first-story, street-facing:	50	70		70 for commercial area, 30 for residential.					Not applicable
Minimum percent for first-story, alley-facing:									
Minimum percent for second-story-or-above, street-facing:	30			40					Not applicable
Minimum percent for second-story-or-above, alley-facing:									

249

250 **Sec 104-22-6.2 Building Design Standards by Village Area**

251 The following provides regulations applicable to the architecture and design of buildings in each village
 252 area. Each village area, as depicted in the applicable street regulating plan has a unique architectural
 253 theme.

254 (a) **Licensed architect required.** In each village area, buildings shall be designed by a licensed
 255 architect. A building's street-facing facade shall be designed to have a base, body, and cap, each
 256 of varying design features and building material. At least one of the building materials used on the
 257 building facade shall also be used on all other sides of the building.

258 (b) **Old Town Eden Village Area Building Design Standards.** In addition to applicable standards in
 259 this chapter, the following standards apply to all buildings in the Old Town Eden Village Area, except
 260 buildings on a lot that contains one or two single-family dwellings:

261 (1) **Design theme.** All buildings shall have architectural styling and materials that resemble
 262 historic commercial main-street buildings in the Western United States that were in
 263 existence between 1880 and 1910. Each new building shall provide diversity and variety in
 264 building design, architectural features, and building material that set each building apart
 265 from adjacent buildings.

266 (2) **Rooflines.** Rooflines shall be broken every 50 feet, with no less than a 12 inch shift
 267 between adjacent rooflines. If the building will have a sloped roof, parapet walls shall be
 268 constructed to hide the roof slope.

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

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(4) **Building material.** Each building facade that faces the street shall consist of brick, or wood, or a faux material that is hard to distinguish from real brick, or wood. Metal may be used for accent material.

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(5) **Colors.** Natural colors of wood and brick, as well as natural metals with an aged patina, are allowed. Other muted earth-tone paints may be used as long as they complement the age period. No more than 70 percent of a building's facade shall be white.

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

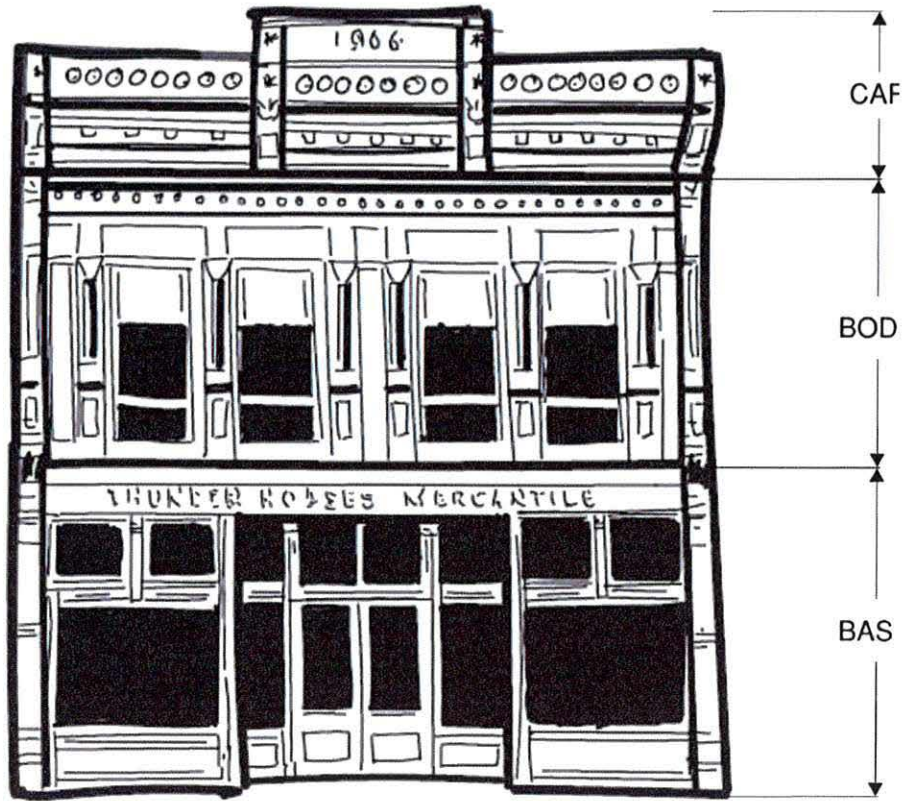


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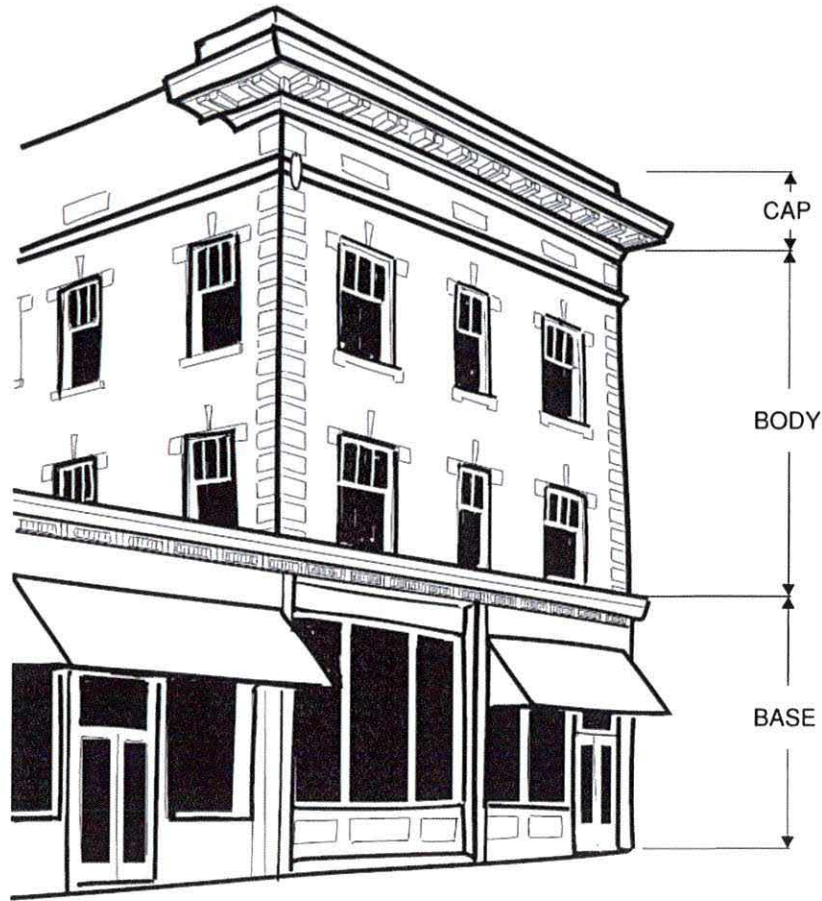


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290 (c) **New Town Eden Village Area building design standards.** In addition to applicable standards in
291 this chapter, the following standards apply to all buildings in the New Town Eden Village Area,
292 except buildings on a lot that contains one or two single-family dwellings:

293 (1) **Design theme.** All buildings shall have architectural styling and materials that implement
294 agrarian-style architecture. Agrarian-style architecture shall incorporate at least two of the
295 following four options:

- 296 a. Either a gable roof at a 6/12 or greater slope, a gambrel roof, or a monitor roof.
- 297 b. An attached shed-roof at a 4/12 or greater slope that is not attached to the main
298 roof structure.
- 299 c. A clerestory or cupola.
- 300 d. Gable-style dormer windows.

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

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

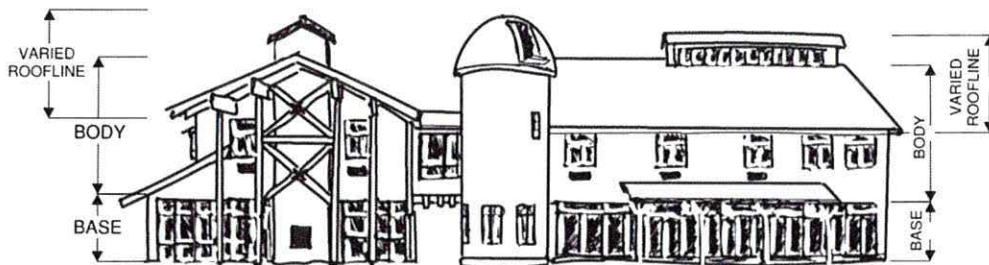
307 (4) **Building material.** Building façade walls shall be finished with no less than two diverse
308 types of material. The primary building material shall be wood siding or similar appearing
309 siding.

310 a. Brick or stone may be used in place of wood if approved by the Land Use Authority.

311 b. Metal siding may be used on the building's body, as long as the building's base is
312 made of brick or stone, and as long as the metal siding is broken horizontally by
313 brick or stone every twenty feet, and is treated to create a natural-appearing aged
314 patina.

315 (5) **Colors.** Muted earth-tone colors are required. No more than 70 percent of a building's
316 facade shall be white.

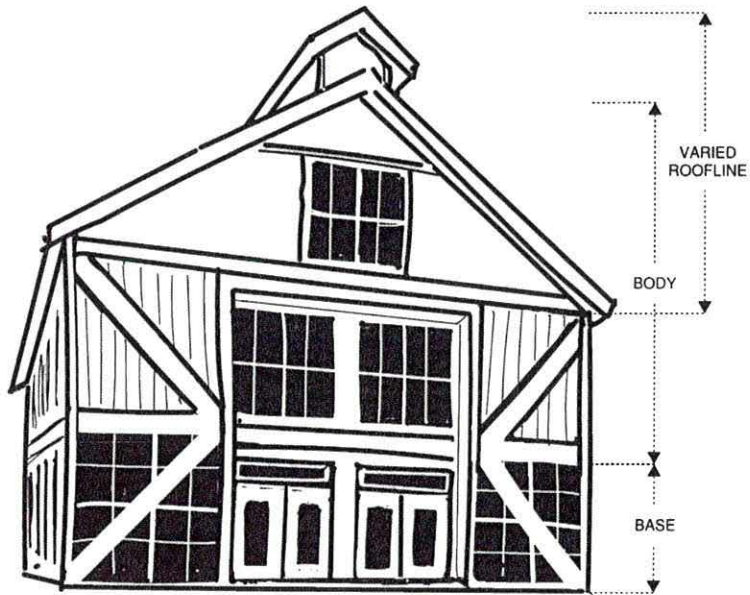
317 (6) **Examples.** Examples of generally acceptable architectural features are depicted in the
318 following images. Any conflict between details in the images and regulations in this chapter
319 shall be interpreted in favor of the regulations in the chapter.



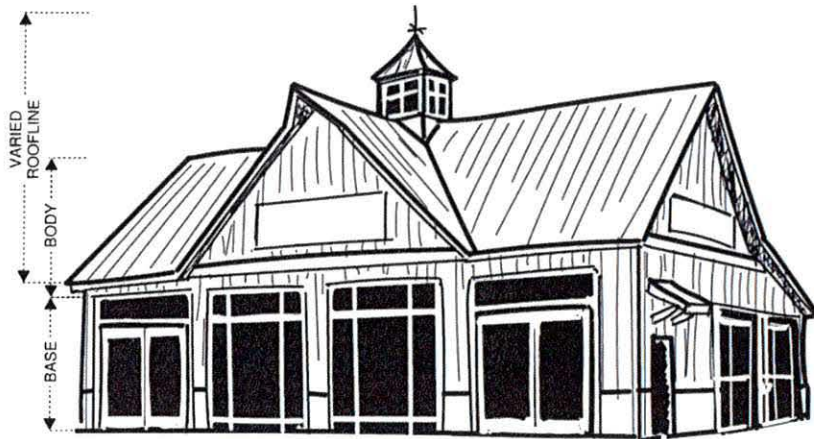
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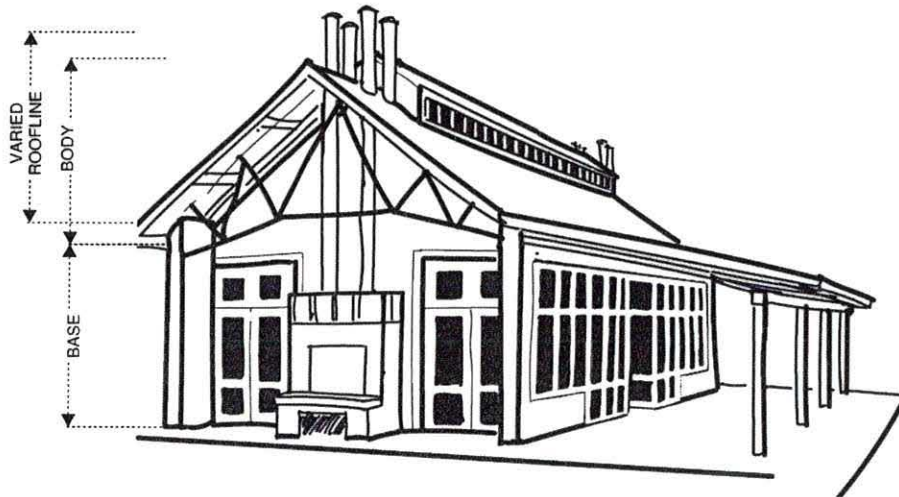
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- 325 **Sec 104-22-7 Street Types and Street Design**
- 326 Sec 104-22-7.1 Street Types and Right-of-Way Cross Sections
- 327 Sec 104-22-7.2 Street Design
- 328

329 **Sec 104-22-7.1 Street Types and ROW Cross Section**

- 330 (a) As development occurs on each lot or parcel, the owner shall dedicate area for public right-of-way
- 331 with a width as depicted in the table below or as otherwise adopted, to form a block pattern as
- 332 depicted in the applicable street regulating plan.
- 333 (b) Each application for development shall provide engineered construction drawings of the street
- 334 improvements required in this herein.

STREET TYPE, DESCRIPTION, AND PURPOSE	STREET RIGHT-OF-WAY DESIGN
<p>Government/institutional street. A government/institutional street or alley has street-front buildings that are intended to serve the traveling public. The primary purpose of the street is for the siting of government or public-service oriented buildings fronting the street.</p>	

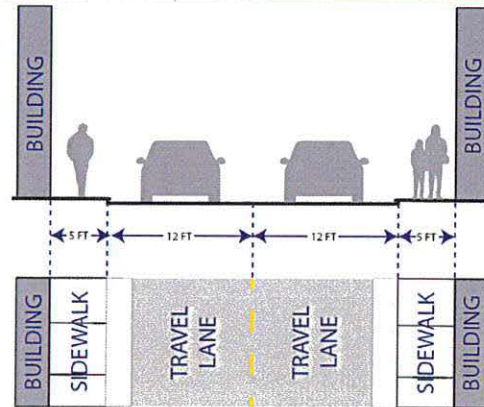
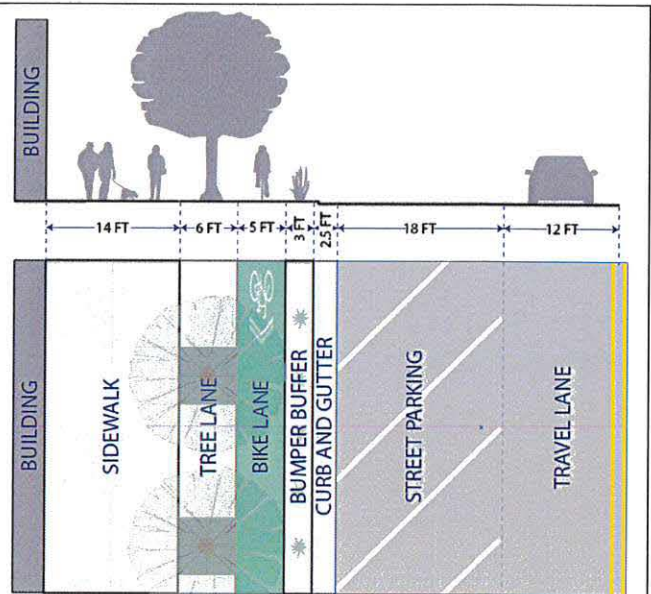
Public-service oriented buildings may include any governmental, nonprofit, or for-profit school as long as the school provides the same K-12 educational courses required by the State of Utah, or a school that is an accredited institution of higher education. Hospitals or other medical services buildings, including medical, dental, or mental-health offices, laboratories, or similar public-health related offices, a public transportation facility or a multimodal transportation hub are also intended to be street-adjacent. Except for a public transportation facility, pickup and drop off areas shall be located to the rear of the building.

Vehicle-oriented commercial street. A vehicle-oriented commercial street or alley has street-front buildings that are intended to serve the traveling public, such as a large grocery store, drive-through or drive-up window service of varying kinds, and gas station. Street-front buildings that are not vehicle oriented are also allowed. Multi-family residential uses are allowed only if located above first-floor street-level commercial space.

Mixed-use commercial street. A mixed-use commercial street has street-front buildings that are oriented toward pedestrian traffic. At the street-level, these buildings shall be exclusively used or reserved for commercial retail. Multi-family residential uses are allowed if located above first-floor street-level commercial space.

Multi-family residential street. A multi-family residential street has street-front buildings that are used for multi-family dwellings, and are setback from the street enough to provide a stoop or door yard between the facade and the street's sidewalk. First-floor building space intended for residential uses shall be offset by half a story from the plane of the street's sidewalk. First-floor street-level commercial area is permitted, but not required. Commercial uses are not permitted above the first-floor street-level.

Mid-block alley. Each street type may have an associated mid-block alley, where shown on the applicable street regulating plan. As development occurs, sufficient area shall be preserved and constructed to provide the mid-block alley to provide access to parking areas and other uses or buildings that are located in



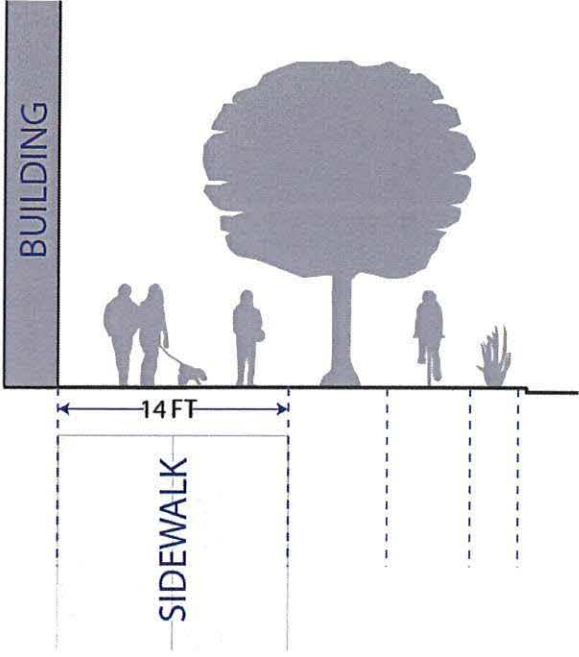

<p>the middle of the block. The location of an alley shall be in the locations depicted by the applicable street regulating plan, and designed at a minimum in accordance with the graphic to the right, and at a maximum to the standards applicable for a public street. Some mid-block alleys connect to adjoining residential streets. Where they connect, the applicable standards shall change to residential street standards. Snow removal for an alley is the responsibility of all landowners, collectively, that have a parking area that has an access from the alley.</p>	
<p>Small-lot residential street. A small-lot residential street has street-front buildings that are setback further than multi-family residential street facades to provide a small front yard area.</p>	<p>See Section 106-4-5</p>
<p>Large-lot residential street. A large-lot residential street has street-front buildings that are setback enough to create a sizeable front yard on a lot that is large.</p>	
<p>Very large-lot residential street. A very large-lot residential street has street-front buildings that are setback enough to create a sizeable front yard on a lot that is very large.</p>	
<p>Rural residential street. A rural residential street has street-front buildings that are setback enough to create a sizeable front yard.</p>	
<p>General open space street. A general open space street has very limited buildings adjacent to the street, and only those that are incidental and accessory to the open space.</p>	

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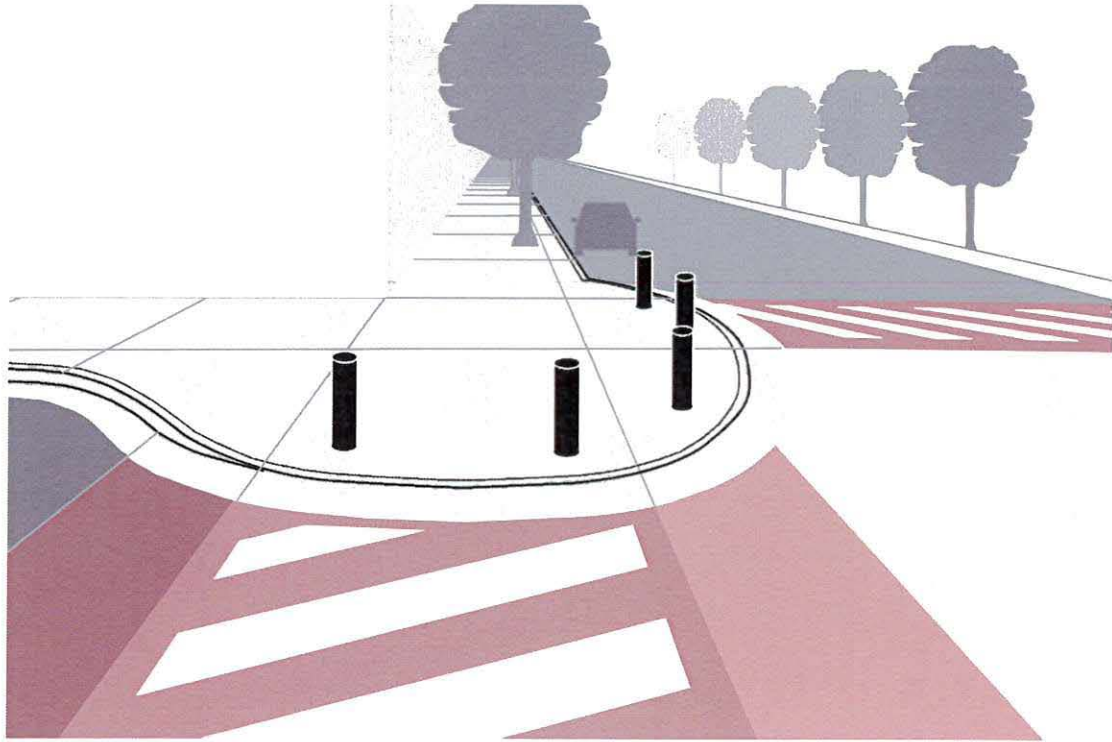
336 **Sec 104-22-7.2 Street Design Standards**

337 For all mixed-use commercial, vehicle oriented commercial, multi-family residential, and
 338 government/institutional street types, the following provisions shall apply. Other streets shall follow adopted
 339 residential street design standards.

<p>PEDESTRIAN FACILITIES</p>

<p>Sidewalk required. As part of the required street improvements within the FBV zone, a sidewalk shall be installed in the designated sidewalk area, as depicted in Section 104-22-7.1, on the side of the street of the development and for the entire length of the development lot's street frontage.</p> <p>A 10-foot wide paved pathway may be installed in lieu of the required sidewalk along any street designated as residential except the multi-family residential street</p>	 <p>The diagram illustrates a street cross-section. On the left is a vertical grey bar labeled 'BUILDING'. To its right is a sidewalk, indicated by a horizontal double-headed arrow labeled '14 FT' and a vertical line labeled 'SIDEWALK'. Further right is the street area, which contains silhouettes of a person walking a dog, a person walking, a large tree, a person on a bicycle, and a small plant.</p>
<p>Covered boardwalk alternative to sidewalk. The County Commission may, but is not obligated to, approve the encroachment of a covered boardwalk, or similar, by legislative approval of an encroachment and maintenance contract. The adjoining landowners shall bear full responsibility for the operations and maintenance of the boardwalk. The covered boardwalk shall comply with the overhead projections standards of this chapter.</p>	 <p>The photograph shows a perspective view of a covered boardwalk. The boardwalk is made of wooden planks and is covered by a dark, overhanging structure. Several people are walking along the boardwalk, including a person in a white hoodie, a person in a dark hoodie, and a child. The background shows a building with large windows.</p>
<p>Pedestrian priority design. The street shall be designed to prioritize pedestrian use. At primary points of conflict between pedestrian uses and vehicle uses, the street facility shall be designed and constructed to promote pedestrian safety, comfort, and efficiency. Where a pedestrian-way intersects with a vehicle-way, the pedestrian-way shall be raised at least six inches above the grade of the vehicle-way, or to the level of the adjoining pedestrian-ways, whichever is higher. This shall include but is not limited to the installation of crosswalks and intersections that are raised to the same plane as the sidewalk or adjoining pathways. For the government/institution, vehicle-oriented commercial, mixed use village, and multi-family residential streets, bollards shall be installed between the sidewalk and the raised intersection or crosswalk to ensure vehicles do not enter the sidewalk or bulb-out.</p>	

For enhanced driver noticeability, in addition to white retroreflective striping, crosswalks shall be constructed of stamped and colored concrete to provide clear contrast between the street and crosswalk. Each block shall be provide with a mid-block crosswalk. Solar powered user-activated rapid flashing beacons shall be installed on midblock crosswalk signage.

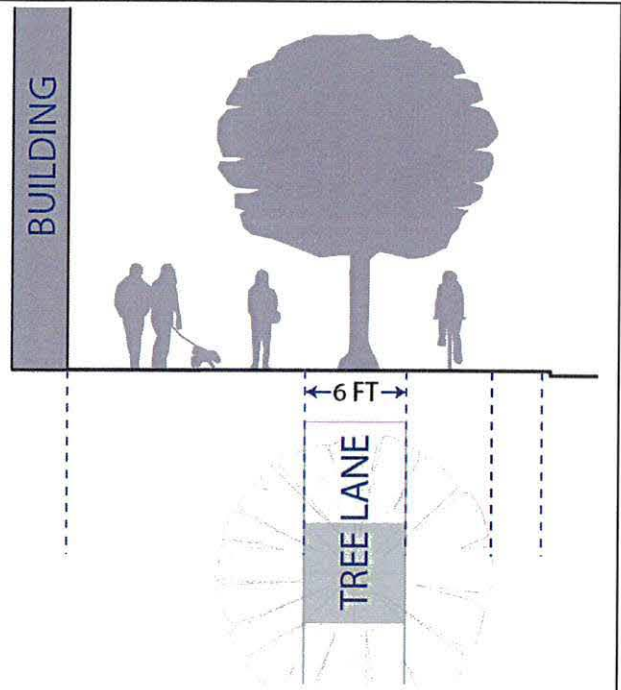


STREET TREES

Street trees required. As part of the required street improvements within this zone, street trees shall be installed in the designated tree lane, as depicted in Section 104-22-7.1, on the same side of the street as the development and for the entire length of the development lot's street frontage. Tree species shall be approved by the Planning Director and County Engineer as part of the review of the development. A street tree plan shall be submitted as part of a development application and shall be accompanied by a letter from a certified arborist or landscape architect, certifying that the proposed tree type is suitable considering site conditions and local climate. The plan shall include planting methods that are specific to the site conditions. Planting methods shall provide means of protecting the longevity of the tree and the street infrastructure. Street trees shall be provided with a permanent watering method with irrigation infrastructure installed underground.

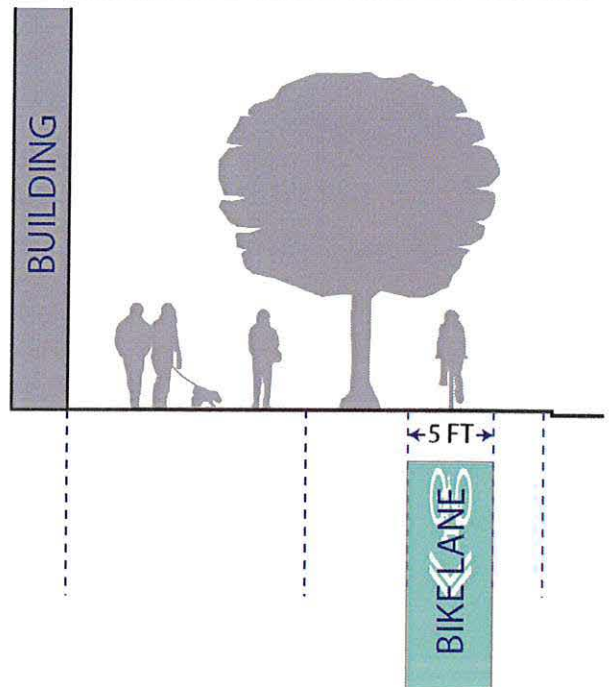
Tree planting. No street tree shall be planted within the clear view triangle as provided in Section 108-7-7, Section 106-4-5, or the American Association of State Highway and Transportation Officials (AASHTO) standards. To provide continuous shade of the pedestrian areas, spacing between tree trunks shall equal the average diameter of the specific tree species' canopy at maturity.

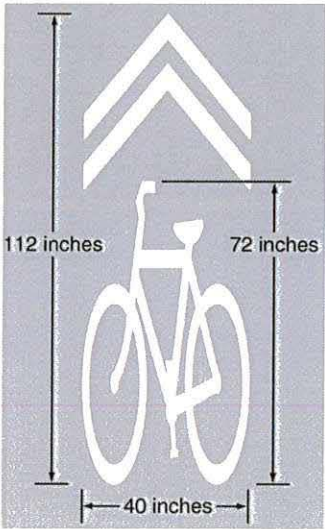
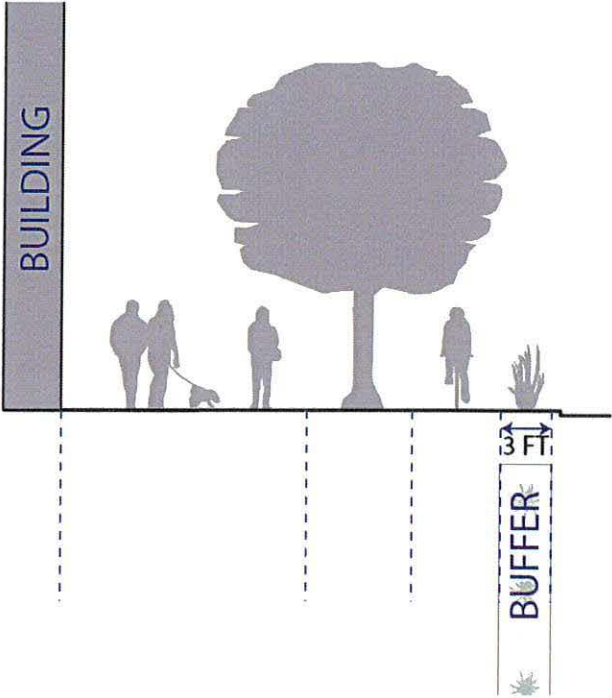
Tree maintenance. Unless an association, district, or other collective funding and maintenance entity is approved by the County to provide tree maintenance, a street tree shall be maintained by the owner or proprietor of the property that is immediately adjacent to the street right-of-way where the tree is located. A tree maintenance plan shall be submitted as part of the development review for new development. Trees shall be pruned in a manner that gives at least a seven foot clearance above the sidewalk and a 12 foot clearance above a bike lane or parking area, as depicted by the following graphic:



BIKE FACILITIES

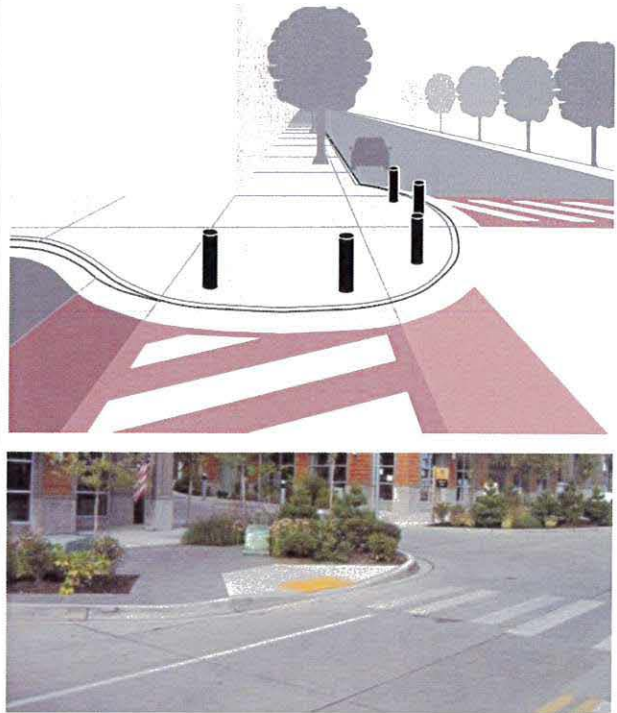
Bike lane. A concrete bike lane that is five feet in width shall be installed as part of the required street improvements. The bike lane shall be on the same plane as the sidewalk, and shall be separated from the pedestrian walkway by the tree lane.



<p><i>Bike lane alternative.</i> When topography results in the inability to safely create sufficient street right-of-way width, the County Engineer has discretion to allow a bike lane to occupy the street's vehicle travel lane. In these cases, a five-foot wide retroreflective green bike lane shall be applied to the center of the lane, and marked with retroreflective sharrows as shown in the following graphic:</p>	
<p>STREET PARKING</p>	
<p><i>Street parking.</i> Each street shall be designed and constructed to provide 45-degree angled parking. When topography results in the inability to safely create sufficient street right-of-way width, the County Engineer has discretion to allow a parallel street-parking design instead.</p>	
<p><i>Parking bumper buffer.</i> A three-foot parking buffer shall be provided between the bike lane and the curb for vehicle bumper overhang. Vegetation may be in this buffer.</p>	
<p>CURB, GUTTER, AND DRAINAGE FACILITIES</p>	

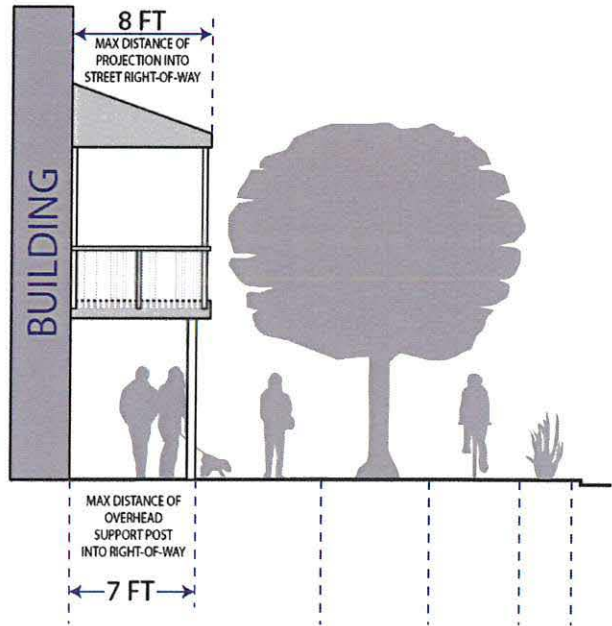
Curb and gutter. Curb and gutter shall be installed along each street and internal alleyway in accordance with the County's standard curb and gutter cross sections.

Curb extension bulb-outs. In order to provide traffic calming and pedestrian safety, street improvements at intersections, pedestrian crossings, and mid-block alleys, if different, shall be constructed with curb extensions that bulb-out directly adjacent to the lane of travel. Bike lane widths shall not be obstructed or made narrower at any point along a curb extension bulb-out. Bulb-outs shall be designed to the specifications of this ordinance and the County Engineer, or as otherwise adopted. Where a bulb-out provides access to a raised pedestrian crosswalk, bollards shall be installed along the curve of the bulb-out to keep vehicles from entering the pedestrian-way. Examples of bulb-outs are provided in the images to the right.



ITEMS IN THE PUBLIC RIGHT-OF-WAY

Overhead projections. Overhead building projections such as but not limited to awnings, canopies, balconies, and cantilevers, are permitted within the public right-of-way, provided that they leave a vertical clearance over the sidewalk or walkway of no less than nine feet, and shall not project more than eight feet into the public right-of-way. Any support post beneath the building projection shall be no greater than seven feet from the building façade, be designed to offer minimal disruption to sidewalk traffic, and meet all ADA clearance requirements.



Amenities and furniture. Non-permanent street amenities such as street furniture for outside dining, benches, bike racks, planters, and street sales and displays are permitted between street trees and along sidewalks as long as they do not cause any hazard to the use of the bike lane; and they are located in a manner that leaves a continuous seven-foot wide pedestrian walkway.

Street Lighting. Street lighting shall be installed as part of the required street improvements within this zone. Street lighting shall compliment the architectural design theme of the area.

Overhead utilities. All new development shall move all existing overhead utilities underground, and install all new utilities underground as well.

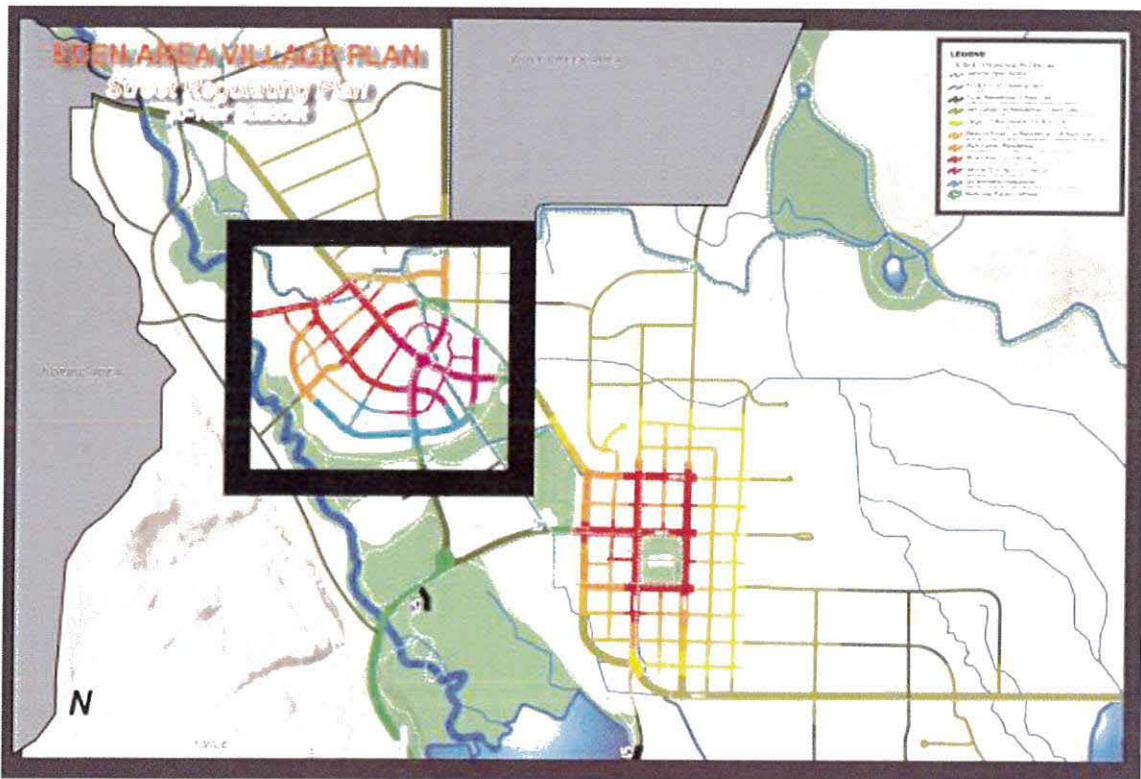
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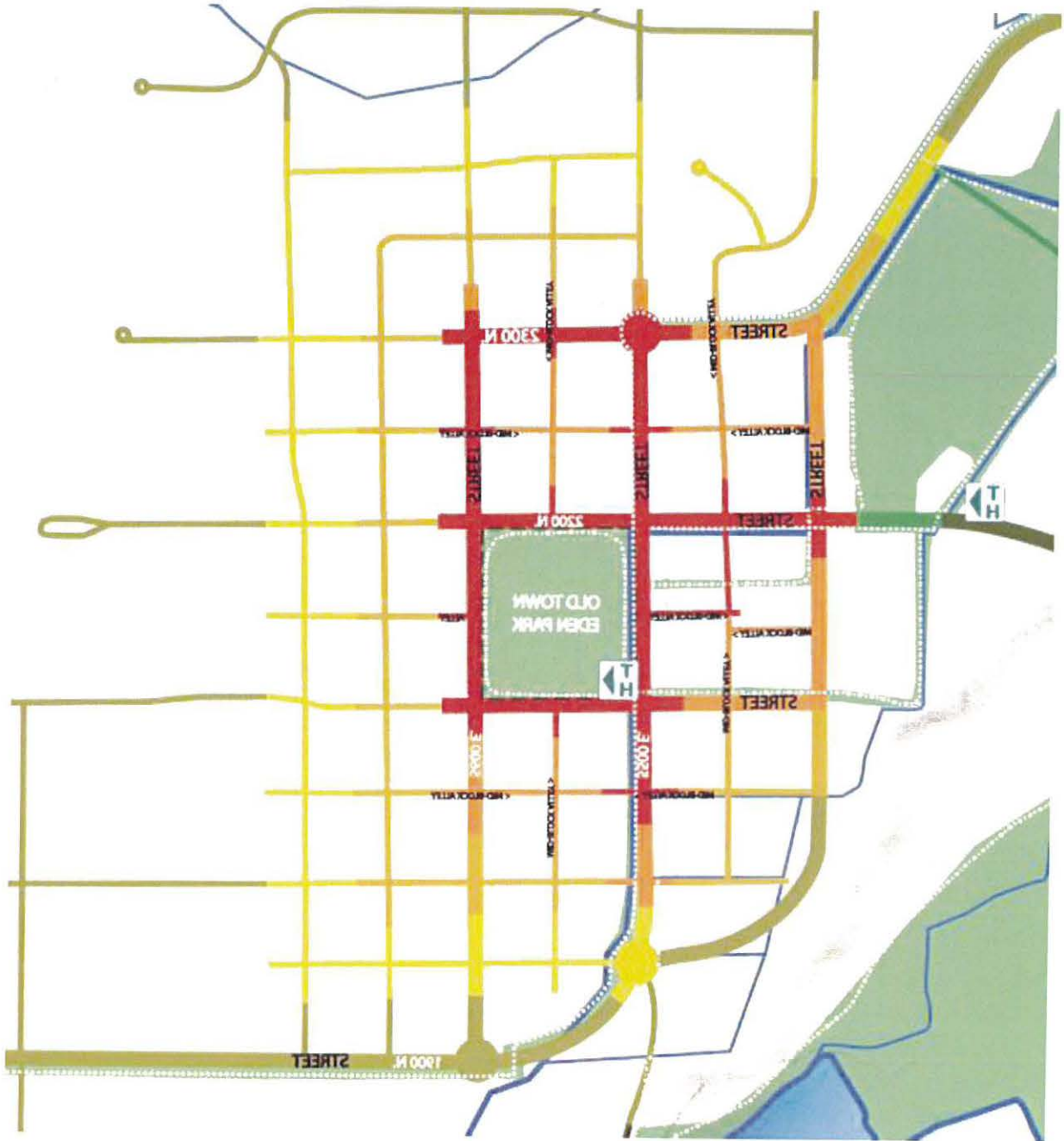
341 **Sec 104-22-8 Street Regulating Plans**

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

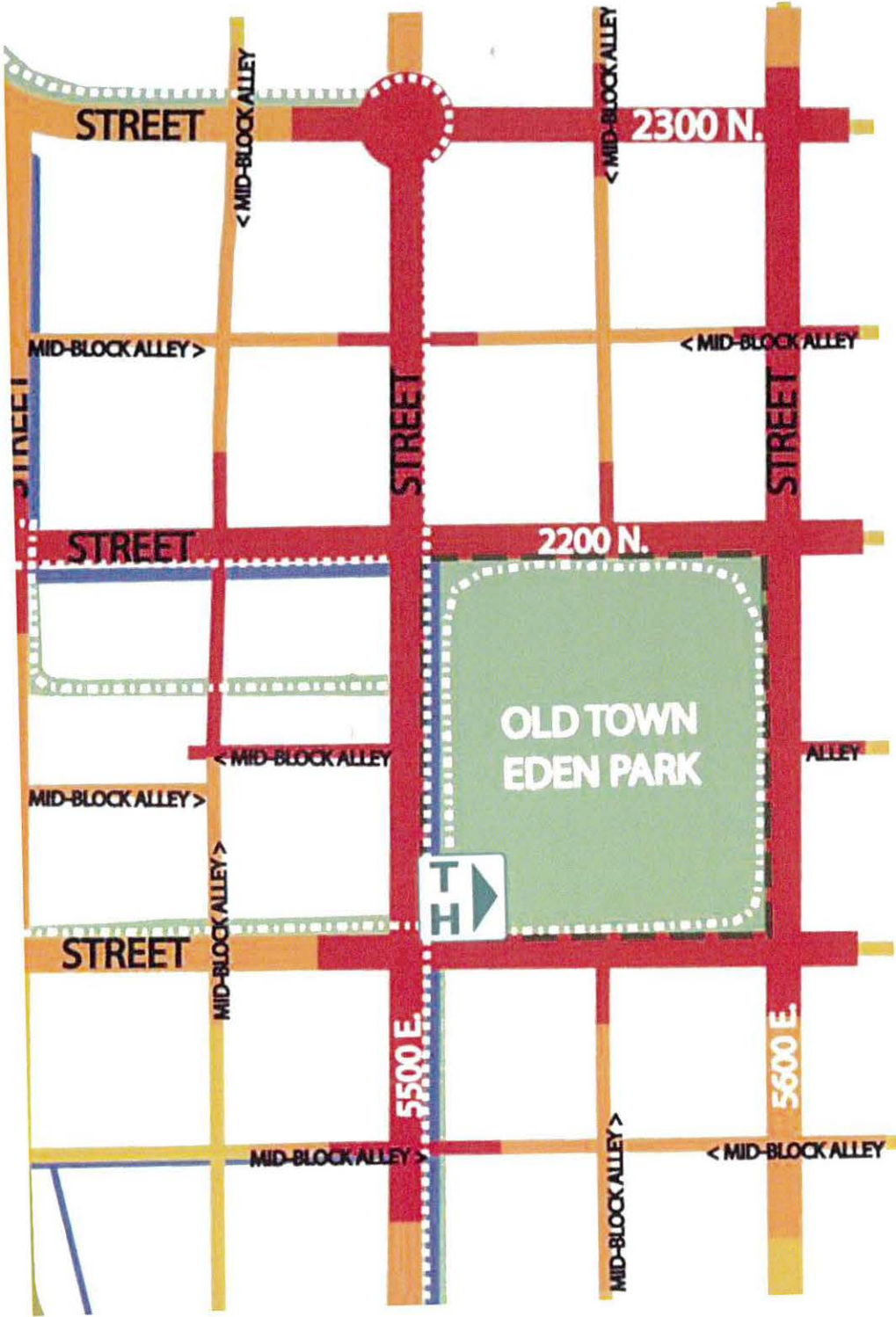
349 (a) **Old Town Eden Street Regulating Plan Map.**

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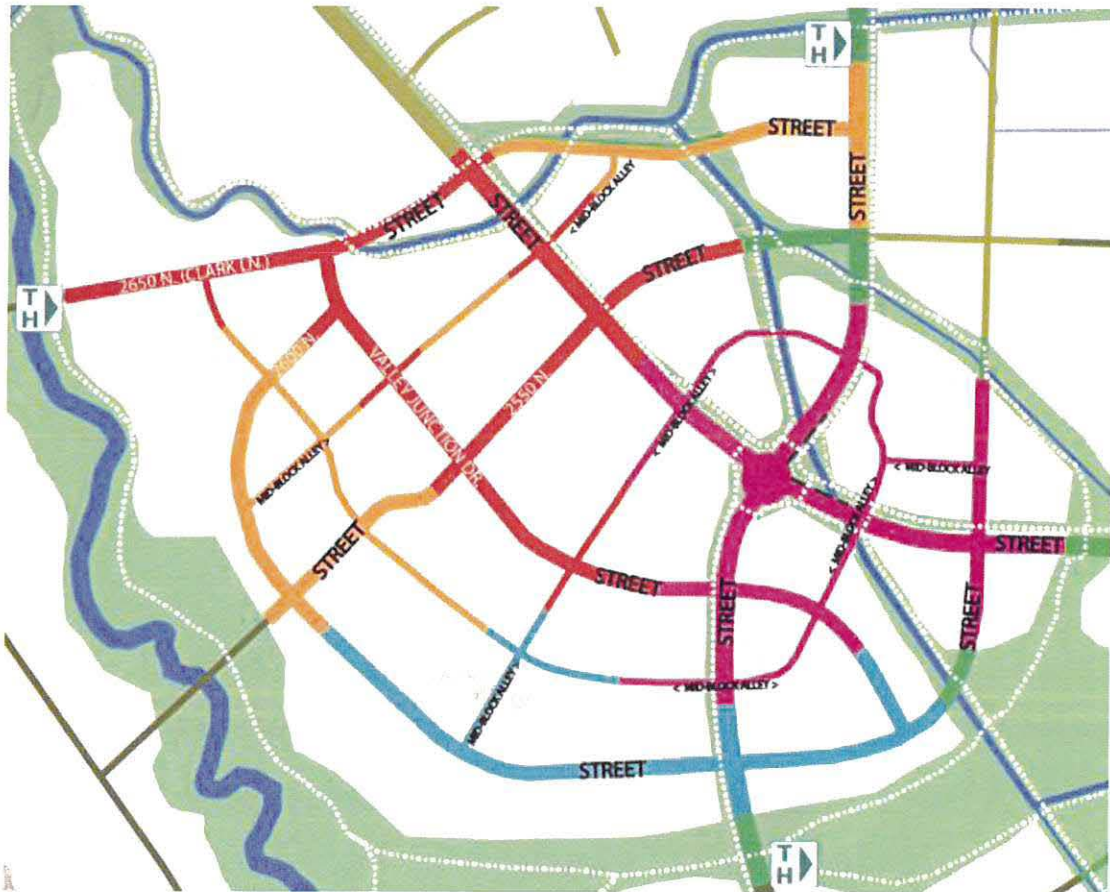
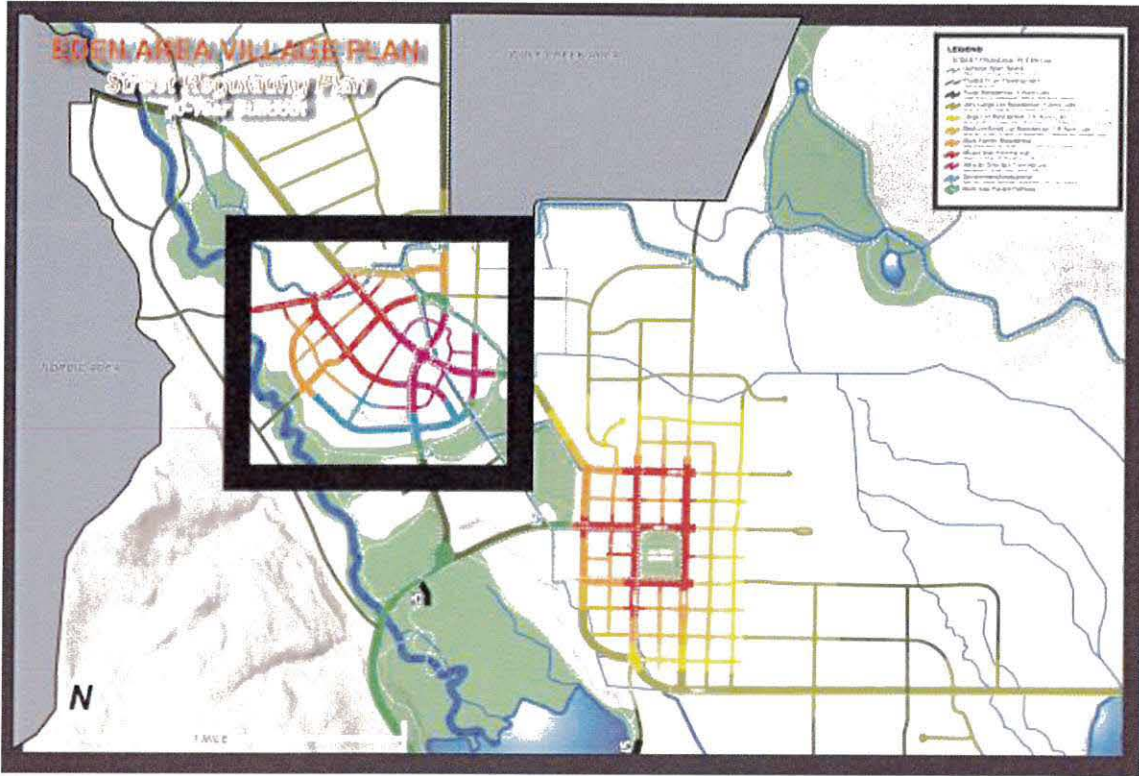


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(b) *New Town Eden Street Regulating Plan Map.*



356

357 **Sec 104-22-9 Parking**

358 (a) Each application for development shall include a parking plan that demonstrates that sufficient
359 parking will be provided by the street parking adjacent to the building or an off-street parking lot
360 within 1000 feet of the building. All parking lots shall be hard-surface asphalt or concrete. Street
361 parking not adjacent to the lot's street-frontage shall not be counted in determining that sufficient
362 parking has been provided.

363 (b) Except for residential uses, the Land Use Authority may reduce the minimum parking spaces
364 required if sufficient evidence suggests that the required number of spaces is excessive for the
365 building and proposed use or uses therein. If a change of use occurs, more parking may be required
366 if the new use merits it, as determined by the Land Use Authority. The applicant proposing to
367 change the use shall be required to provide the additional off-street parking within 1000 feet of the
368 use.

369 (c) The minimum required parking for a residential use shall be located off-street within the same block
370 as the residential use.

371 (d) A surface parking lot shall have one tree for each four parking spaces, and a five-foot wide
372 landscape planting area that runs the depth of the parking row shall be located at each end of a
373 parking row.

374 (e) A parking structure located adjacent to the street shall have street-level commercial space and
375 have a street-facing facade that disguises the parking structure to generally look like other buildings
376 in the area.

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378 **Sec 104-22-10 Signage**

379 In addition to the signage regulations in this Land Use Code, no signage shall be affixed to a building higher
380 than the top of the second story.

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384 **Chapter 108-3 Cluster Subdivisions**

385 ...

386 **Sec 108-3-5 Open Space Preservation Plan**

387 ...

388 (c) ***Open space development standards and ownership regulations.*** All open space area
389 proposed to count toward the minimum open space area required by this chapter shall be clearly
390 identified on the open space site plan. The following standards apply to their creation. Open space
391 area in excess of the minimum required by this chapter is exempt from these standards.

392 ...

393 (6) ***Open space parcel area.*** The minimum area for an open space parcel located within a
394 cluster subdivision is as follows:

395 a. ***Common area.*** An open space parcel designated as common area is not subject
396 to minimum area requirements.

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b. **Park area.** An open space parcel conveyed to a local park district shall be of a sufficient size to adequately accommodate park infrastructure, amenities, and parking.

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c. **Public utility area.** An open space parcel conveyed to a culinary or secondary water service provider or a sewer service provider is not subject to minimum area requirements.

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~~e.d.~~ **Individually owned open space parcel area.** An open space parcel designated as an individually owned preservation parcel shall contain an area of not less than five acres and shall be part of a contiguous area of open space consisting of not less than ten acres in total; and shall be in compliance with the following:

407 ...

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~~e.e.~~ **Estate lot area.** Up to 80 percent of an estate lot, as defined in Section 101-2, may count towards the open space acreage requirement provided the following standards are applied:

411 ...