



MEMORANDUM

TO: Ogden Valley Planning Commission

FROM: Planning Division Staff

SUBJECT: **ZTA 2021-07** – Amendments to the Form-Based Village Zoning Ordinance to add provisions and exhibits intended to create a Nordic Valley Village Area.

DATE: April 26th 2022

Ogden Valley Planning Commissioners,

In addition to multiple privately-held public open houses, ZTA 2021-07 has undergone formal review by the Ogden Valley Planning Commission (OVPC) in both public hearing (03/22/2022) and work session (04/05/2022). Through this vetting process, the proposed amendments to the Form-Based Village Zoning Ordinance (FBV) have been revised utilizing the feedback received from the public, the OVPC, and the project applicant. The attached **Exhibit A** provides a redlined draft of the proposed text amendments as it has been modified from the original draft presented during the March 22nd 2022 OVPC public hearing and April 5th 2022 work session. Additionally, the following list provides a summary of these changes:

1. Addition of definitions for the following uses: Amusement Park, Dude Ranch, Emergency Services Plan, Indoor Entertainment Facility, and Outdoor Entertainment Facility.
2. Various clerical edits as recommended by the Weber County Attorney's Office. These edits include non-substantive grammatical edits, spelling, or language clarifications throughout the document.
3. A handful of uses have been added to, or removed from, the land use table to more specifically address nuanced uses and duplicated similar uses.
4. Per feedback from the OVPC during their April 5th work session, adjustments were made to multiple permitted, conditionally permitted, and not permitted uses within the use table.
5. Staff have adjusted the existing requirement for a Perpetual Building Maintenance Agreement from a setback of less than 5 feet to when a building is setback less than 10 feet.
6. Removal of the special regulations governing "Animal Grazing".
7. Added clarification to the special regulation governing "Automobile or Other Vehicle Related Uses" to indicate that no vehicle awaiting service shall be stored outside for more than one day.
8. Replacement of "Bed and Breakfast Dwelling" and "Bed and Breakfast Inn" uses with "Owner-Occupied Short-Term Rental". This change is reflected in the use table and in the special regulations section. The special regulations of this use have also been updated to indicate that an owner must be present at all time in which the property is being rented on a short-term basis.



9. Removal of the special regulations regarding “Workforce Housing”. This use is still listed in the land use table, however the special regulations have been removed. Following discussion with the OVPC, this use will be more specifically negotiated and agreed upon through individual development agreements of rezoning applications as they are considered.
10. Addition of a Medium Lot Residential street type and lot development standards. This addition is reflected in the use tables, development standard tables, and the Nordic Village street regulation plan. This change will also require that the existing New-Town and Old-Town Eden street regulating plans be updated with appropriate RGB color values prior to codification.
11. The Medium Lot Residential (MLR) lot area standard has been defined as a minimum of 8,000 sq. ft.
12. The MLR lot width and frontage standard has been defined as 50 ft.
13. The front lot-line setback standards table has been reformatted for clarity and readability.
14. The front lot-line setback table has also been adjusted to reduce the minimum front lot-line setback for Small Lot Residential (SMR) from 20 feet down to 5 feet.
15. The front lot-line setback table has defined the front lot-line setback standards for MLR as a minimum of 20 feet and a maximum of 30 feet.
16. Additional clarifications have been added regarding improvements that are allowed within the minimum front lot-line setbacks of Government and Institutional (G&I), Vehicle-Oriented Commercial (VOC), and Mixed-Use Commercial (MUC). These clarifications are intended to allow the areas within the front lot-line setbacks to be reserved for future first-floor street-level commercial buildings.
17. The rear lot-line setback table has been adjusted to change the SLR rear lot-line setback from 10 feet to 5 feet.
18. The lot coverage table and standards have been updated to more specifically address the scale of each street type. Instead of a blanket 80% coverage ratio on the residential street types, individual coverage ratios or number of allowed dwelling units have been applied to match the scale of each lot’s square footage.
19. The height table has been updated to remove Nordic specific height limitations. Instead, the table has been simplified by maximum and minimum heights based on street type. The minimum building height on the G&I, VOC, and MUC street types has been set at 35 feet and the maximum has been set at 50 feet regardless of internal or corner lots.
20. The number of street trees allowed to be grouped together in the Nordic Village (as opposed to equally spaced along the ROW) has been increased from 5 to 10 trees.
21. The Nordic Village Street Regulating plan has been updated as follows:
 - a. Removed the “South Village” area that was originally proposed along the south and west of existing residences on Viking Drive. The updated street regulating plan now shows a potential Rural Residential (RR) street connecting Viking Drive to 1950 North to allow for a few single-family residential homes to be built in the area.



- b. Pulled the proposed Multi-Family Residential (MFR) area further to the north along Nordic Valley Way to provide additional transition from MFR to the existing homes near the intersection of Nordic Valley Way and Viking Drive.
 - c. Additional dashed lines have been added for potential trail connections throughout the street regulating plan.
 - d. A depiction of the existing Forests Service/Public Lands has been added for context.
22. The parking requirements have changed to require all parking lots to be hard-surfaced asphalt or concrete as opposed to exempting seasonal day-skier parking from this requirement.
 23. A clarification has been made to Sec. 104-22-11(a)(2) regarding additional residential dwelling units being permitted on any lot that has street frontage on, or gains primary access from, any street type in the street regulating plan, except Estate Lot Residential streets (previously excepted Rural Residential streets).
 24. The FBV Transferable Development Rights section has been updated to remove the subsection pertaining to density exemptions for dwellings specifically devoted to the housing of employees working in the local service industry and earning less than 80 percent of the county's median household income.

In summation, the discussion and thought spurred on by the applicant's proposal has allowed staff to work together with the applicant, the public, and the OVPC to craft a significantly improved FBV ordinance. The majority of the proposed adjustments improve the overall regulatory framework for all current and future village areas. Specific additions have been added at the request of the applicant and are only applicable (with exception to building height) to the formation of a Nordic Village Area. These Nordic-specific adjustments/additions include the following:

1. Height allowance increased from 45 feet to 50 feet on G&I, VOC, MUC, and MFR street types.
2. Creation and addition of a Nordic Village Street Regulating Plan.
3. Nordic Village building design standards.
4. Nordic Village street tree grouping allowance (as opposed to evenly spaced every 50 feet).

This Zoning Text Amendment (ZTA) has been scheduled for additional discussion and potential action during the upcoming OVPC meeting on April 26th 2022. **POTENTIAL ACTION ON THE APPLICANT'S REZONE APPLICATION (ZMA 2021-09) WILL BE HELD AT A FUTURE DATE.** Any OVPC action on this text amendment 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. When considering an action on this item, the OVPC may make a positive recommendation as the proposal is presented, a positive recommendation with conditions, or a negative recommendation. The commission could also elect to separate portions of the proposal and forward a positive recommendation on specific portions. Lastly, the commission could move to table the item to allow for additional discussion, research, or revisions to be discussed at a future meeting.



Weber County

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Should the OVPC elect to forward a positive recommendation, with or without conditions, the recommendation could utilize the following findings as listed in the staff report that was presented during the March 22nd 2022 meeting (see **Exhibit B**):

1. The changes are supported by the 2016 Ogden Valley General Plan.
2. The proposal serves as an instrument to further implement the vision, goals, and principles of the 2016 Ogden Valley General Plan.
3. The changes will enhance the general health and welfare of County residents.

Please feel free reach out to me should you have any questions regarding the proposal or changes made since the last draft was reviewed by the commission.

Respectfully,

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1 Part II Land Use Code

2 ...

3 Title 101 General Provisions

4 ...

5 Sec 101-2-5-D2 A Definitions

6

7 Amusement park. The term "amusement park," also referred herein as a "carnival operations," means a
8 facility, primarily located outdoors, that may include structures and buildings where there are various
9 devices for entertainment, including rides, booths for the conduct of games or sale of items, and buildings
10 for shows, entertainment, restaurants, and souvenir or gift sales.

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12 Sec 101-2-5 D Definitions

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14 Dude ranch. The term "dude ranch" means a commercial vacation ranch operation that provides
15 activities related to a ranch lifestyle, which may include camping, horseback riding, and wrangling, and
16 which may also offer short-term rental accommodations for guests engaged in these activities.

17 ...

18 **Dwelling.** The term "dwelling" means a building or portion thereof, which is constructed in compliance
19 with the county's adopted building codes and designed as a place for human habitation. This does not
20 include a hotel or hotel room, condominium rental apartment (condo-tel), boardinghouse, lodginghouse,
21 tourist court or apartment court.

22 **Dwelling, four-family.** The term "four-family dwelling," also referred to as a "quadplex," means a building
23 arranged or designed to contain only four dwelling units with approximately the same floor area, and
24 occupying one lot or parcel.

25 **Dwelling, group.** The term "group dwelling" means two or more dwellings arranged around a court.

26 **Dwelling, multiple-family.** The term "multiple-family dwelling," also referred to as a "multi-family
27 dwelling," means a building or portion thereof arranged or designed to contain more than four dwelling
28 units, including an apartment building and condominium building.

29 **Dwelling, single-family.** The term "single-family dwelling" means a building or portion thereof arranged
30 or designed to exclusively contain only one dwelling unit, unless specified otherwise by this Land Use
31 Code, and occupying one lot or parcel.

32 **Dwelling, single-family attached.** The term "single-family attached dwelling" means a building arranged
33 or designed to contain more than one dwelling unit, but that occupies multiple lots or parcels, each lot or
34 parcel encompassing an entire dwelling unit from ground to sky. This is traditionally known as a
35 townhome or townhouse.

36 **Dwelling, three-family.** The term "three-family dwelling," also referred to as a "triplex," means a building
37 arranged or designed to contain only three dwelling units with approximately the same floor area, and
38 occupying one lot or parcel.

39 **Dwelling, two-family.** The term "two-family dwelling" also referred to as a "duplex," means a building
40 arranged or designed to contain only two dwelling units with approximately the same floor area, and
41 occupying one lot or parcel.

42 **Dwelling unit.** The term "dwelling unit" means any building or portion thereof that contains living
43 facilities, including provisions for sleeping, eating, cooking and sanitation, for not more than one family.

44 **Dwelling unit, condominium.** See "condominium dwelling unit."

45 **Dwelling unit, townhome.** See "single-family attached dwelling."

46 ...

47 **Sec 101-2-6 E Definitions**

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49 **Emergency services plan.** The term "emergency services plan" means a document that describes, in
50 general, the emergency facilities and level of staffing that are part of (or will provide services to) a
51 proposed resort. The plan is supplemental to an overall master plan and consists of but is not limited to
52 the following sections: an executive summary, list of facilities (e.g., fire/sheriff) and phasing schedule
53 describing emergency personnel staffing and anticipated time and general location of facility construction
54 if applicable.

55 **Entertainment facility, indoor.** The term "indoor entertainment facility" means an indoor facility
56 providing entertainment for a fee, including such activities as dance halls, theatrical productions, bands,
57 orchestras, and other musical entertainment; bowling alleys and billiard and pool establishments; rinks,
58 and racetracks; mini-golf course; coin or bill operated devices, membership sports and health clubs,
59 swimming pools, riding academies, expositions, and game parlors.

60 **Entertainment facility, outdoor.** The term "outdoor entertainment facility" means an outdoor facility
61 providing entertainment for a fee, including the same or similar activities as an indoor entertainment
62 facility, and also including commercial facilities such as an arena; horse rides; tubing hill, or court or field
63 sport oriented complex. **Estate lot.** The term "estate lot" means a lot within a subdivision, intended for the
64 use of a dwelling unit, that contains at least five and one-quarter acres.

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66 ...

67 **Sec 101-2-13 Lot Definitions**

68 **Lot.** The term "lot" means a parcel of land capable of being occupied by an allowed use, building or
69 group of buildings (main or accessory), and approved for human occupancy either full- or part-time;
70 together with such yards, open spaces, parking spaces and other areas required by this title and the
71 Land Use Code. Except when allowed otherwise in this Land Use Code, not more than one dwelling
72 structure shall occupy any one lot.

73 ...

74 **Chapter 104-22 Form-Based Village Zone FBV**

75 Sec 104-22-1 Purposes And Intent

76 Sec 104-22-2 Applicability

77 Sec 104-22-3 Land Use Table

78 Sec 104-22-4 Special Regulations For Specific Uses

79 Sec 104-22-5 Lot Development Standards

80 Sec 104-22-6 Building Design Standards

81 Sec 104-22-7 Street Types And Street Design

82 Sec 104-22-8 Street Regulating Plans

83 Sec 104-22-9 Parking

84 Sec 104-22-10 Signage

85

86 **Editors note:** Ord 2021-16, adopted May 25, 2021, merged the MV-1, M-1, M-2, and M-3 zones into a
87 single chapter, removing them from Chapter 22, 23, 24, and 25, and placing them into Chapter 21. Ord
88 2022-04, adopted January 18, 2022, created the "Form-Based Village Zone" as set forth herein.

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90 HISTORY

91 Adopted by Ord. 2022-04 on 1/18/2022

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93 **Sec 104-22-1 Purposes And Intent**

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

- 99 (a) **Implements the general plan.** The Form-Based Village Zone regulations are intended to carry
 100 out the objectives of the 2016 Ogden Valley General Plan through the implementation of form-
 101 based small area zoning and transferable development rights.
- 102 (b) **Creates street regulating plans.** Each Village area affected by the Form-Based Village Zone
 103 shall be governed by a Street Regulating Plan. The purpose of the Street Regulating Plan is to
 104 address specific design and functionality of streets and building facades along these streets. The
 105 intent is to stimulate the creation of buildings and streets that frame the public rights-of-way with
 106 architectural and design elements that are unified under a common design theme whilst enabling
 107 unique building facades.

108 HISTORY

109 *Adopted by Ord. [2022-04](#) on 1/18/2022*

110

111 **Sec 104-22-2 Applicability**

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- 113 (a) **New development to comply.** The principles, standards and guidelines of this chapter apply to
 114 proposals for new development, changes in land uses, and site improvements to existing
 115 buildings, lots, or parcels that are in the Form-Based Village Zone. Exterior modifications to
 116 existing development shall comply if the exterior modification exceeds either 25 percent of the
 117 street-facing facade of the building, or 25 percent of the lot's street frontage.
- 118 (b) **Other regulations apply.** In the Form-Based Village Zone, except when more specific
 119 regulations are provided in this chapter, the CV-2 zoning regulations of [Section Title 104- Chapter](#)
 120 20, and the design review regulations and architectural, landscape, screening, and design
 121 standards of [Section Title 108- Chapter 1](#) and [Title 108- Chapter 2](#) apply to all lots, except a lot
 122 with only one single-family dwelling.
- 123 (c) **Street regulating plan.** The applicable regulations herein are specific to the street type, as
 124 designated by the applicable street regulating plan. New development within the Form-Based
 125 Village Zone shall comply with the applicable street regulating plan. Development of any property
 126 along a street or that gains primary access from that street shall comply with the street design
 127 requirements, as provided in Section 104-22-7, and the building design standards in Section
 128 104-22-6, for the specific type of street. A list and explanation of each street type is provided in
 129 Section 104-22-7.
- 130 (d) **Effect of street regulating plan and graphics.** Details in a street regulating plan or any graphic
 131 in this chapter have no effect unless expressly provided by this chapter.

132 HISTORY

133 *Adopted by Ord. [2022-04](#) on 1/18/2022*

134

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

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137 The following land use table provides use regulations applicable for each street type. In the list, those
 138 designated for any street type as "P" will be a permitted use. Uses designated as "C" will be allowed only
 139 when authorized by a conditional use permit obtained as provided in Title 108, Chapter 4 of this Land Use

140 Code. Uses designated "N" will not be allowed on property with frontage on, or that gains access from,
 141 that street type.

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

	G&I	VOC	MUC	MF R	SL R	ML R	LL R	R R	EL R	OS	SPECIAL REGULATIONS
Accessory building. A building that is accessory and incidental to the use of a main building.	P	P	P	P	P	P	P	P	P	P	
Accessory dwelling unit. A dwelling unit that is accessory to a single-family dwelling residential use.	N	N	N	N	P	P	P	P	P	N	See Chapter 108-19.
Accessory use. A use that is accessory and incidental to the main use.	P	P	P	P	P	P	P	P	P	P	-
Agricultural hobby farm	P	P	P	P	P	P	P	P	P	P	
Family food production. Family food production as an accessory use to a single-family dwelling residential use.	N	N	N	N	N	N	P	P	P	N	See Section 104-22-4.
Home occupation. A home occupation that is accessory to a residential use.	P	P	P	P	P	P	P	P	P	N	See Chapter 108-13.
Household pets. Household pets that are accessory to a residential use.	P	P	P	P	P	P	P	P	P	N	
Main building. A main building that is designed or used to be	P	P	P	P	P	P	P	P	P	P	

accessory <u>to</u> an outdoor main use allowed in the zone.											
Parking lot. A parking lot that is accessory to a main use allowed in the zone.	P	P	P	P	P	P	P	P	P	P	See Section 104-22-9.
<u>Produce stand, for produce grown on the premises only.</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
Temporary building or use. A temporary building or use that is accessory and incidental to onsite construction work.	P	P	P	P	P	P	P	P	P	P	See Section 104-22-4.

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(b) **Agricultural and open space uses, generally.**

	G & I	V O C	M U C	M F R	S L R	M L R	L L R	R R	E L R	O S	SPECIAL REGULATIONS
Agriculture , as a main use of the property	N	N	N	N	N	N	P	P	P	P	
Agricultural experiment station.	P	N	N	N	N	N	N	P	P	P	
Agri-tourism.	N	N	N	N	N	N	N	P	P	P	See Title 108, Chapter 21.
Aquaculture.	N	N	N	N	N	N	N	P	P	P	
Botanical or community garden. Open space land for the purpose of growing plants. This use may be for private use or open to the general public with or without a fee.	P	P	P	P	P	P	P	P	P	P	
Fruit or vegetable stand, for produce grown on the premises only.	P	P	P	P	P	P	P	P	P	P	-
Fruit and vegetable storage and packing plant, for produce grown on premises.	N	N	N	N	N	N	N	P	P	P	10-acre minimum lot area required.
Grain storage elevator.	N	N	N	N	N	N	N	N	P	P	10-acre minimum lot area required.
Greenhouse and nursery. Sales are limited to plants produced on the premises.	P	P	N	N	N	N	P	P	P	P	
Manure spreading, drying and sales.	N	N	N	N	N	N	N	N	P	P	
Wildlife sanctuaries. A wildlife sanctuary.	N	N	N	N	N	N	N	N	P	P	10-acre minimum lot area required.

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(c) **Agricultural uses, animal-oriented.** The following are animal-related uses that do not and shall not typically generate customer-oriented traffic to the lot or parcel.

	G & I	V O C	M U C	M F R	S L R	M L R	L L R	R R	E L R	O S	SPECIAL REGULATIONS
-											
Animal grazing. Animal grazing, as defined in Section Title 101- Chapter 2.	N	N	N	N	N	N	P N	P	P	P	See Section 104-22-4.
Apiary. The keeping of bees.	N	N	N	N	N C	N P	P	P	P	P	
Aquaculture, animal related. The raising and potential harvesting of water animals or water plants.	N	N	N	N	N	N	P	P	P	P	
Aviary. The raising of birds.	N	N	N	N	N	P	P	P	P	P	No onsite slaughtering permitted.
Corral or stable . A corral, stable, or building for the keeping of agricultural animals or fowl.	N	N	N	N	N	N	P	P	P	P	See Section 104-22-4.
Dairy farm, including milk processing and sale, when at least 50 percent of milk is produced on the farm.	N	N	N	N	N	N	P	P	P	P	10-acre minimum lot area required.

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(d) **Amusement, entertainment, and recreation uses.** The following are uses oriented toward providing amusement or entertainment for patrons.

G	V	M	M	S	M	L	L	E	S	SPECIAL REGULATIONS
&	O	U	F	L	L	R	R	L	O	
I	C	C	R	R	R	R	R	R	S	

	G	V	M	M	S	M	L	L	E	S	
Entertainment facility, large indoor. An indoor entertainment facility, As ^{as} defined in Title 101, Chapter 2, using greater than 20,000 square feet of floor area.	C	C	N	N	N	N	N	N	N	N	
Entertainment facility, outdoor. An outdoor entertainment facility, as defined in Title 101, Chapter 2.	C	C	N	N	N	N	N	N	N	N	
Entertainment facility, small indoor. An indoor entertainment facility, as defined in Title 101, Chapter 2, limited to no more than 20,000 square feet of floor area.	C	C	C	C	N	N	N	N	N	N	
Amusement park. Amusement park.	C	C	N	N	N	N	N	N	N	N	
Amusement park, temporary. An amusement park, circus, petting zoo, pony ring, or carnival that is conducted for no greater ^{longer} than one month.	P	P	P	C	N	N	N	N	C	C	
Botanical or zoological garden. A botanical or zoological garden, including petting zoo and pony ring.	P	P	P	P	P	P	P	P	P	P	2-Acre minimum lot or parcel area required.
Campgrounds or picnic areas, commercial. A commercial campground or picnic area.	N	N	N	N	N	N	C	C	C	P C	See Section 104-22-4. 2-Acre minimum lot or parcel area required.
Dude ranch. A dude ranch, as defined in Title 101 Chapter 2.	N	N	N	N	N	N	N	P	P	P C	10-acre minimum lot or parcel area required.
Golf course. Golf course.	N	N	N	N	N	N	P	P	P	P	This shall not include miniature golf.
Private park, playground or recreation area, noncommercial. A private park charging no fee or remuneration for use.	P	P	P	P	P	P	P	P	P	P	
Public park, recreation grounds. Recreation grounds that are owned and operated by a public entity.	P	P	P	P	P	P	P	P	P	P	
Recreation lodge. A recreation lodge, as defined in Title 101, Chapter 2.	P	P	P	P	P	N	N	N	C	N	
Recreational resort. A recreation ^{recreational} resort, as defined in Title 101, Chapter 2.	P	P	P	N	N	N	N	N	N	N	
Shooting range or training course. A shooting range.	C	C	N	N	N	N	N	N	N	C	See Section 104-22-4. Five-acre minimum lot or parcel area required for an outdoor range.
Ski area. A ski area and associated skiing facilities such as lifts, lift towers, and ski runs and trails.	P	P	P	P	P	P	P	P	P	P	

Ski lodge and associated services	N	N	P	P	N	N	N	N	N	P	When accessory to an allowed ski area.
Swimming pools, private. A private swimming pool.	P	P	P	P	P	P	P	P	P	P	
Trails. Trails for skiing, equestrian uses, hiking, biking, and similar.	P	P	P	P	P	P	P	P	P	P	
Zoo.	P	P	N	N	N	N	N	N	N	P	10-acre minimum lot or parcel area required.

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(e) **Animal services and uses.**

G	V	M	M	S	M	L	R	E	O	SPECIAL REGULATIONS
&	O	U	F	L	L	L	R	L	S	
I	C	C	C	R	R	R	R	R	S	

Animal groomery, small animal. Grooming for small animals.	P	P	P	P	N	N	N	N	P	N	A small animal generally weighs less than 250 lbs.
Animal shelter or pound. A dog pound or shelter.	P	C	N	N	N	N	N	N	N	N	-
Dog or cat facility. Dog or cat breeding, kennels, lodging, or training school.	P	C	N	N	N	N	N	C	C	C <u>N</u>	If located completely indoors, and inaudible from an adjoining lot or parcel, this use is permitted where listed as conditional.
Horse or equestrian event center. A horse or equestrian event center, including indoor concessions as an accessory use.	P	N	N	N	N	N	N	N	N	P <u>C</u>	
Horse or equestrian training facility and stabling, commercial. A commercial equestrian training facility or horse stable.	N	N	N	N	N	N	N	N	C	C	
Stable for horses, noncommercial. Horses shall be for noncommercial use only.	N	N	N	N	N	N	P	P	P	P	No more than two horses shall be kept for each one-half acre of land used for the horses.
<u>Stray animal shelter. A shelter for stray, lost, or seized animals.</u>	<u>P</u>	<u>C</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	
Veterinary facility. Veterinary facility.	P	P	P	C	N	N	N	N	C	N <u>C</u>	If located completely indoors, and inaudible from an adjoining lot or parcel, this use is permitted where listed as conditional.

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(f) **Food, beverage, and other products sales for human consumption.**

**G V M M S M L E SPECIAL
& O U F L L L R L O REGULATI
I C C R R R R R R S ONS**

Food Preparation and Services:											
Alcoholic beverage production. The production, manufacturing, brewing, and wholesale sales of alcoholic beverages.	P	P	N	N	N	N	N	N	N	N	
Bakery, delicatessen, or catering, large. Bakery or other food preparation services primarily intended for offsite consumption.	P	P	N	N	N	N	N	N	N	N	
Bakery, delicatessen, or catering, small. Bakery or small-batch food processing and retail sales of goods produced on premises, limited to 5,000 square feet floor area. Offsite catering allowed as an incidental and accessory use.	P	P	P	P	N	N	N	N	N	N	
Butcher or other custom meat products, large. A shop in which meats are cut, prepared, cured, smoked, or wrapped for the purpose of sales onsite.	P	P	N	N	N	N	N	N	N	N	This use shall not include onsite slaughtering .
Butcher or other custom meat products, small. A shop in which meats are cut, prepared, cured, smoked, or wrapped for the purpose of sales onsite; limited to 5,000 square feet floor area.	P	P	P	P	N	N	N	N	N	N	This use shall not include onsite slaughtering .

<u>Eating and Drinking Establishments, Products Primarily for Onsite Consumption</u>											
Bar. A bar or any other establishment where the primary purpose is the sales and onsite consumption of alcoholic beverages.	P	P	P	P	N	N	N	N	N	N	
Brewery or distillery in conjunction with a restaurant.	P	P	P	P	N	N	N	N	N	N	
Restaurant with drive-up window. Restaurant, all food types, including those with drive-up windows.	P	P	C	N	N	N	N	N	N	N	See drive up (drive-thru) window requirements of Section 104-22-4.
Restaurant. Restaurants, all food types, excluding those with drive-up windows.	P	P	P	P	N	N	N	N	N	N	

<u>Retail, Food, and Drug; Products Primarily for Offsite Consumption.</u>											
Candy or confectionary store. The sales of candy, sweets, snacks, and small batch bakery goods and desserts.	P	P	P	P	N	N	N	N	N	N	

Drugstore or pharmacy.	P	P	P	P	N	N	N	N	N	N	If applicable, see drive up (drive-thru) window requirements of Section 104-22-4.
Grocery store. A grocery store, including a store that specializes in the sales of any type of food normally found in a grocery store.	P	P	P	P	N	N	N	N	N	N	
Produce stand, commercial. A commercial produce stand intended for the sales of agricultural products.	P	P	P	P	N	N	N	P	P	P	

155
156

(g) **Government and institutional uses.**

G	V	M	M	S	M	L	R	E	O	SPECIAL REGULATIONS
I	C	C	R	R	R	R	R	L	S	

	G	V	M	M	S	M	L	R	E	O	
Cemetery.	P	P	P	P	P	P	P	P	P	P	
Convalescent, rest home, or sanitarium. An establishment for long-term medical treatment of people.	P	P	P	P	P	N	N	N	N	N	
Child daycare. A daycare center operating in compliance with State regulation.	P	P	P	P	P	N	N	N	N	N	
Fire station. Fire and emergency medical service station.	P	P	P	P	P	P	P	P	P	P	
Governmental offices. The offices of a governmental entity.	P	P	P	N	N	N	N	N	N	N	
Instructional facility, large. A facility in which instructional lessons are taught, such as a school or education center, <u>and that does not qualify as a small instructional facility.</u>	P	C	C	N	N	N	N	N	N	N	
Instructional facility, small. An indoor facility in which instructional lessons are taught, such as a school or education center, limited to 10,000 square feet floor area.	P	P	P	N	N	N	N	N	N	N	
Medical facility. A facility, such as a hospital or surgery center, that provides medical services that are typically unavailable from a medical or dental office.	P	C	C	N	N	N	N	N	N	N	
Museum or art gallery. A museum, art gallery, or similar space for historical or educational displays.	P	P	P	P	N	N	N	N	N	N	
Post office. A post office.	P	P	P	P	P	P	P	P	P	N	
Preschool. A preschool operating in compliance with State regulation.	P	P	P	P	P	P	P	P	P	N	

Public library. A library owned and operated by a governmental entity.	P	P	P	P	P	P	P	P	P	N
Public park. A public park and related recreation grounds and associated buildings and structures.	P	P	P	P	P	P	P	P	P	P
Public recreation or community center. A recreation or community center owned and operated by a public entity.	P	P	C	C	N	N	N	N	N	N
Public schools. A public school or a private educational facility having a curriculum similar to that ordinarily given in public schools.	P	P	P	P	P	P	P	P	P	N
Public storage facilities. Storage facilities used by a governmental entity.	P	C	N	N	N	N	N	N	N	N
Visitors center. A tourism visitor's center or offices.	P	P	P	P	N	N	N	N	N	N
Worship facility. A church, synagogue or similar building used for regular religious worship.	P	P	P	P	P	P	P	P	P	N

157 (h) Office uses.

G	V	M	M	S	M	L	E	O	SPECIAL REGULATIONS
&	O	U	F	L	L	L	R	L	
I	C	C	R	R	R	R	R	S	

Agency. An agency for real estate, travel, property rental or management, insurance, detective, employment, or similar based on frequency of visiting clientele.	P	P	P	N	N	N	N	N	N	N	
Bank or financial institution. A bank or other financial institution.	P	P	P	N	N	N	N	N	N	N	This use shall not include payday loan services.
Medical or dental office. A medical or dental office for routine out-patient care.	P	P	P	N	N	N	N	N	N	N	
Office, generally. Office or studio space for office or studio uses not otherwise listed herein, in which goods or merchandise are not commercially created, exchanged or sold, and that operates with typical office equipment in a relatively quiet and nonintrusive manner.	P	P	P	N	N	N	N	N	N	N	

158 (i) Residential uses.

G	V	M	M	S	M	L	E	O	SPECIAL REGULATIONS
&	O	U	F	L	L	L	R	L	
I	C	C	R	R	R	R	R	S	

-

Bed and breakfast dwelling. A bed and breakfast dwelling, as defined by Title 101, Chapter 2.	P	P	P	P	P	N	N	C	C	N	See Section 104-22-4.
Bed and breakfast inn. A bed and breakfast inn, as defined by Title 101, Chapter 2.	P	P	P	C	C	N	N	C	C	N	See Section 104-22-4.
Dwelling, single-family. A single-family dwelling, as defined by Title 101, Chapter 2.	N	N	N	N	P	P	P	P	P	N	See Section 104-22-4, and TDR requirements of 104-22-11
Dwelling, two-family. A two-family dwelling, as defined by Title 101, Chapter 2.	N	N	N	P	P	N	N	N	N	N	
Dwelling, three-family. A three-family dwelling, as defined by Title 101, Chapter 2.	N	N	N	P	P	N	N	N	N	N	
Dwelling, four-family. A four-family dwelling, as defined by Title 101, Chapter 2.	N	N	N	P	P	N	N	N	N	N	
Dwelling, multi-family. A multi-family dwelling, as defined by Title 101, Chapter 2.	P	P	P	P	N	N	N	N	N	N	
Dwelling unit. A dwelling unit or condominium dwelling unit, as defined by Title 101, Chapter 2 that is part of a commercial or multifamily dwelling building.	P	P	P	P	N	N	N	N	N	N	
Hotel, motel, lodginghouse, condominium rental apartment (condo-tel) or timeshare condominium. A hotel, motel, lodginghouse, condominium rental apartment (condo-tel), or timeshare condominium, including. This use may include lockout sleeping rooms, as defined by Title 101, Chapter 2, as an accessory use.	P	P	P	C	N	N	N	N	N	N	
Residential facility for elderly persons.	P	P	P	P	P	P	P	P	P	N	See requirements of 104-22-4, and TDR requirements of 104-22-11
Residential facility for handicapped persons.	P	P	P	P	P	P	P	P	P	N	See requirements of 104-22-4, and TDR requirements of 104-22-11
Residential facility for troubled youth.	P	P	P	P	P	P	P	P	P	N	See requirements of 104-22-4, and TDR requirements of 104-22-11
Short-term rental. A short-term (nightly) rental.	P	P	P	P	C	N	N	N	N	N	
Short-term rental, owner occupied.	P	P	P	P	P	C	C	C	C	N	See requirements of 104-22-4.
Workforce housing. Workforce housing, dormitory, or residence hall, or portion thereof.	P	P	P	P	P	P	P	P	P	P N	Must comply with “dwelling” requirements of Section 104-22-4.

160

(j) Sales with retail storefront.

G & I **V O C** **M U C** **M F R** **S L R** **M L R** **L L R** **E L R** **O S** SPECIAL REGULATIONS

	G & I	V O C	M U C	M F R	S L R	M L R	L L R	E L R	O S	
Agricultural implement sales or repair. A facility that sells or repairs agricultural implements.	C	C	N	N	N	N	N	N	N	
General retail sales, small items. The sales of small items, as qualified in Section 104-22-4.	P	P	P	P	N	N	N	N	N	See Section 104-22-4.
General retail sales, large items. The sales of large items, as qualified in Section 104-22-4.	P	C	N C	N	N	N	N	N	N	See Section 104-22-4.
Nursery—A, commercial. A plant nursery, with associated greenhouses for retail sales of plants and accessory products.	P	C	N	N	N	N	N	N	P	See Section 104-22-5 for maximum lot coverage by buildings.
Pawn shop. A shop where a pawnbroker holds items as collateral, then sells unredeemed items to the public.	C	C	N	N	N	N	N	N	N	
Smoke shop. A shop primarily devoted to the sale of tobacco or vaping products.	C	C	N C	N	N	N	N	N	N	

161

~~(k) SALES TYPICALLY WITHOUT RETAIL STOREFRONT~~

162

163

(k) Sales typically without retail storefront.

G & I **V O C** **M U C** **M F R** **S L R** **M L R** **L L R** **E L R** **O S** SPECIAL REGULATIONS

	G & I	V O C	M U C	M F R	S L R	M L R	L L R	E L R	O S	
Christmas tree sales. The temporary siting of an outdoor Christmas tree sales establishment.	P	P	C	N	N	N	N	N	P	
Fireworks sales. The siting of a temporary fireworks booth or tent.	P	P	C	N	N	N	N	N	N	
Vendor, short term. The siting of a temporary vendor booth or vehicle for the sales of food or other hand-held items.	P	P	P	P	N	N	N	N	C	See Section 108-13-3 and Section 104-22-4.

164

~~(l) SERVICES~~

(l) Services.

G	V	M	M	S	M	L	L	E	
&	O	U	F	L	L	R	R	L	
I	C	C	R	R	R	R	R	S	SPECIAL REGULATIONS

Dry cleaning, laundry, or linen cleaning establishment. The professional cleaning of laundry and linens.	P	P	P	P	N	N	N	N	N	N	
Household item repair, large. The repair or service of devices that the average person cannot carry without aid of a moving device.	P	P	N	N	N	N	N	N	N	N	
Household item repair, small. The repair or service of devices that the average person can carry without aid of a moving device.	P	P	P	P	N	N	N	N	N	N	
Gathering facility, indoor. An indoor facility for rental to clubs, private groups, parties, and organizational groups for recreational activities, including dancing.	P	P	P	P	N	N	N	N	N	N	
Laboratory. A laboratory for the scientific processing, testing, experimenting, etc., of samples in small enough quantities to not be explosive, toxic, or otherwise hazardous.	P	P	P	N	N	N	N	N	N	N	
Laundromat. A facility that provides washers and dryers for self-serve laundry service.	P	P	P	P	N	N	N	N	N	N	
Mortuary or funeral home. Mortuary or funeral home and related sales and services.	P	P	P	N	N	N	N	N	N	N	
Outdoor recreation guide base-operation. A location that provides a base of operations for an outdoor recreation guide service.	P	P	P	P	N	N	N	N	N	N	
Parcel drop-off service. A service for the collection and shipment of small parcels, and accessory sales or services.	P	P	P	P	N	N	N	N	N	N	
Printing and copying service without retail shop. Printing, lithographing, publishing or reproductions sales and services, lithographing , including engraving and photo engraving.	P	P	N	N	N	N	N	N	N	N	
Tailor services. The altering, pressing, or repairing of articles of clothing. Creation of new articles of clothing is permitted as long as the clothing is sold in an onsite retail establishment.	P	P	P	P	N	N	N	N	N	N	
Taxidermist. Taxidermy services.	P	C	N	N	N	N	N	N	N	N	

(m) **STORAGE**

167

(m) Storage.

G	V	M	M	S	M	L	E	O	S
&	O	U	F	L	L	R	L	O	
I	C	C	R	R	R	R	R	S	

SPECIAL REGULATIONS

Outdoor storage. The storage of anything the that meets the definition of "outdoor storage" pursuant to Section Title 101- Chapter 2	N	N	N	N	N	N	N	N	N	N	
Self-storage. Indoor storage units for personal, or household items or vehicles.	P	P	N	N	N	N	N	N	N	N	See Section 104-22-4.
Warehouse storage. The storage of products or goods that are or will be for sale.	C	N	N	N	N	N	N	N	N	N	

168

~~(n) UTILITY USES~~

169

(n) Utility uses.

G	V	M	M	S	M	L	E	O	S
&	O	U	F	L	L	R	L	O	
I	C	C	R	R	R	R	R	S	

SPECIAL REGULATIONS

Public utility substations.	P	P	P	P	P	P	P	P	P	P	See Title 108, Chapter 10.
Wastewater treatment or disposal facilities.	P	P	P	P	P	P	P	P	P	P	
Water treatment or storage facility.	P	P	P	P	P	P	P	P	P	P	
Small wind energy system.	P	N	N	N	N	N	N	P	P	P	See Section 108-7-24
Solar energy system.	P	P	P	P	P	P	P	P	P	P	See Section 108-7-27

170

~~(o) VEHICLE-ORIENTED USES~~

171

(o) Vehicle-oriented uses.

G	V	M	M	S	M	L	E	O	S
&	O	U	F	L	L	R	L	O	
I	C	C	R	R	R	R	R	S	

SPECIAL REGULATIONS

Airport, private and commercial.	C	N	N	N	N	N	N	N	N	N	
Automobile sales or rentals, indoor. The sale or rental of a passenger automobile.	P	P	C	N	N	N	N	N	N	N	
Automobile sales or rentals, outdoor. The sale or rental of a passenger automobile.	P	C	N	N	N	N	N	N	N	N	See Section 104-22-4.
Boat sales or rentals. The sale or rental of a motorized boat.	P	C	N	N	N	N	N	N	N	N	See Section 104-22-4.
Car wash. A car wash of any type that is not accessory to a gas or refueling station as regulated otherwise herein.	P	C	N	N	N	N	N	N	N	N	See Section 104-22-4.

Gas or refueling station. A gas or refueling station, which may include a convenience store and an automatic carwash as an accessory use.	C	C	N	N	N	N	N	N	N	N	See Section 104-22-4.
Motor vehicles sales or rentals. The rental or sales of motor vehicles not otherwise listed herein.	C	C	N	N	N	N	N	N	N	N	See Section 104-22-4.
Parking lot or structure. A parking lot or parking structure.	P	P	P	P	N	N	N	N	N	N	
Passenger vehicle repair or service of any kind. The repair or service of any passenger automobile or any other motorized vehicle less than 10,000 lbs gross vehicle weight.	C	C	N	N	N	N	N	N	N	N	
Trailer sales or rentals.	C	C	N	N	N	N	N	N	N	N	
Transit terminal.	P	P	N	N	N	N	N	N	N	N	
Truck gas or refueling station. A gas or refueling station oriented toward large freight vehicles, which may include a convenience store and an automatic carwash as an accessory use.	N	N	N	N	N	N	N	N	N	N	
Trucking terminal. The repair of service, <u>and/or</u> storage, of freight trucks, or a station for transferring <u>transferring</u> freight.	N	N	N	N	N	N	N	N	N	N	

172

173

174

Editors note: The color adjacent to each street type corresponds with the street colors on the streetregulating plan map(s). The color codes for each are as follows:

RGB	G&I	VOC	MUC	MFR	SLR	MLR	LLR	RR	ELR	OS
R	25	176	204	255	255	255	255	138	83	75
G	151	33	51	120	170	210	255	153	128	191
B	156	157	0	0	0	0	0	66	69	96

175

176 HISTORY

177 Adopted by Ord. [2022-04](#) on 1/18/2022

178

179 **Sec 104-22-4 Special Regulations**

180 **Sec 104-22-4.1 Special Regulations, Generally.**

181 (a) **All uses, generally.** All uses listed in the use table are indoor uses, unless specifically stated
 182 otherwise. All indoor uses shall not generate noise, outdoor lighting, vibration, smoke, dust or
 183 airborne particulate matter, refuse, or anything else that is uncommon to the established character
 184 of the neighborhood to such a degree as to be perceptible to constitute a nuisance to the
 185 occupants of the immediate area.

186 (b) **Drive up (drive-thru) window.** Any business with a drive up (drive-thru) window shall
 187 comply with the following:

188 (1) The window shall be located on the rear of the building. The rear of the building shall
 189 be determined as the side of the building opposite from the building's facade that faces
 190 the public street. If on a corner along a government or institutional street or vehicle-
 191 oriented commercial street, the window may be located on the side of the building
 192 that is visible from the less prominent street.

193 (2) The stacking lanes and drive up (drive-thru) queue, and the parking spaces devoted
 194 to the drive up (drive-thru) window shall be ~~locate~~located in an area that is not visible
 195 from the more prominent street right-of-way when the area is fully built-out.

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

198 (c) **Perpetual building maintenance agreement.** When a building is ~~setback~~set back less than
 199 ~~five~~ten feet from a property line, a perpetual building maintenance agreement is required
 200 between the building owner and the affected adjacent property owner, which shall allow for
 201 construction and maintenance of the side or rear of a commercial building, and shall:

202 (1) be reviewed for compliance with this section by the Planning Division and County
 203 Attorney's Office;

204 (2) place responsibility on the building owner for prompt repairs and maintenance of the
 205 side or rear of the building;

206 (3) require allowances of access to the property for repairs and maintenance purposes;

207 (4) be signed by the owner of the building and the adjacent property owner and be recorded
 208 on the title of both properties.

209

210 **Sec 104-22-4.2 Special Regulations, For Specific Uses.**

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

213 ~~(1) It may only be carried on during times that are reasonable and necessary due to lack of~~
 214 ~~natural growing feed as a result of seasonal changes or extreme and temporary~~
 215 ~~meteorological events.-~~

216 ~~(2) It shall not exceed a density of 25 head per acre of used land in the AV-3 and A-1 zones,~~
 217 ~~and 40 head per acre of used land in the A-2 and A-3 zones.~~

218 ~~(3) It shall not be closer than 75 feet to any dwelling, public or semi-public building on an~~
 219 ~~adjoining parcel of land.~~

220 ~~(b)~~(a) **Automobile or other vehicle related uses.** The use of a lot for automobile repair of
 221 any kind, automobile sales, rental or service, boat sales, rental or service, a tire shop, or any
 222 other use governed by this section by reference shall only be conducted within a completely
 223 enclosed building that meets the standards of this chapter.

224 (1) No vehicle awaiting service shall be stored outside for more than one day.

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

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

231 ~~(e)~~(b) **Automobile repair of any kind.** Refer to paragraph (b) of this section.

232 ~~(d)~~(c) **Automobile sales, rentals, or service.** Refer to paragraph (b) of this section.

233 ~~(e)~~ **Bed and breakfast dwelling.** ~~Bed and breakfast dwelling is subject to the following standards:~~

234 ~~(1) Two parking spaces shall be provided for the host family plus one space for each guest~~
 235 ~~room;~~

236 ~~(2) Proprietor or owner shall occupy the property;~~

237 ~~(3) Meals shall only be served to overnight guests;~~

238 ~~(4) Signs are limited to a nameplate identification sign not exceeding two square feet in area~~
 239 ~~per dwelling;~~

240 ~~(5) Not more than two guests sleeping rooms per dwelling;~~

241 ~~(6) Allowed only in existing dwellings with no exterior additions nor change in residential~~
 242 ~~character;~~

243 ~~(7) Business license shall be obtained.~~

244 ~~(f)~~ **Bed and breakfast inn.** ~~A bed and breakfast inn is subject to the following regulations:~~

245 ~~(1) Proprietor or owner shall occupy the premises while guest are present.~~

246 ~~(2) Not more than seven sleeping rooms per inn.~~

247 ~~(3) Two parking spaces shall be provided for the host family plus one space for each guest~~
 248 ~~sleeping room.~~

249 ~~(4) The guest parking shall be in the rear of the Inn.~~

250 ~~(5) Meals shall be served to registered overnight guests only.~~

251 ~~(6) Signs are limited to one name plate or one identification sign of not more than eight~~
 252 ~~square feet in area.~~

253 ~~(7) Design review approval, as provided in Title 108, Chapter 1 is required. The site shall be~~
 254 ~~landscaped to provide a visual and noise buffer to adjoining property. A landscape plan~~
 255 ~~shall be submitted with the design review application.~~

256 ~~(8) The inn shall be of a historic period or other distinguishable architectural style or design~~
 257 ~~so as not to resemble the modern block motel appearance.~~

258 ~~(9) A business license shall be obtained.~~

259 ~~(10) All units shall be in one building, together with owner's residence.~~

260 ~~(11) As an accessory and incidental use, small events, such as weddings, family reunions,~~
 261 ~~business retreats, and art or cooking classes are allowed, provided they do not exceed~~
 262 ~~75 participants and not more than four events held per calendar month.~~

263 ~~(g)~~(d) **Boat sales or service.** Refer to paragraph (b) of this section.

264 ~~(h)~~(e) **Campgrounds or picnic areas, commercial.** A commercial campground or picnic area
 265 shall comply with Title 108, Chapter 20. If located along any street in the FBV zone except open
 266 space, an opaque fence or wall shall surround the use. Vegetation screening shall be planted on
 267 the outside of the fence or wall to allow the use to blend in with surrounding uses. A drip
 268 irrigation system shall be installed to ensure long-term viability of the vegetation.

269 ~~(i)~~(f) **Car wash.** Where allowed, a car wash is subject to the following restrictions:

270 (1) Operation hours are only allowed between 6:00 a.m. and 10:00 p.m.

- 271 (2) There shall not be more than four washing bays for a manual spray car wash.
- 272 (3) Car wash facilities shall be set back from the street right-of-way at least 60 feet, reserving
- 273 street frontage for buildings that provide street-facing commercial facades.
- 274 (4) The off-street vehicle spaces or queues required shall be as follows:
- 275 a. One bay car wash, four spaces in the approach lane;
- 276 b. Two bay car wash, three spaces in the approach lane for each wash bay;
- 277 c. Three or more bay car wash, two spaces in the approach lane for each wash
- 278 bay.

279 ~~(g)~~ (g) **Corral or stable.** This use shall be located no less than 100 feet from a public street and

280 not less than 25 feet from any side or rear lot line

281 ~~(h)~~ (h) **Dwelling or dwelling unit.** The regulations for a dwelling unit use listed in the land use

282 table are as follows:

283 (1) **Types of dwellings allowed.** A dwelling unit on a government and institutional, vehicle-

284 oriented, mixed use commercial, or multi-family residential street shall be constructed

285 to a multifamily residential standard in accordance with the International Building Code.

286 (2) **Dwelling unit location.** A dwelling unit proposed along a government and institutional,

287 vehicle-oriented commercial, or a mixed-use commercial street shall be located on a lot

288 as follows:

- 289 a. Above any street-level commercial space; ~~or~~ or
- 290 b. Behind a building that provides street-level commercial space, or if no such
- 291 building exists at the time of application, behind the area reserved for street-
- 292 level commercial space as otherwise required herein. The location shall
- 293 provide for the existing and future planned street layout of the area, including
- 294 the future street-level commercial space that will face future streets, and
- 295 internal block alleyways.

296 (3) **Two, three, four, and multi-family residential:** Unless one of the units is owner

297 occupied, a two, three, four, ~~and~~ or multi-family residential building shall be operated

298 and maintained by a professional management company that specializes in multi-family

299 residential property management.

300 (4) **Density allowance and transferable development rights.** No dwelling units in excess

301 of the base density, as defined by Title 101, Chapter 2, and as provided in Section 104-

302 22-11, are allowed in the form-based village zone except when in compliance with the

303 transferable development rights requirements of Section 104-22-11.

304 ~~(i)~~ (i) **Family food production.**

305 (1) As used in this subsection, a Group A animal is either one pig, one sheep, one cow, or

306 one goat, and Group B animals or fowl are either a set of ten rabbits, ten chickens, ten

307 pheasants, five turkeys, five ducks, five geese, or five pigeons.

308 (2) No more than four sets of Group B animals or fowl may be kept on a lot or parcel that is

309 less than 40,000 square feet.

310 (3) No more than six combined sets of Group A animals and Group B animals or fowl may

311 be kept on a lot or parcel that is less than two acres. The same applies to a lot or parcel

312 greater than two acres, except that an additional six combined sets of Group A and

313 Group B animals or fowl may be kept per each additional acre greater than two.

314 ~~(j)~~ (j) **Gas or fuel station.** A gas or fuel canopy shall not be located closer to a public street

315 right-of-way, excluding a mid-block alley, than 60 feet. The canopy shall be located to the rear

316 of the convenience store associated with the canopy.

317 ~~(k)~~ (k) **General retail sales, small items.** This use is any store that primarily retails or rents items

318 to be physically taken by the customer from the store, when those items weigh less than 80 lbs,

319 including product packaging, or that are small enough to fit in a typical passenger vehicle. The
 320 use is limited to 4,000 square feet of retail floor-area. No sales yard is permitted. No sales of
 321 items intended to be explosive or hazardous to human health, safety, or welfare is permitted.

322 ~~(e)~~(l) **General retail sales, large items.** This use is any store that primarily retails or rents items
 323 to be physically taken by the customer from the store, when those items weigh more than 80 lbs,
 324 including product packaging, or that are too large to fit in a typical passenger vehicle. This use
 325 may include an outdoor sales yard of no greater than 6,000 square feet as long as it is completely
 326 surrounded by an opaque wall. No sales of items intended to be explosive or hazardous to human
 327 health, safety, or welfare is permitted.

328 ~~(p)~~(m) **Office uses.** A use listed in the “office uses” table may only be located above or behind
 329 first-floor street-level commercial space, reserving the street frontage for first-floor street-level
 330 commercial space. A local recreation and tourism office devoted to providing services,
 331 information, and events primarily for visitors to the Ogden Valley is exempt from this requirement
 332 provided that it is open and accessible to all members of the public.

333 ~~(e)~~(n) **Shooting range or training course, indoor or outdoor.** The facility shall provide
 334 designated shooting positions for which ballistic backstops are designed. No shooting is allowed
 335 except in these designated shooting positions. All sides down range of a shooting position shall
 336 have a non-ricochet ballistic backstop, including overhead and on the ground or floor, capable of
 337 containing all errant bullets. For an outdoor range, the overhead backstop may be a series of
 338 baffles. Approval shall be subject to the requirements and conditions of the local fire authority.
 339 The range operator shall be onsite at all times shooting is occurring.

340 (o) Short-term rental, owner occupied. The residence shall be the owner’s primary residence, be
 341 taxed as such, and the owner shall have owned the residence for at least two years prior to
 342 submitting a Land Use Permit for the owner-occupied short-term rental. Additionally, the owner
 343 must be present at all times in which the property is being rented on a short-term basis.

344 ~~(f)~~(p) **Self-storage.** Self-storage is only allowed if located on the same lot or parcel with a
 345 building that has street-facing commercial space. The use shall comply with the following:

- 346 (1) Storage units shall be located behind or above building area that provides a first-story
 347 street-facing commercial façade and related commercial space. The building providing
 348 street-facing commercial space shall appear from the exterior as if office or residential
 349 space is offered in the area housing the storage units.
- 350 (2) If located in a separate onsite building than the building providing first-story street-facing
 351 commercial space specified in ~~Subsection (w)(1)~~ herein, the separate building shall be
 352 located behind the building with first-story street-level commercial space, and shall be
 353 no wider than the building providing first-story street-level commercial space.
- 354 (3) Storage unit bay doors or garage doors shall face away and not be visible from the
 355 nearest property line, and shall be completely obscured from view from any public right-
 356 of-way.

357 ~~(s)~~(q) **Temporary building or use.** The building or use shall be removed upon completion or
 358 abandonment of the construction work.

359 ~~(t)~~(r) **Tire shop.** Refer to paragraph (b) of this section.

360 ~~(u)~~(s) **Vendor, short term.** No booth or vehicle shall be permanently affixed to the ground,
 361 and ~~nor~~ shall ~~not~~ be stationary for more than four days at a time.

~~(v) Workforce housing. Any development that proposes 20 or greater dwelling units shall provide
 363 five percent of the total dwelling units, rounded up, for workforce housing. If this will be applied to
 364 a single-family dwelling lot, the lot shall be no greater than 8,000 square feet, and may be
 365 located anywhere in the village zone regardless of lot development standards. Workforce
 366 housing shall not be clustered in groups of housing units greater than four, and shall be
 367 dispersed throughout the development. , is shall not be applied to A deed restriction shall be
 368 recorded to the property that provides for the following:~~

- ~~(1) Describes the lot or lots, or dwelling unit or dwelling units to which the deed restriction
 369 applies.
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- ~~(2) Provide that the applicable lot(s) or dwelling unit(s) are reserved for households that earn less than 80 percent of Weber County's adjusted median household income (AMI).~~
- ~~(3) Provide that no other restrictions or covenants shall be applied to the property by any nongovernmental agency if they negatively affect the affordability of the lot(s) or dwelling(s).~~
- ~~(4)~~
- ~~(5) At the time of subdivision recordation, a workforce housing covenant shall be recorded to the title of the property that specifies this requirement. Further division of a property with a workforce housing covenant shall not waive any resulting owner's responsibility of providing for this requirement.~~
- ~~(6) An applicant may join this requirement with other applicants project's for the purpose of this calculation if a covenant is recorded to each property stipulating each owner's responsibility to implement this requirement.~~

~~(w)~~

HISTORY

Adopted by Ord. 2022-04 on 1/18/2022

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

389

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

394

395 **(a) Lot area.**

396

STREET TYPE:	MINIMUM LOT AREA:
Government and Institutional (G/I)	None <u>No minimum</u>
Vehicle-Oriented Commercial (VOC)	
Mixed-Use Commercial (MUC)	
Multi-Family Residential (MFR)	
Small Lot Residential (SLR)	3,000 square feet
Medium Lot Residential (MLR)	<u>8,000 square feet</u>
Large Lot Residential (LLR)	20,000 square feet
Rural Residential (RR)	40,000 square feet
Estate Lot Residential	3 acres
Open Space (OS)	None <u>No minimum</u>

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398

399 **(b) Lot width and frontage.**

400

STREET TYPE:	MINIMUM LOT WIDTH AND STREET FRONTAGE:
Government and Institutional (G/I)	12 feet
Vehicle-Oriented Commercial (VOC)	
Mixed-Use Commercial (MUC)	
Multi-Family Residential (MFR)	
Small Lot Residential (SLR)	30 feet
Medium Lot Residential (SLR)	<u>50 feet</u>
Large Lot Residential (LLR)	100 feet

Rural Residential (RR)	150 feet
Estate Lot Residential	
Open Space (OS)	None <u>No minimum</u>

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(c) Front lot-line setback.

STREET TYPE:	BUILDING WITH FIRST-FLOOR STREET-LEVEL COMMERCIAL SPACE <u>BUILDING FAÇADE</u>		<u>ALL OTHER BUILDINGS</u> <u>BUILDING FAÇADES</u>	
	<u>MINIMUM</u> <u>FRONT LOT-LINE SETBACK:</u>	<u>MAXIMUM</u> <u>FRONT LOT-LINE SETBACK</u>	<u>MAXIMUM</u> <u>FRONT LOT-LINE SETBACK:</u>	<u>MINIMUM</u> <u>FRONT LOT-LINE SETBACK</u>
Government and Institutional (G/I)	5 feet, or 20 feet if providing public dining or gathering space.* <u>No minimum</u>	None <u>5 feet, or 20 feet if providing public dining or gathering space.*</u>	None <u>40 feet**</u>	40 feet** <u>No maximum</u>
Vehicle-Oriented Commercial (VOC)				
Mixed-Use Commercial (MUC)			40 <u>5 feet*</u>	5 <u>10 feet*</u>
Multi-Family Residential (MFR)	Not Applicable		40 <u>5 feet*</u>	5 <u>10 feet*</u>
Small Lot Residential (SLR)	Not Applicable		None <u>5 feet</u>	No maximum <u>20 feet</u>
Medium Lot Residential (SLR)	Not Applicable		<u>20 feet</u>	<u>30 feet</u>
Large Lot Residential (LLR)	Not Applicable		None <u>30 feet</u>	No maximum <u>30 feet</u>
Rural Residential (RR)				
Estate Lot Residential				
Open Space (OS)				

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*This 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.

**~~This~~ Except for a public plaza, this setback distance shall remain clear from permanent building ~~or parking lot~~ improvements or significant financial investments until or unless a first-floor street-level commercial building facade is constructed that meets the five-foot maximum building setback. Any parking provided in this area shall not be included in the overall parking calculations.

412 (d) Side lot-line setback.

STREET TYPE:	MINIMUM SIDE LOT-LINE SETBACK:	MAXIMUM SIDE LOT-LINE SETBACK:
Government and Institutional (G/I)	None No minimum. See requirements of perpetual maintenance agreement in Section 104-22-4.1	None, however any No maximum. Any space between buildings shall be open for pedestrian passage to internal block areas, unless designed, constructed, and actively used (when whether weather permits) for outdoor dining, shopping, or other street activities that are open to the public.-
Vehicle-Oriented Commercial (VOC)		
Mixed-Use Commercial (MUC)		
Multi-Family Residential (MFR)		
Small Lot Residential (SLR)	5 feet	None No maximum
Medium Lot Residential (MLR)	5 feet	
Large Lot Residential (LLR)	10 feet-	
Rural Residential (RR)		
Estate Lot Residential (ELR)		
Open Space (OS)		

413
414 (e) Rear lot-line setback.

STREET TYPE:	MINIMUM REAR LOT-LINE SETBACK:
Government and Institutional (G/I)	None, unless the rear lot line is within 10 feet of an agricultural or residential zone, in which case the setback is 10 feet. No minimum. See requirements of perpetual maintenance agreement in Section 104-22-4.1
Vehicle-Oriented Commercial (VOC)	
Mixed-Use Commercial (MUC)	
Multi-Family Residential (MFR)	
Small Lot Residential (SLR)	405 feet
Medium Lot Residential (MLR)	20 feet
Large Lot Residential (LLR)	30 feet
Rural Residential (RR)	
Estate Lot Residential	
Open Space (OS)	

416
417 (f) Lot coverage.

STREET TYPE:	MAXIMUM PERCENT OF LOT COVERAGE BY BUILDINGS:	MAXIMUM NUMBER OF RESIDENTIAL DWELLING UNITS ALLOWED PER LOT:
Government and Institutional (G/I)		None No maximum

Vehicle-Oriented Commercial (VOC)	None <u>No maximum, provided compliance with all other requirements.</u>	
Mixed-Use Commercial (MUC)		
Multi-Family Residential (MFR)		
Small Lot Residential (SLR)	80 <u>85</u> percent	<u>1*4</u>
Medium Lot Residential (MLR)	<u>50 percent</u>	<u>1*</u>
Large Lot Residential (LLR)	<u>30 percent</u>	1*
Rural Residential (RR)	<u>20 percent</u>	1*
Estate Lot Residential	<u>10 percent</u>	1*
Open Space (OS)	<u>2.5 percent</u>	Not applicable

419

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

421

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

425 **Building location.** Each building shall be located on a lot in a manner that preserves space for the
 426 extension of street rights-of-way as shown in the street regulating plan, and the lot's respective setback
 427 standard.

428

429 HISTORY

430 *Adopted by Ord. 2022-04 on 1/18/2022*

431

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

433 Sec 104-22-6.1 Building Design Standards Per
 434 Street Type

435 Sec 104-22-6.2 Building Design Standards By
 436 Village Area

437

438 HISTORY

439 *Adopted by Ord. 2022-04 on 1/18/2022*

440

441 **Sec 104-22-6.1 Building Design Standards Per Street Type**

442

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

445

446

(a) Height.

STREET TYPE:		MINIMUM BUILDING HEIGHT			MAXIMUM BUILDING HEIGHT				
STREET TYPE:	CORNER LOT IN NORDIC VALLEY VILLAGE AREA	CORNER LOT	INTERNAL LOT	LOT IN NORDIC VALLEY VILLAGE AREA	CORNER LOT	INTERNAL LOT			
Government and Institutional (G&I)						One-story	55-feet	45-feet	35-feet
Vehicle-Oriented Commercial (VOC)			25	35 feet	40	50 feet			
Mixed-Use Commercial (MUC)									
Multi-Family Residential (MFR)				One story	35 feet				
Small Lot Residential (SLR)				One story					
Medium Lot Residential (MLR)									
Large Lot Residential (LLR)									
Rural Residential (RR)									
Estate Lot Residential									
Open Space (OS)				None					

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

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451

(b) Building area.

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STREET TYPE:	MAXIMUM BUILDING FOOTPRINT:
Government and Institutional (G&I)	30,000 square feet*
Vehicle-Oriented Commercial (VOC)	
Mixed-Use Commercial (MUC)	10,000 square feet
Multi-Family Residential (MFR)	None
Small Lot Residential (SLR)	
Medium Lot Residential (MLR)	
Large Lot Residential (LLR)	
Rural Residential (RR)	
Estate Lot Residential	
Open Space (OS)	

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

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(c) First-floor building standards.

STREET TYPE:	VERTICAL DISTANCE OF FIRST-FLOOR SURFACE ELEVATION FROM THE STREET SIDEWALK'S SURFACE ELEVATION*:	MINIMUM FIRST-FLOOR STORY HEIGHT	FIRST-FLOOR LOAD-BEARING SUPPORTS
Government and Institutional (G&I)	30 inches maximum.	12 feet	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.
Vehicle-Oriented Commercial (VOC)		15 feet	
Mixed-Use Commercial (MUC)			
Multi-Family Residential (MFR)	5 feet minimum, except 30 inches for building area to be used for commercial purposes.	10 feet, except 15 feet for areas of the first floor to be used for commercial space.	For commercial area, same as MUC. Not applicable for residential parts of the building.
Small Lot Residential (SLR)	Not applicable	Not applicable	Not applicable

Medium Lot Residential (MLR)				
Large Lot Residential (LLR)				
Rural Residential (RR)				
Estate Lot Residential				
Open Space (OS)				
(d) Transparent fenestration requirements.				
	MINIMUM BUILDING-FACADE FENESTRATION FOR THE FIRST-STORY FAÇADE OF A BUILDING		MINIMUM BUILDING-FACADE FENESTRATION FOR THE SECOND-STORY AND ABOVE	
STREET TYPE:	STREET-FACING:	ALLEY-FACING:	STREET-FACING:	ALLEY-FACING:
Government and Institutional (G&I)	50 percent	30 percent	30 percent	
Vehicle-Oriented Commercial (VOC)	70 percent	40 percent	40 percent	
Mixed-Use Commercial (MUC)				
Multi-Family Residential (MFR)	70 percent for commercial facade, 30 percent for residential facade.	40 percent	40 percent	
Small Lot Residential (SLR)	Not applicable		Not applicable	
Medium Lot Residential (MLR)				
Large Lot Residential (LLR)				
Rural Residential (RR)				
Estate Lot Residential				
Open Space (OS)				

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(e) Main entrance requirements. Each building along a government and institutional, vehicle-oriented commercial, mixed-use commercial, or multi-family street shall be provided with a main entrance that faces the street. Except when the building is setback set back from the street right-of-way at least four feet, the main entrance shall be recessed from the building's façade no less than five feet.

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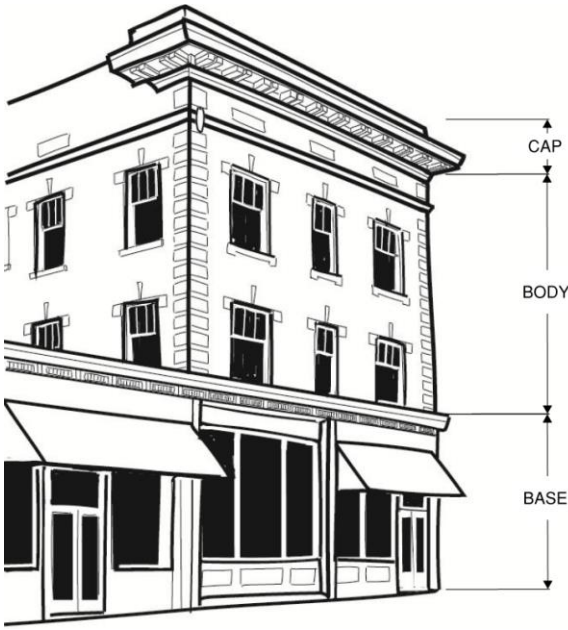
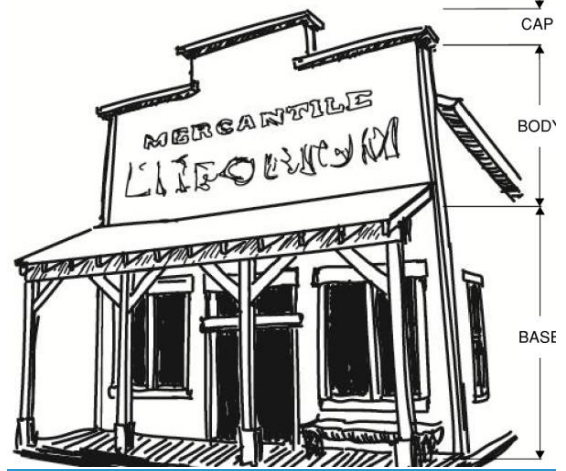
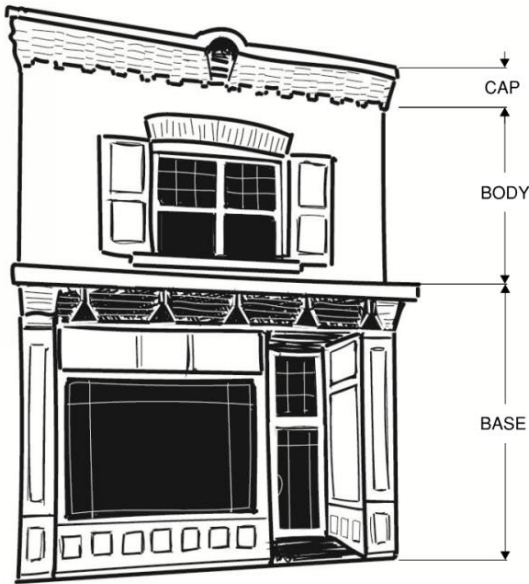
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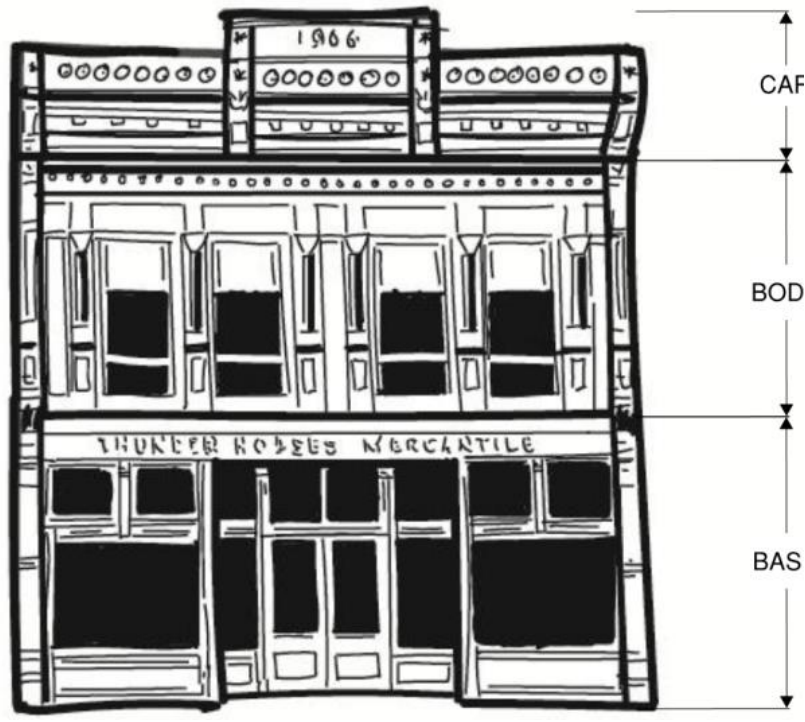
Adopted by Ord. [2022-04](#) on 1/18/2022

Sec 104-22-6.2 Building Design Standards By Village Area

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

- (a) **Licensed architect required.** In each village area, buildings shall be designed by a licensed architect. A building's street-facing facade shall be designed to have a base, body, and cap, each of varying design features and building material. At least one of the building materials used on the building facade shall also be used on all other sides of the building.
- (b) **Modification of standards.** After receiving recommendation from a licensed architect, the planning commission may allow minor modifications to the applicability of the standards in this section as long as it results in a design that better aligns with the intent of the design theme and blends well with the design of adjacent buildings.
- (c) **Old Town Eden Village Area Building Design Standards.** In addition to applicable standards in this chapter, the following standards apply to all buildings in the Old Town Eden Village Area, except buildings on a lot that contains one or two single-family dwellings:
 - (1) **Design theme.** All buildings shall have architectural styling and materials that resemble historic commercial main-street buildings in the Western United States that were in existence between 1880 and 1910. Each new building shall provide diversity and variety in building design, architectural features, and building material that set each building apart from adjacent buildings.
 - (2) **Rooflines.** Rooflines shall be broken every 50 feet, with no less than a 12-inch shift between adjacent rooflines. If the building will have a sloped roof, parapet walls shall be constructed to hide the roof slope.
 - (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 plane](#) of adjacent walls. Each street-facing facade shall be designed and constructed to have a building base, building body, and varying building roofline, each having varying building materials or design techniques.
 - (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.
 - (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.
 - (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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(d) **New Town Eden Village Area building design standards.** In addition to applicable standards in this chapter, the following standards apply to all buildings in the New Town Eden Village Area, except buildings on a lot that contains one or two single-family dwellings:

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

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a. Either a gable roof at a 6/12 or greater slope, a gambrel roof, or a monitor roof.

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b. An attached shed-roof at a 4/12 or greater slope that is not attached to the main roof structure.

520

c. A clerestory or cupola.

521

d. Gable-style dormer windows.

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

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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 plane of adjacent walls. Each street-facing facade 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.** Building facade walls shall be finished with no less than two diverse types of material. The primary building material shall be wood siding or similar appearing siding.

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

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

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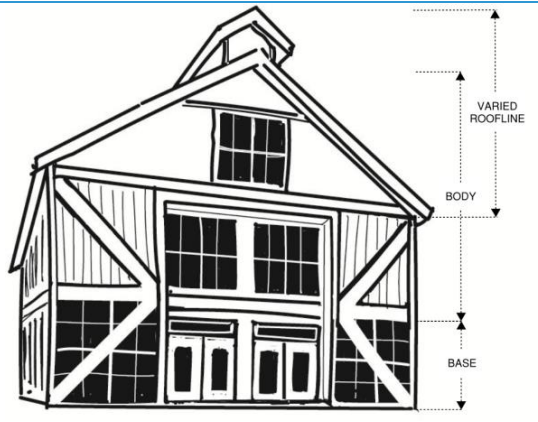
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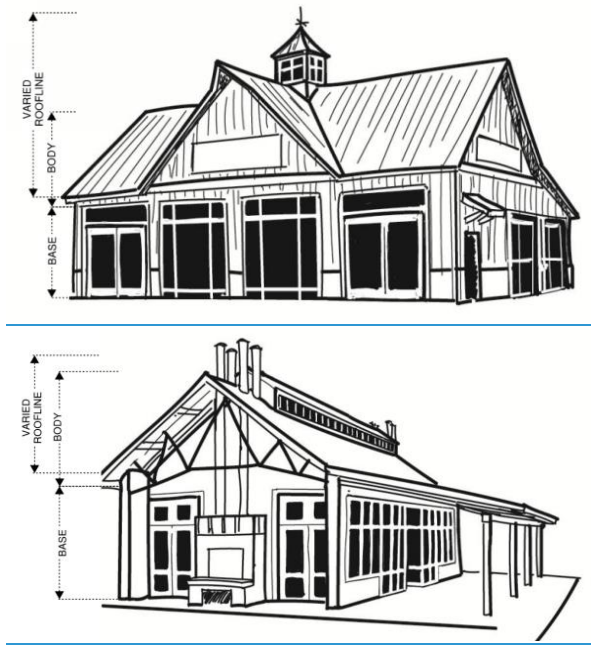
- (5) **Colors.** Muted earth-tone colors are required. No more than 70 percent of a building's facade shall be white.

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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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- (e) **Nordic Valley Village Area building design standards.** In addition to applicable standards in this chapter, the following standards apply to all buildings in the Nordic Village Area, except buildings on a lot that contains a one or two single-family dwelling:

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

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- (2) **Rooflines.** Buildings shall have varying rooflines of predominantly gabled roofs. Rooflines shall be broken every 100 feet, with no less than a 12 inch shift between adjacent rooflines that are on the same [plain plane](#).

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- (3) **Building massing.** The wall massing of building facades shall be broken at least every 50 feet with no less than a six--inch shift in the [plain plane](#) of adjacent walls. Each street-facing façade shall be designed and constructed to have a building base, building body, and a varying building roofline.

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- (4) **Building material.** Building façade walls shall be finished with no less than two primary and one secondary type of building material. The primary building materials shall be real cut stone, glass, or wood siding or similar appearing siding with a natural wood finish. The secondary building materials include metal, wood, large-cut timbers, metal beams and columns, or concrete or other flat-surface building material which may be colored as allowed herein.

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- a. Each building shall have at least 60 percent primary building material.

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- b. The base of the building shall be at least 60 percent stone, except those areas occupied by transparent fenestration.

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- c. Use of metal shall be limited to trim, balconies, railing, exposed structural components, and roofs.

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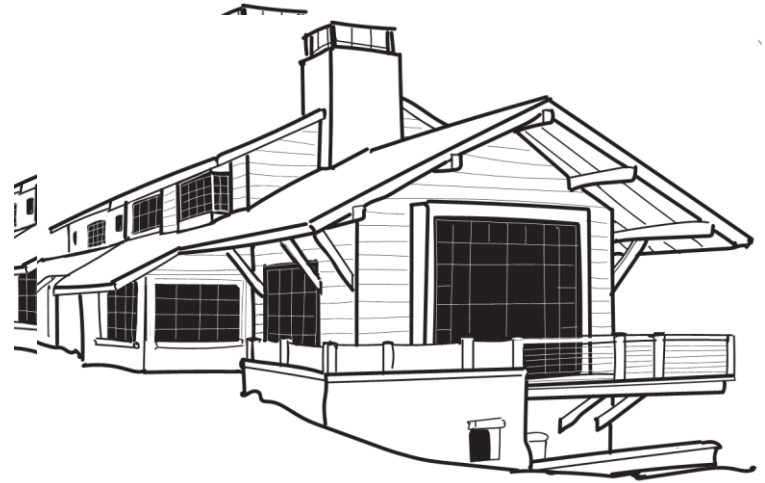
- d. No more than ten percent of any building façade shall be exposed concrete.

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(5) **Colors.** Muted earth-tone colors are required. No more than 30 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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589 HISTORY

590 *Adopted by Ord. [2022-04](#) on 1/18/2022*

591

592 **Sec 104-22-7 Street Types And Street Design**

593 Sec 104-22-7.1 Street Types And Right-Of-Way Cross

594 SectionsSec 104-22-7.2 Street Design Standards

595 HISTORY

596 *Adopted by Ord. [2022-04](#) on 1/18/2022*

597

598 **Sec 104-22-7.1 Street Types And Right-Of-Way Cross Sections**

599

600 (1) ***Right-of-way dedication.*** As development occurs on each lot or parcel, the owner shall dedicate
601 area for public right-of-way with a width as depicted in the table below or as otherwise adopted,
602 to form a block pattern as depicted in the applicable street regulating plan.

603 (2) ***Drawings required.*** Each application for development shall provide engineered construction
604 drawings of the street improvements required herein.

605 (3) ***Street type, description, and purpose.***

606 a. ***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. 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.

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608

b. **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.

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c. **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.

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d. **Multi-family residential street.**

A multi-family residential street has street-front buildings that are used for multi-family dwellings, and are ~~setback~~ [set back](#) 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.

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e. **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, garages, and other uses or buildings that are located in 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~~ [standards herein](#), 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, or an HOA, that have a parking area that has an access from the alley.

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f. **Small-lot residential street.**

A small-lot residential street has street-front buildings that may be ~~setback~~ [set back](#) more than multi-family residential street facades, but are less likely to have a noticeable front yard area.

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g. **Medium-lot residential street.**

A medium-lot residential street has street-front buildings that ~~are setback~~

further ~~may be set back more~~ than ~~multi-family~~ small-lot residential street facades to provide a small front yard area.

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632

h. **Large-lot residential street.**

A large-lot residential street has street-front buildings that ~~are setback~~ may be set back enough to create a sizeable front yard on a lot that is large.

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i. **Rural residential street.**

A rural residential street has street-front buildings that ~~are setback~~ may be set back enough to create a sizeable front yard on a lot that is at least an acre large.

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j. **Estate lot residential street.**

An estate lot residential street has street-front buildings that ~~are setback~~ may be set back enough to create a sizeable front yard on a lot that contains multiple acres.

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k. **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.

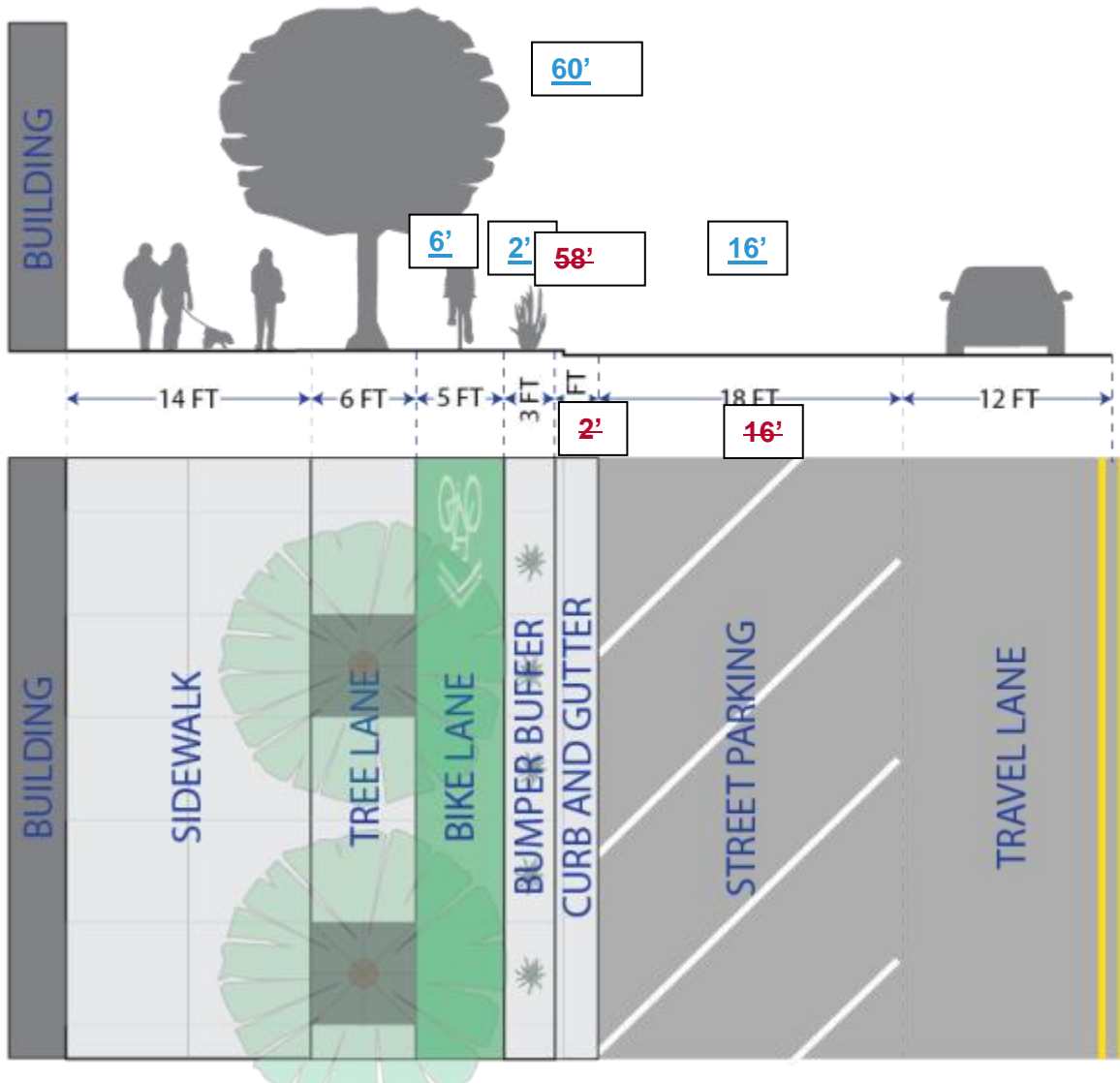
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(4) **Street right-of-way design.**

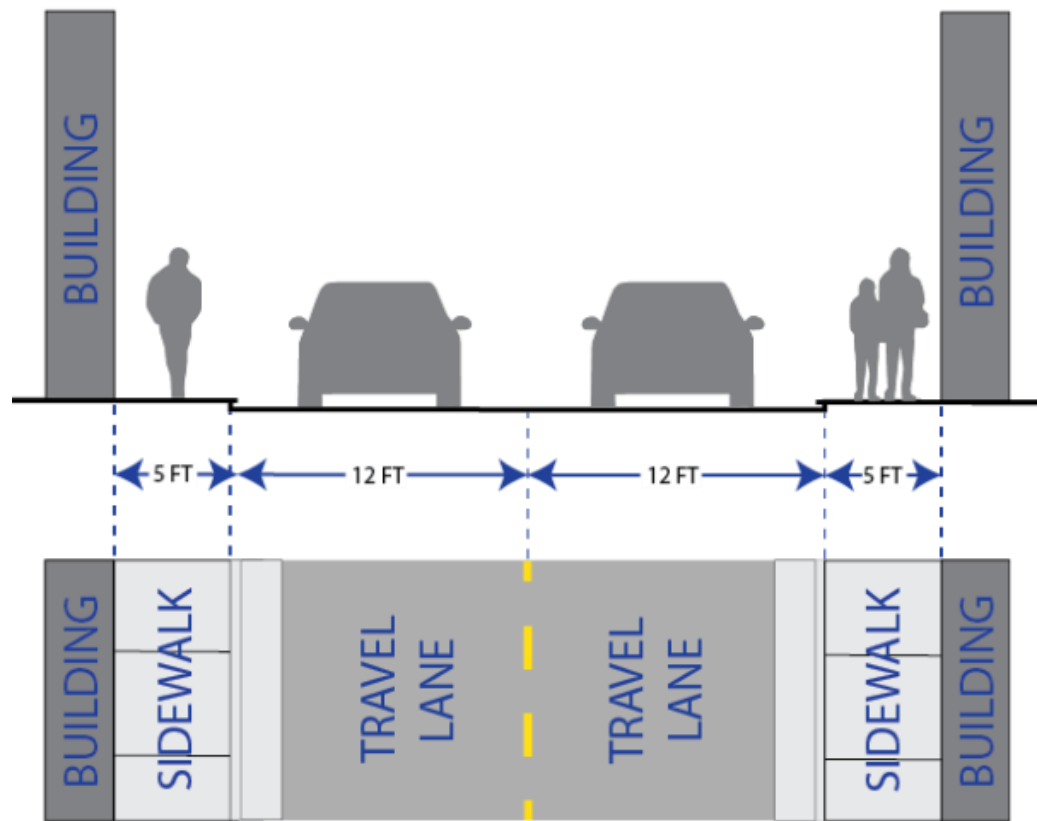
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- a. **Commercial street design.** The design for a governmental and institutional street, vehicle-oriented commercial street, mixed-use commercial street, and multi-family residential street is as follows:



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- b. **Commercial alley design.** The design for a governmental and institutional alley, vehicle-oriented commercial alley, mixed-use commercial alley, and multi-family residential alleys as follows:



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C. **Residential street design.** The design for all non-multi-family residential streets is as follows: See Section 106-4-5.

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Editors note: The color adjacent to each street type corresponds with the street colors on the streetregulating plan map(s). The color codes for each are as follows:

RGB	G&I	VOC	MUC	MFR	SLR	MLR	LLR	RR	ELR	OS
R	25	176	204	255	255	255	255	138	83	75
G	151	33	51	120	170	210	255	153	128	191
B	156	157	0	0	0	0	0	66	69	96

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~~HISTORY~~

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~~Adopted by Ord. 2022-04 on 1/18/2022~~

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HISTORY

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Adopted by Ord. 2022-04 on 1/18/2022

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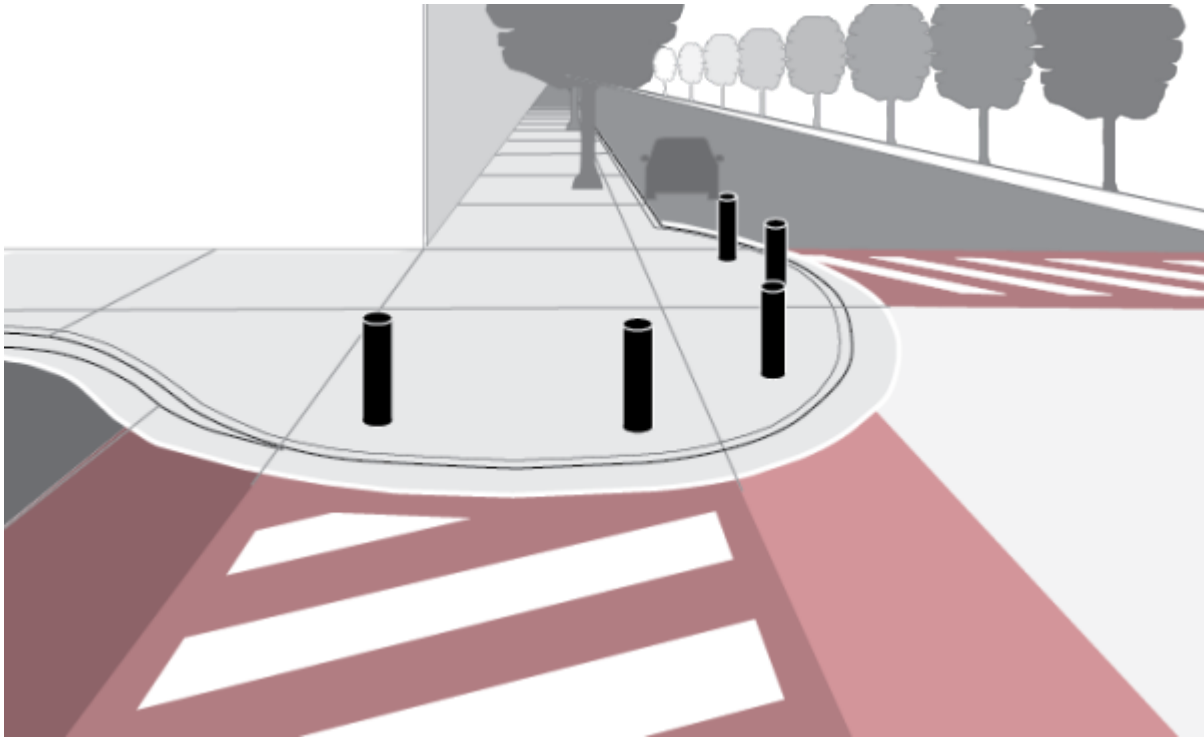
661 **Sec 104-22-7.2 Street Design Standards**

662

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

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667 (a) **Pedestrian priority design.** The street shall be designed to prioritize pedestrian use. At primary
 668 points of conflict between pedestrian uses and vehicle uses, the street facility shall be designed
 669 and constructed to promote pedestrian safety, comfort, and efficiency.



670

671 (1) **Raised crosswalks.** Where a pedestrian-way intersects with a vehicle-way, the
 672 pedestrian-way shall be raised at least six inches above the grade of the vehicle-
 673 way, or to the level of the adjoining pedestrian-ways, whichever is higher. This shall
 674 include but is not limited to the installation of crosswalks and intersections that are
 675 raised to the same plane as the sidewalk or adjoining pathways.

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

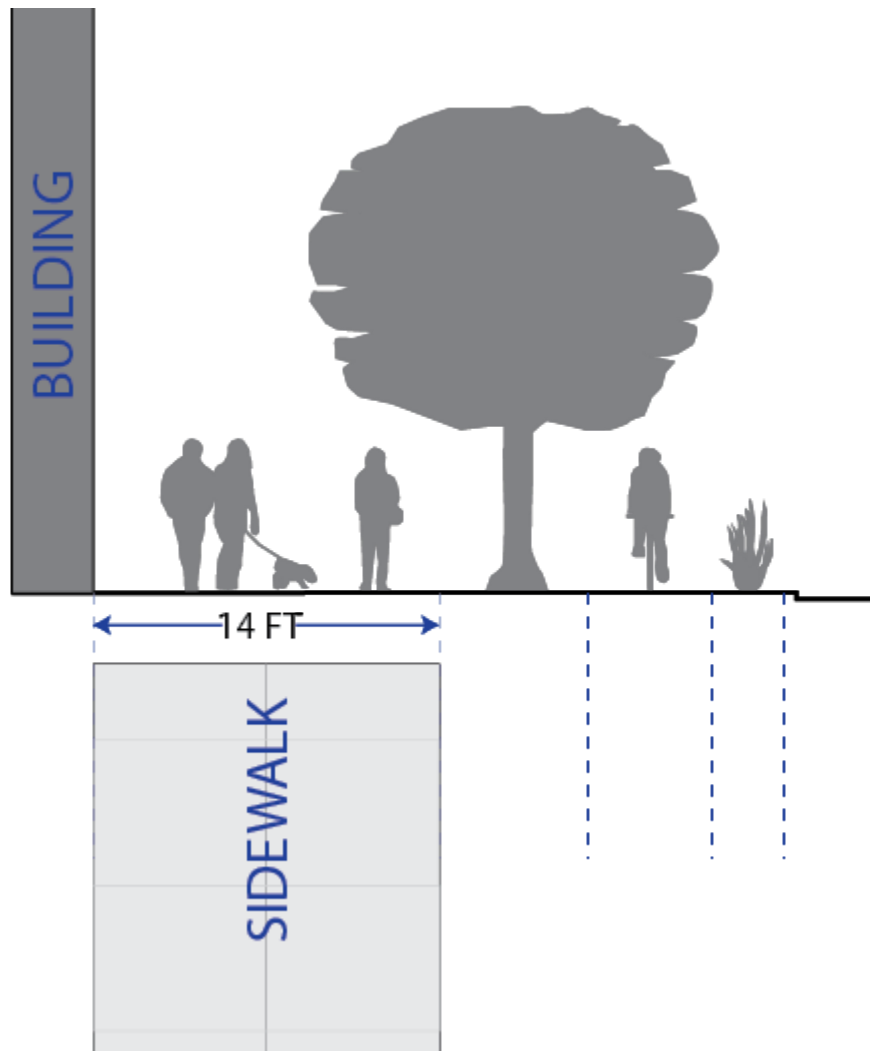
685 (3) **Crosswalk contrast.** For enhanced noticeability, in addition to white retroreflective
 686 striping, crosswalks shall be constructed of stamped and colored concrete to
 687 provide clear contrast between the street and crosswalk.

688 (4) **Mid-block crosswalk.** Each block shall be provided with a mid-block crosswalk. Solar
 689 powered user-activated rapid flashing beacons shall be installed on midblock
 690 crosswalk signage.



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- (b) **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.



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- (1) **Paved pathway alternative.** 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

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residential street

- (2) **Covered boardwalk alternative.** 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.



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- (c) **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.

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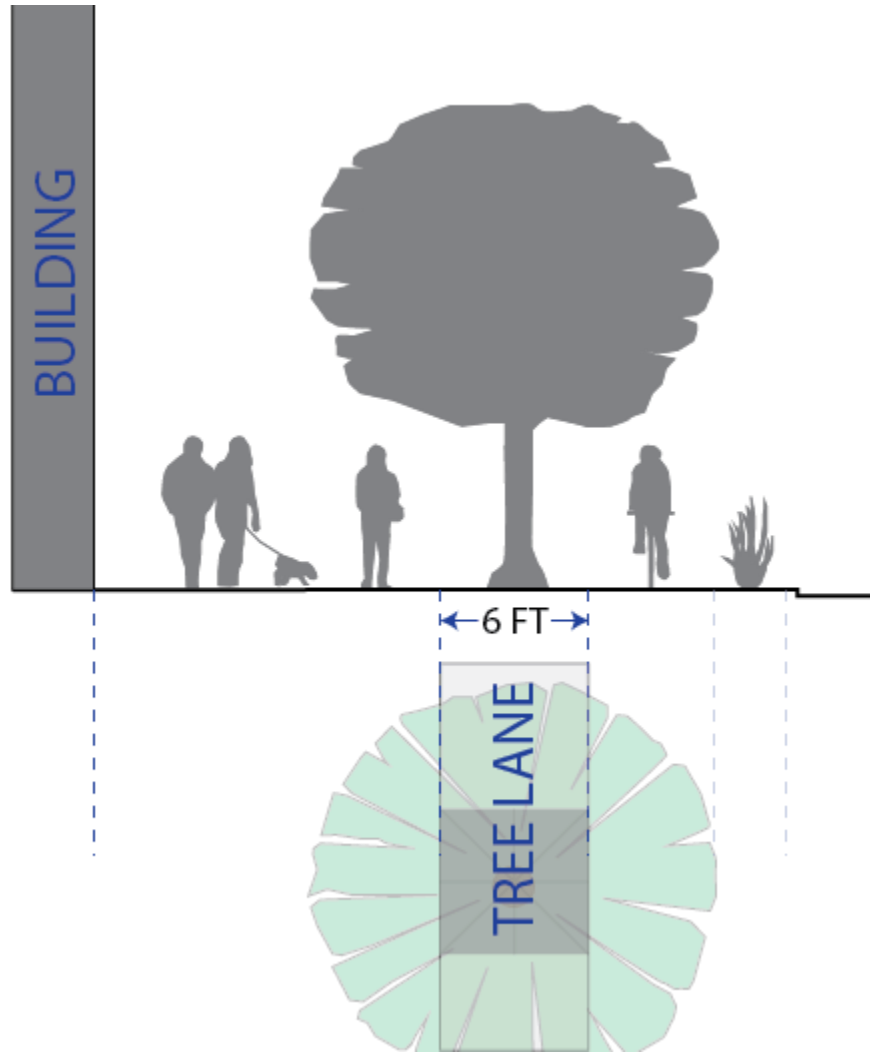
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- (1) **Tree planting.** No street tree shall be planted within the clear view triangle as provided in Section 108-7-7, Section 106-4-5, or the American Association of State Highway and Transportation Officials (AASHTO) standards. To provide continuous shade of the pedestrian areas, spacing between tree trunks shall equal the average diameter of the specific tree species' canopy at maturity. However, in the Nordic Valley Village area, each block shall have the same number of trees that is equal to one tree per every 50 linear feet of street on both sides of the street, and the trees may be grouped in clusters of no greater than ~~five~~ ten trees, rather than equally spaced along the right of way.

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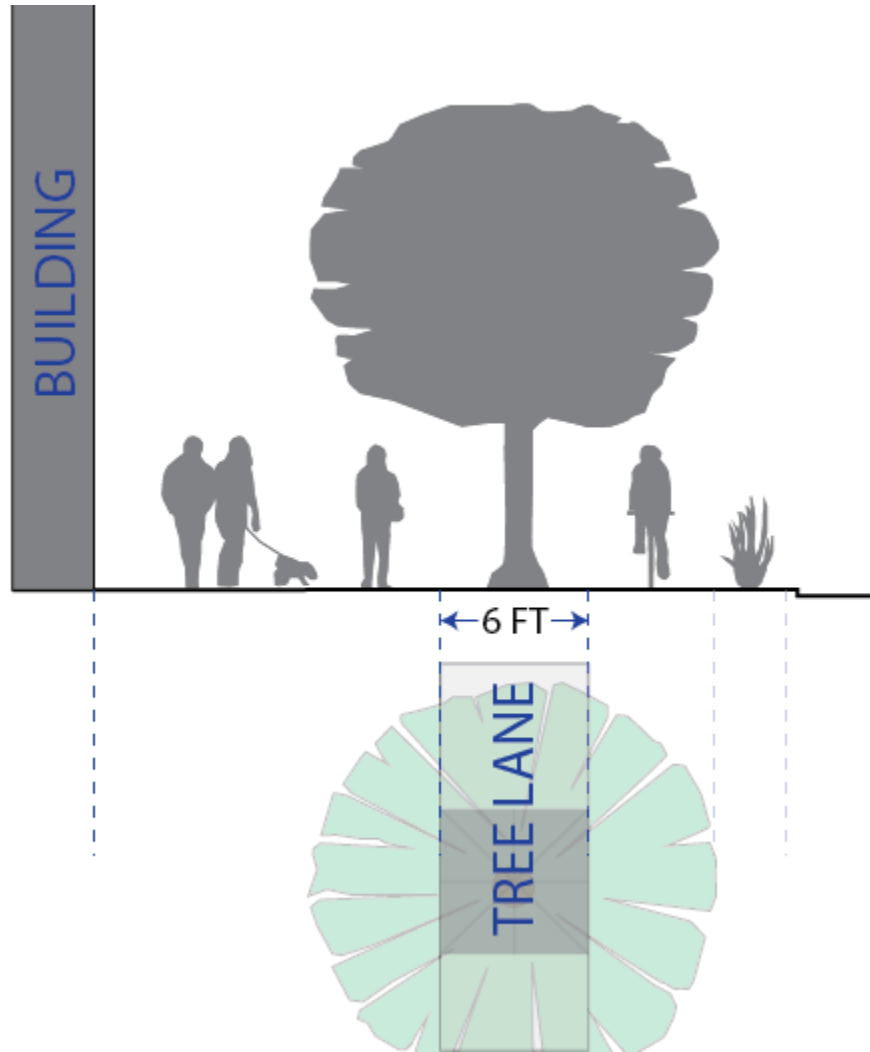
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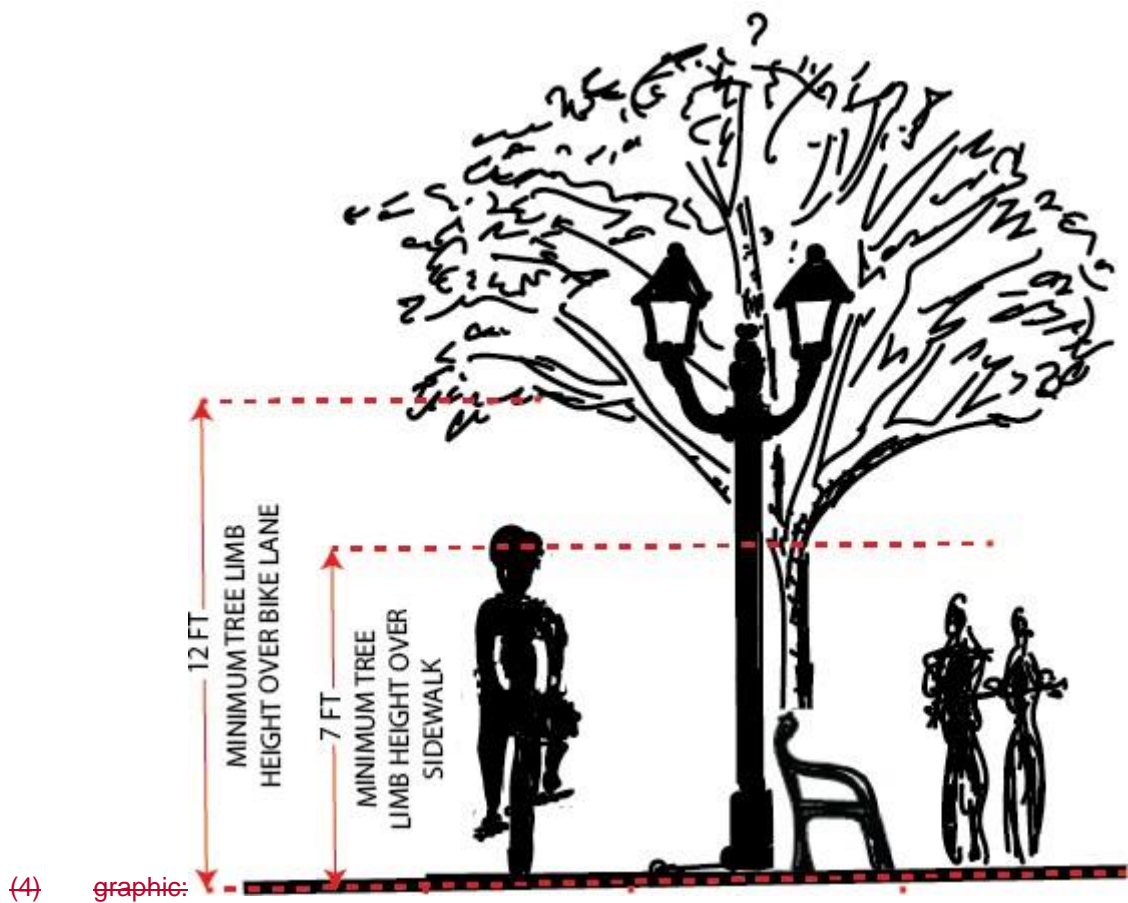
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(3)(2) **Tree maintenance.** Unless an association, district, or other collective funding and maintenance entity is approved by the County to provide tree maintenance, a street tree shall be maintained by the owner or proprietor of the property that 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](#):

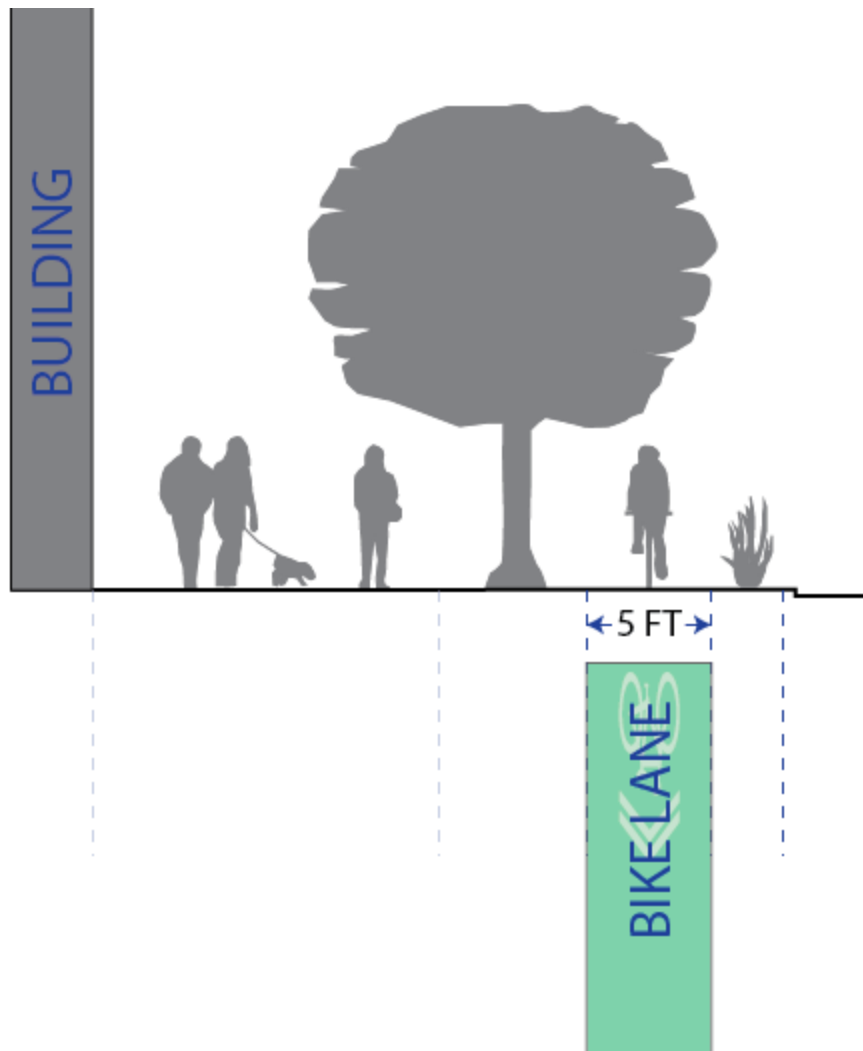


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(4) graphic:

(d) **Bike facilities required.**

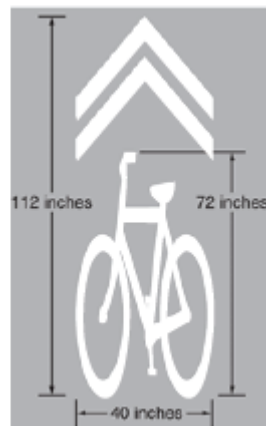
- (1) **Separated bike lane.** A concrete bike lane that is five feet in width shall be installed as part of the required street improvements. The bike lane shall be on the same plane as the sidewalk, and shall be separated from the pedestrian walkway by the tree lane.



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- (2) **Bike lane alternative.** 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 depicted by the following graphic:

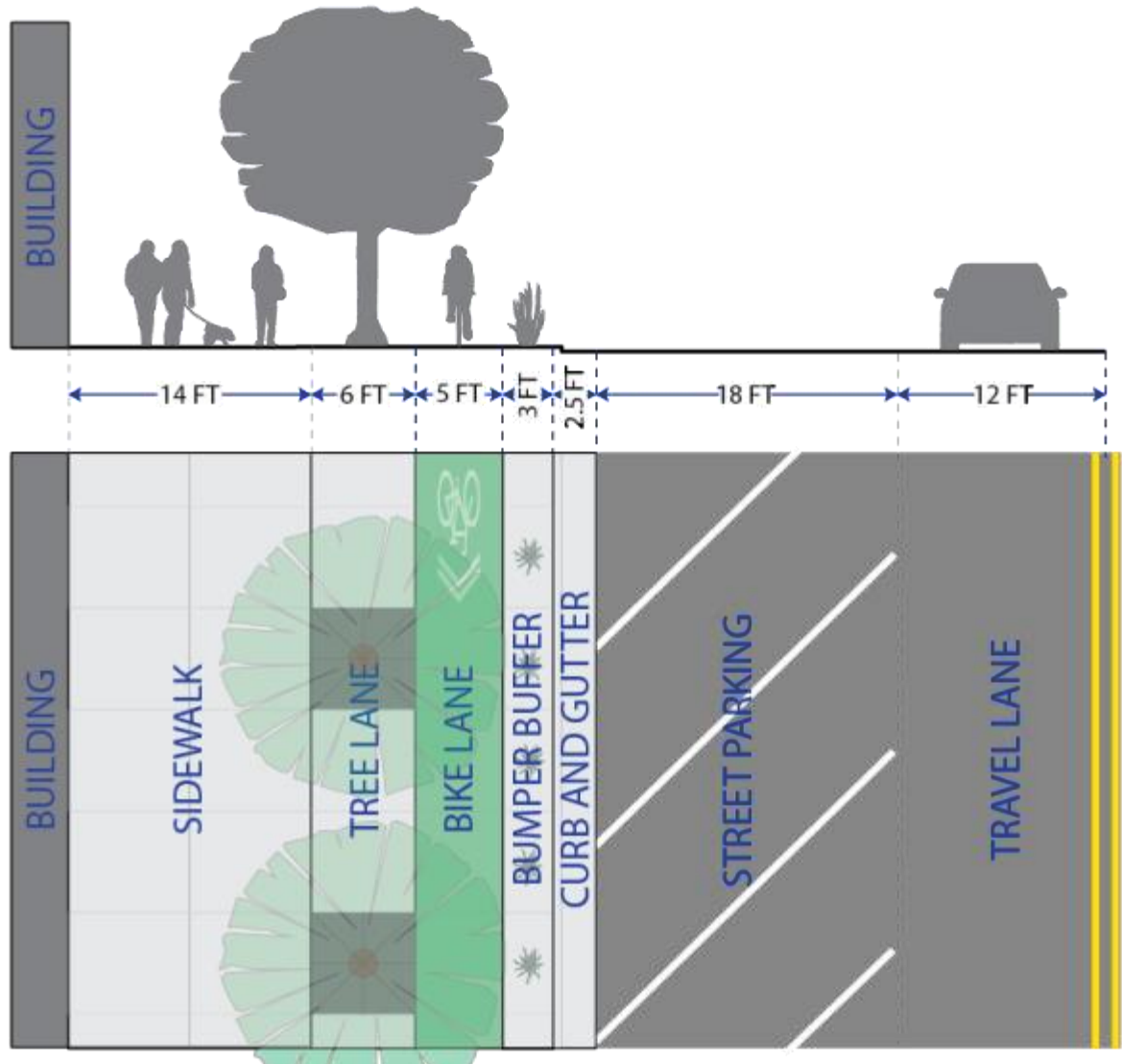


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- (e) **Street parking required.**

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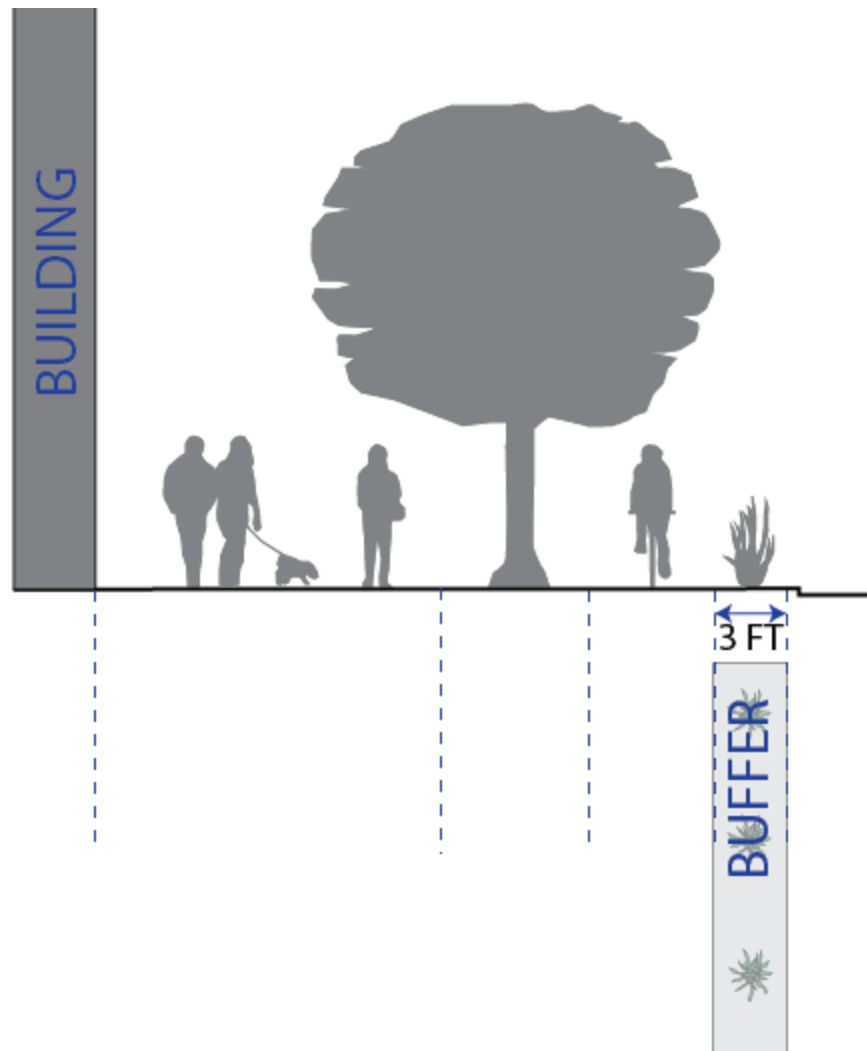
- (1) **45-degree angle parking.** Each street shall be designed and constructed to provide 45-degree angled parking.
- (2) **Street parking alternative.** When topography results in the inability to safely create



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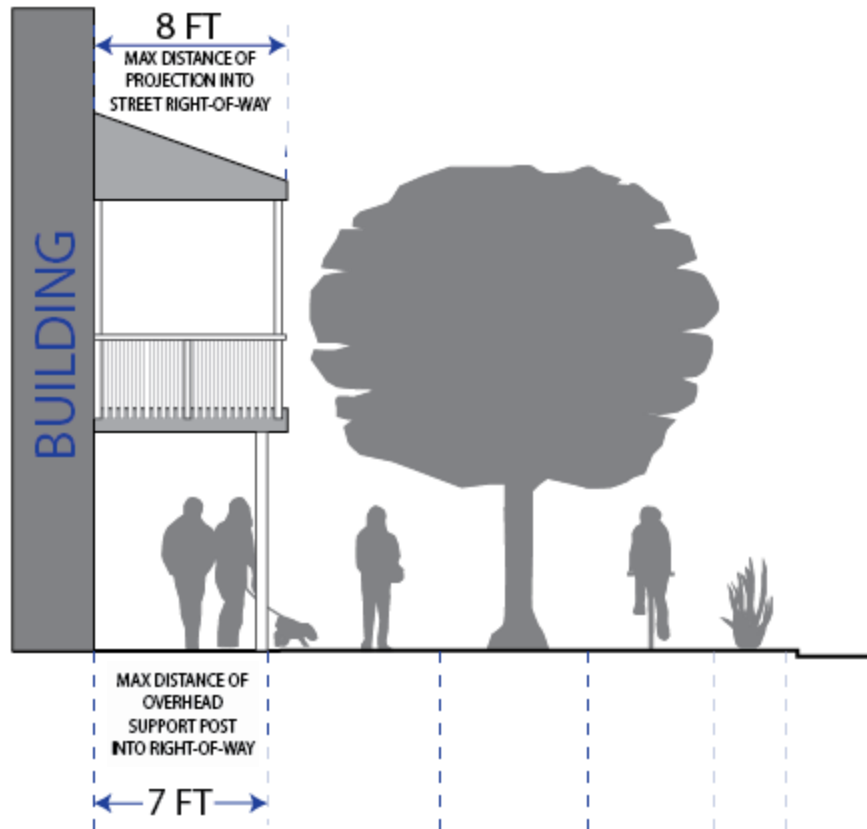
sufficient street right-of-way width, the County Engineer has discretion to allow a parallel street-parking design instead.

- (3) **Parking bumper buffer.** A three-foot parking buffer shall be provided between the bikelane and the curb for vehicle bumper overhang. Vegetation may be in this buffer.



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- (f) **Curb, gutter, and drainage facilities.** Curb, gutter, and drainage facilities shall be installed along each street and internal alleyway in accordance with the County's standard curb and gutter cross sections and in a manner that accommodates the street designs herein.
- (g) **Items in public right-of-way.**
 - (1) **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.



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(2) **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.

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(3) **Street Lighting.** Street lighting shall be installed as part of the required street improvements within this zone. Street lighting shall ~~compliment~~[complement](#) the architectural design theme of the area.

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

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(h) **Round-a-bout.** A round circle along any street intersection on the street regulation plan indicates a planned round-a-bout. As development occurs, street right-of-way shall be dedicated to the County to accommodate at least a 110-foot diameter round-a-bout. Round-a-bout improvements shall be installed if required by the County Engineer. Otherwise, all improvements installed shall be installed in a manner that does not create an undue burden on the construction of a future round-a-bout.

795

HISTORY

796

Adopted by Ord. 2022-04 on 1/18/2022

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799 HISTORY

800 ~~Adopted by Ord. 2022-04 on 1/18/2022~~

801

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

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

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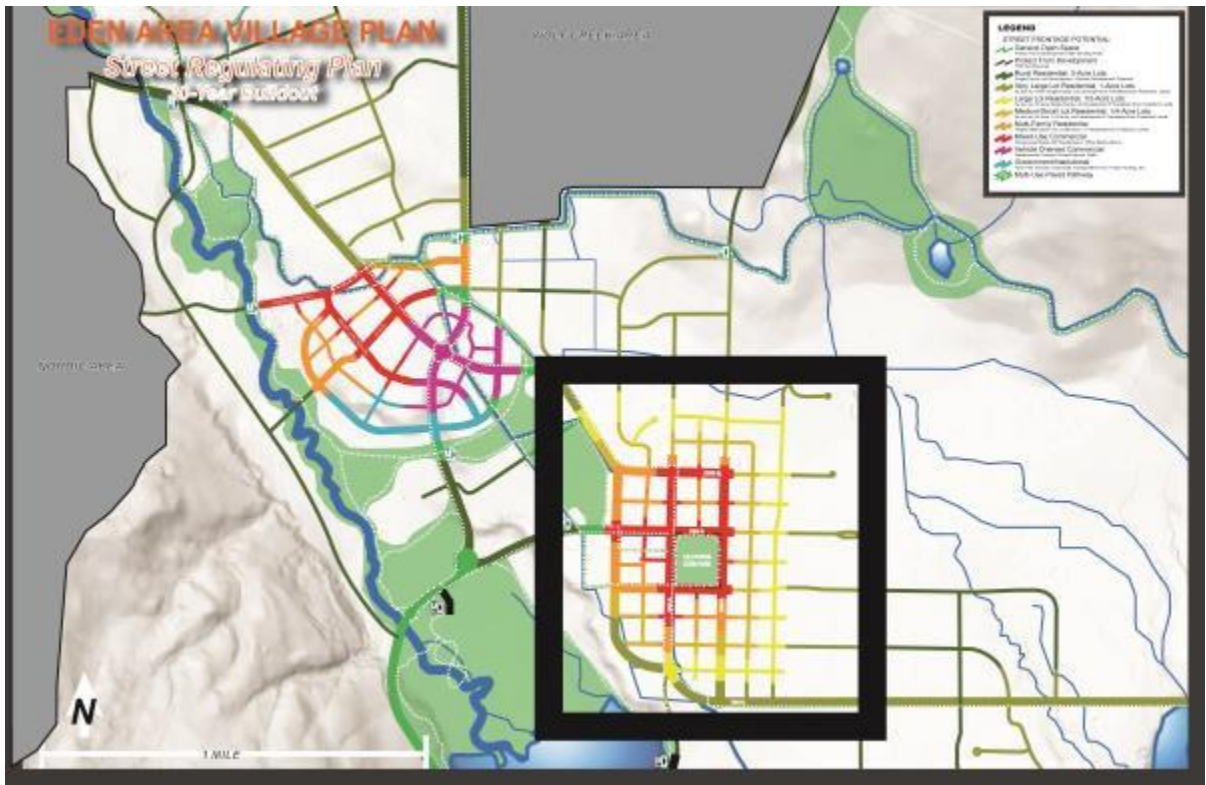
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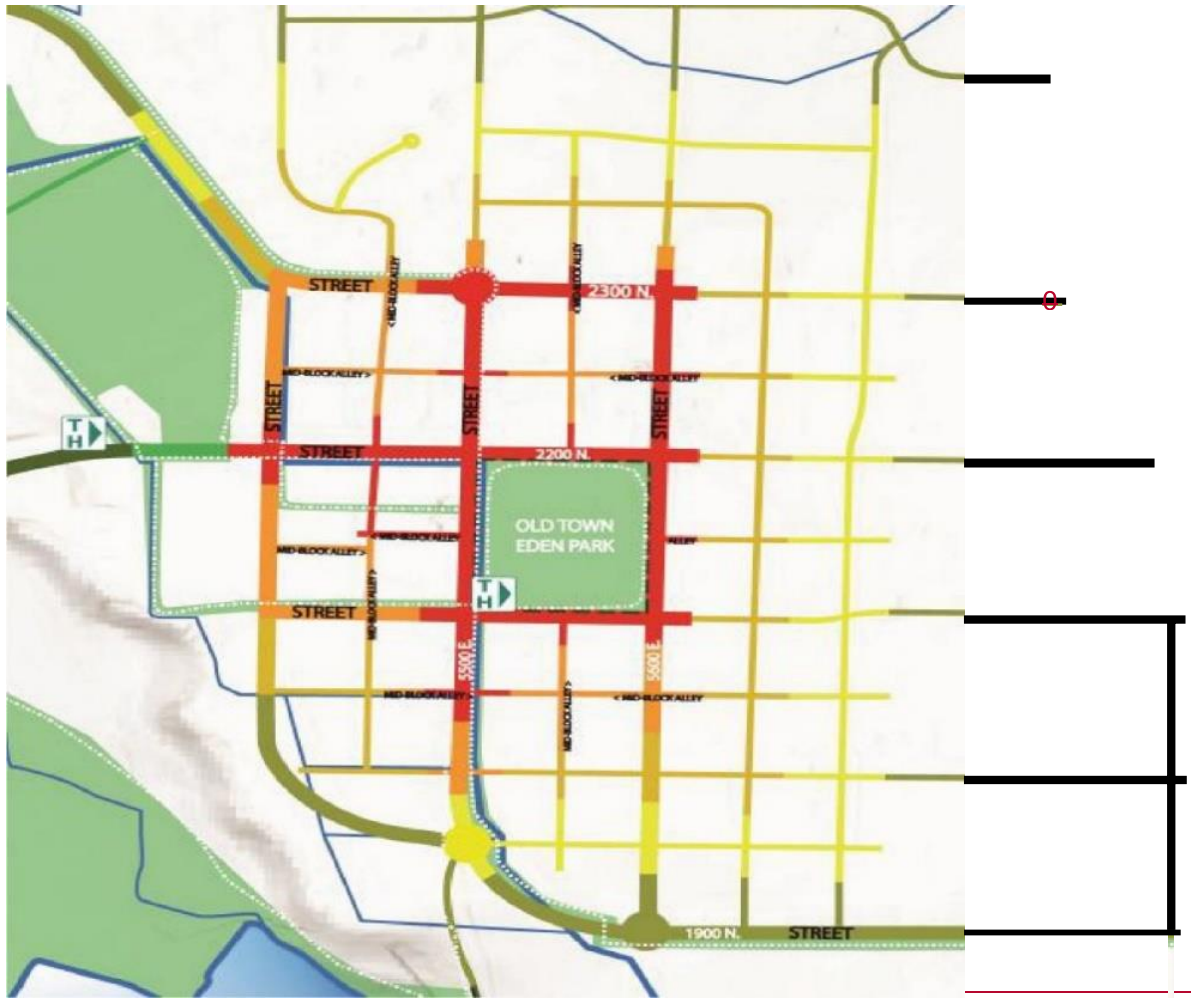
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814 (a) *Old Town Eden Street Regulating Plan Map.*

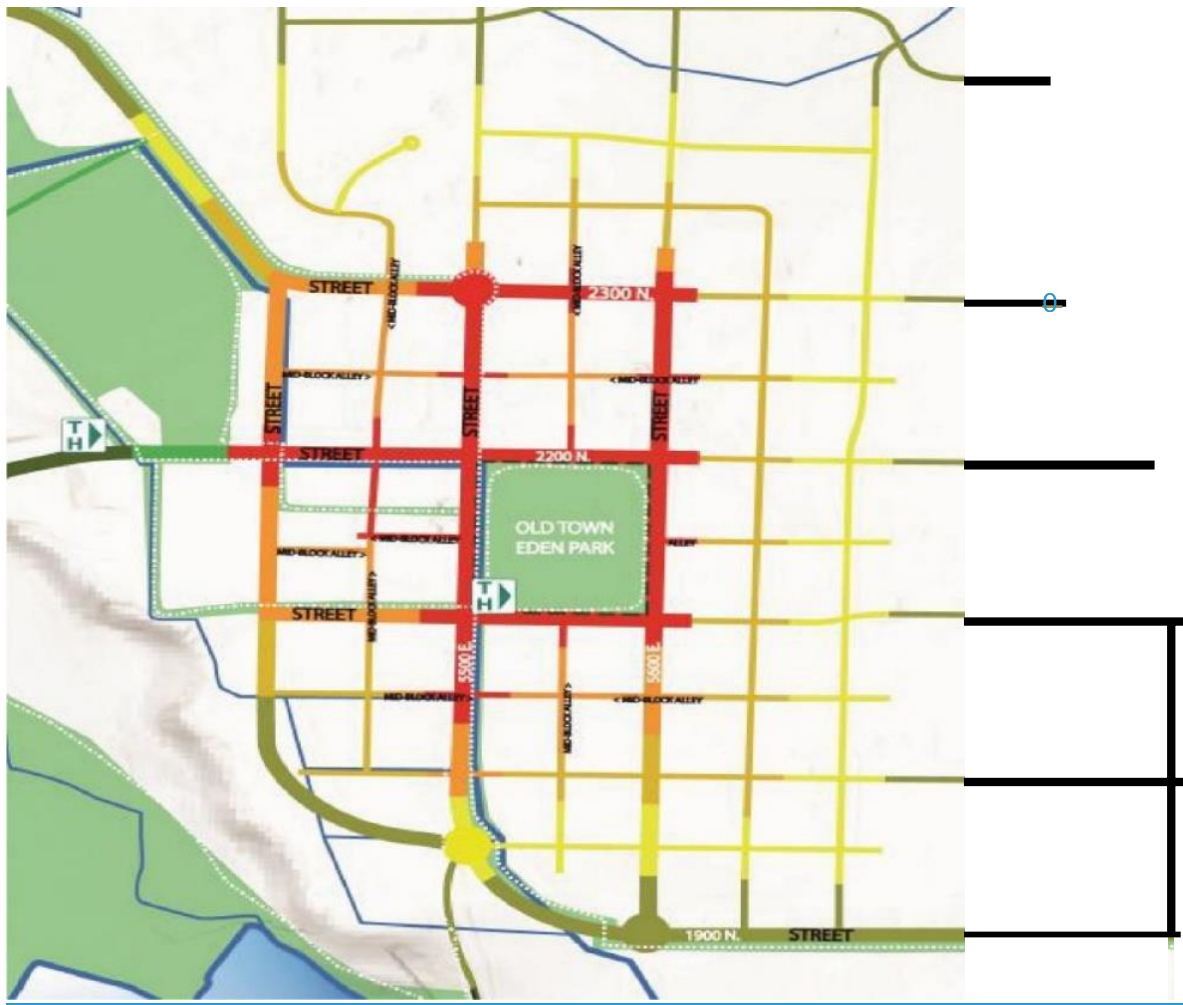
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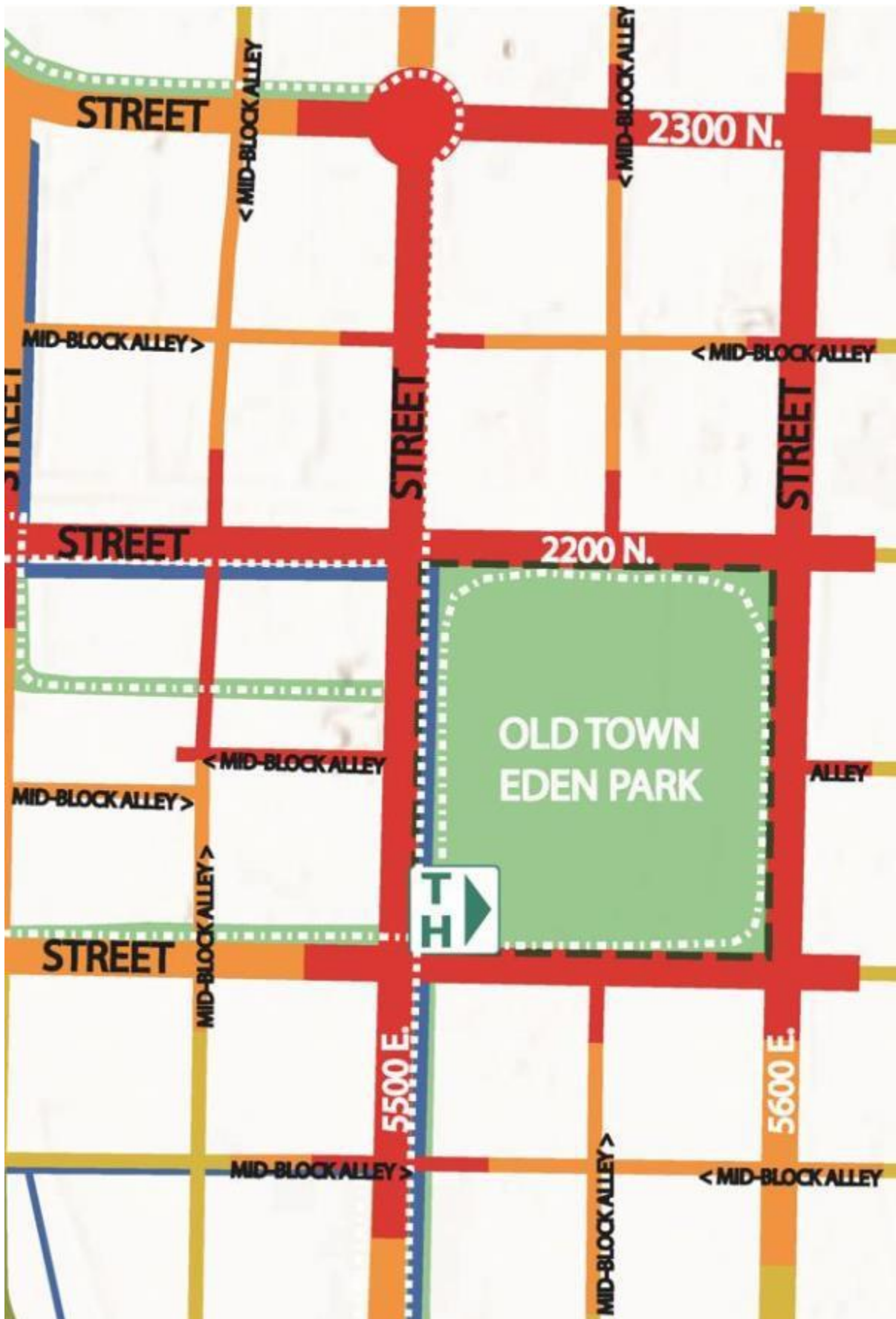
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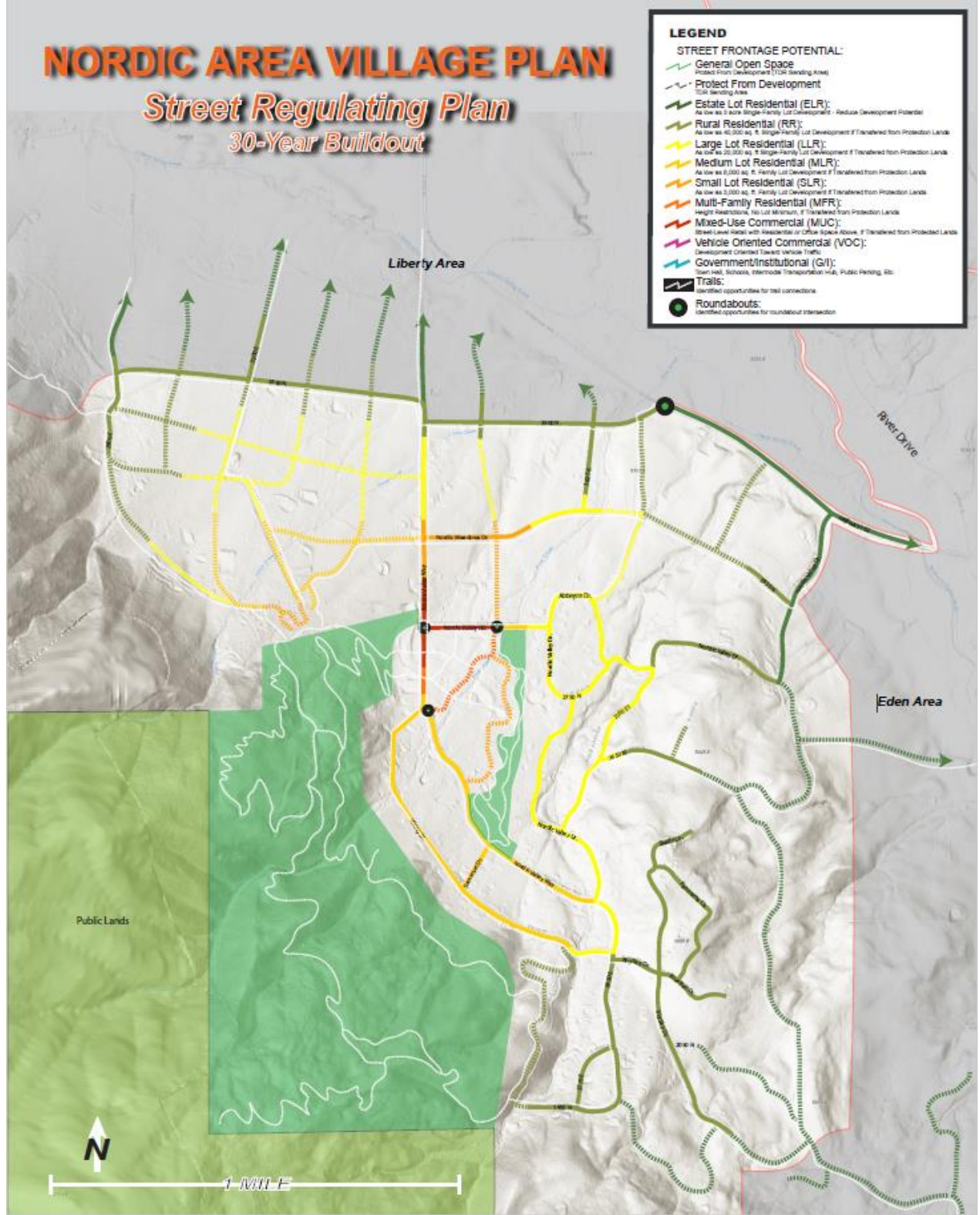


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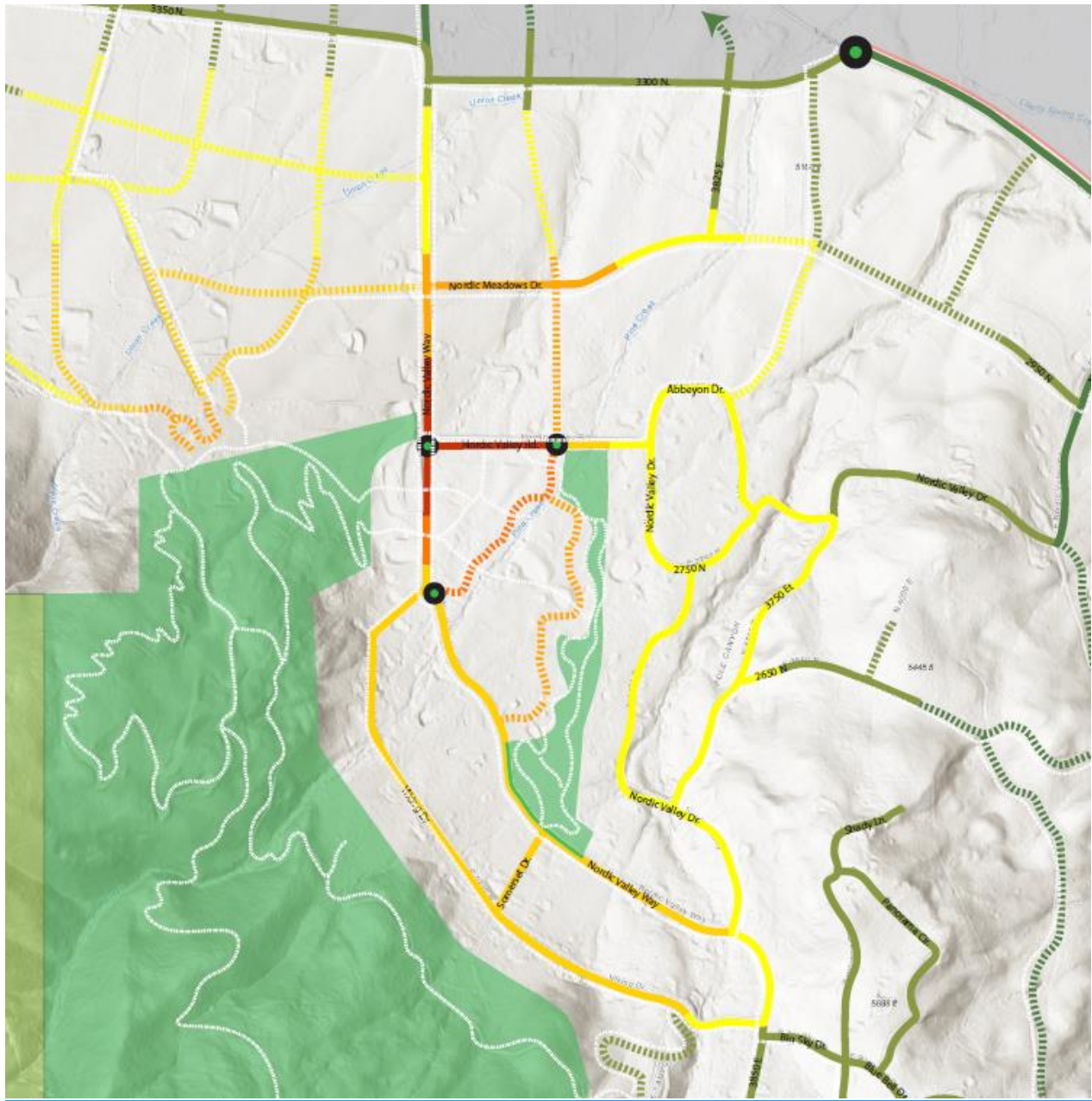
(c) Nordic Valley Village Area Street Regulating Plan Map.



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834 HISTORY

835 *Adopted by Ord. [2022-04](#) on 1/18/2022*

836

837 **Sec 104-22-9 Parking and Internal Block Access.**

838

839 (a) **Parking required.** Each application for development shall include a parking plan that
 840 demonstrates that sufficient parking will be provided by the street parking adjacent to the building
 841 or an off-street parking lot within 1000 feet of the building. ~~With exception to seasonal day-skiing~~
 842 ~~parking lots, all~~All parking lots shall be hard-surface asphalt or concrete. Street parking not
 843 adjacent to the lot's street-frontage shall not be counted in determining that sufficient parking has
 844 been provided.

845 (b) **Parking flexibility.** Except for residential uses, the Land Use Authority may reduce the minimum

- 846 parking spaces required if sufficient evidence suggests that the required number of spaces is
 847 excessive for the building and proposed use or uses therein.
- 848 ~~(b)~~(c) **Parking related to a change of use.** If a change of use occurs, more parking may be
 849 required if the new use merits it, as determined by the Land Use Authority. The applicant
 850 proposing to change the use shall be required to provide the additional off-street parking within
 851 1000 feet of the use.
- 852 ~~(e)~~(d) **Residential parking.** The minimum required parking for a residential use shall be located
 853 off-street within the same block as the residential use.
- 854 ~~(d)~~(e) **Parking lot trees.** A surface parking lot shall have one tree for each four parking spaces,
 855 and a five-foot wide landscape planting area that runs the depth of the parking row shall be
 856 located at each end of a parking row.
- 857 ~~(e)~~ **Parking structure design standards.** When located adjacent to a vehicle-oriented commercial,
 858 mixed use commercial, or multi-family commercial street, a parking structure shall have first-floor
 859 street-level commercial space along the street's frontage. However, for a corner lot, this
 860 requirement applies to the façade that is adjacent to the more prominent street, as determined
 861 by the land use authority; the other façade shall have the same for no less than fifty percent of
 862 that façade's street frontage. The other fifty percent, and the area of the parking structure above
 863 the street level commercial space, shall have a street-facing facade that disguises the parking
 864 structure to generally look like other buildings in the area.
- 865 (f) ***Cross-access and cross-access easement.*** For all parcels or lots along a governmental or
 866 institutional, vehicle-oriented commercial, mixed-use commercial, or multi-family residential street,
 867 providing access to adjacent existing or future development without the need to access the public
 868 right-of-way is required. This access shall be provided by a mid-block alley, where shown on a
 869 street regulating plan, or other alley or shared driveway as may be deemed necessary by the land
 870 use authority. When no new alley access is deemed necessary because an alley access or street
 871 access is already provided to the lot or parcel through another lot or parcel, then a cross-access
 872 easement shall be provided along adjoining lot lines, as follows:
- 873 (1) A cross access easement shall provide an easement to all landowners in the block that
 874 develop along a governmental or institutional, vehicle-oriented commercial, mixed-use
 875 commercial, or multi-family residential street that is framing the block. The easement
 876 shall allow ingress and egress to these other lots or parcels, including ingress and
 877 egress infrastructure.
 - 878 (2) At a minimum, each developed lot or parcel shall have two points of ingress and egress,
 879 at least one of which shall be stubbed to adjacent property where practicable. Except
 880 that a parking area is allowed to only provide a single access as long as it does not
 881 block the accessibility to other areas within the block that ~~is~~are or could be used for
 882 public parking.
 - 883 (3) Each parking area that is located within the block and that will be open to the public for
 884 public parking shall be designed to extend to the parcel boundary and shall provide a
 885 cross access easement along all sides of the parking area abutting the adjacent lot(s)
 886 or parcel(s) in a manner that allows the adjoining lot or parcel owner to extend that
 887 public parking area seamlessly into their parcel.
 - 888 (4) When locating a cross-access easement or designing the cross-access infrastructure,
 889 good faith efforts shall be made to coordinate the location and design with the adjoining
 890 land owner.
 - 891 (5) The Planning Director may require the cross-access to be located in a manner that
 892 optimizes internal block traffic circulation.
 - 893 (6) Construction of the cross-access infrastructure shall be completed prior to the issuance
 894 of a certificate of occupancy for any structure on the lot or parcel, or a completion bond
 895 may substitute for completion if allowed by the County Engineer.
 - 896 (7) When a lot or parcel is being developed that abuts an existing cross-access easement
 897 or existing cross-access infrastructure, a reciprocal cross-access easement shall be

898 provided on the same lot line or parcel line in the same location and of equal width. The
899 reciprocal cross-access infrastructure shall be constructed to the same standard as, or
900 better than, the existing cross-access infrastructure on the adjacent parcel. A cross-
901 access easement shall be recorded on the title of all affected properties, along with a
902 perpetual operation and maintenance agreement between the property owners that
903 specifies, at a minimum, that the infrastructure will be operated and maintained by the
904 property owners in a manner that is safe and usable for two-way vehicle traffic.

905 (8) If property owners fail to operate or maintain cross-access infrastructure that was
906 required by the County under this section, the County may pursue enforcement
907 measures as provided in this Land Use Code.

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909 HISTORY

910 *Adopted by Ord. 2022-04 on 1/18/2022*

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912 **Sec 104-22-10 Signage**

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

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917 HISTORY

918 *Adopted by Ord. 2022-04 on 1/18/2022*

919
920 **Sec 104-22-11 FBV Transferable development rights**

921 (a) ***Density allowance and transferable development rights.*** As provided in the Ogden Valley
922 General Plan, the creation of dwelling units in the FBV zone shall not create any new density in
923 the Ogden Valley Planning Area unless otherwise provided in this Land Use Code. To establish
924 the residential dwelling unit rights that exist on a lot or parcel in the FBV zone, or to increase or
925 decrease residential dwelling unit rights on a lot or parcel in the FBV zone, the following apply:

926 a.(1) For a lot or parcel rezoned to the Form-Based Village Zone from a zone that allows
927 residential dwelling units, the base density, as defined in Title 101, Chapter 2, shall be
928 the same as the density that was allowed in the prior zone. This shall be documented
929 by recording a covenant to the lot or parcel that provides a calculation of the base
930 density. The covenant shall run with land, and be between the owner and the County.

931 b.(2) Additional residential dwelling units are permitted on any lot that has street
932 frontage on, or gains primary access from, any street type in the street regulating plan
933 except a rural residential an Estate Lot Residential street and a general open space
934 street. However, no new density is allowed unless the landowner has successfully
935 negotiated the reallocation of an equal number of dwelling unit rights from another lot
936 or parcel that has an available dwelling unit right as determined by the lot or parcel's
937 base density and adjusted for any previous dwelling unit right reduction or addition. The
938 reallocation shall be made by recording a covenant to each affected lot or parcel. Each
939 covenant shall run with the land and be between the owner and the County. Each
940 covenant shall document the applicable lot or parcel's calculated base density; the
941 number of dwelling units already developed on the lot or parcel; the number of dwelling
942 unit rights subtracted from, or added to, the base density by any means; and the number
943 of dwelling unit rights remaining for the lot or parcel.

944 c.(3) Residential dwelling unit rights may be transferred to a lot or parcel in a FBV zone
945 from any lot or parcel in the following zones within the Ogden Valley Planning Area: RE-
946 15, RE-20, AV-3, F-5, FV-3, S-1, FR-1, FR-3, RMH-1-6, CVR-1, and FBV.

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~~d.~~ Regardless of number of residential dwelling unit rights transferred to a lot or parcel in the FBV zone, the number of dwelling units actually constructed shall be limited by what can be constructed given compliance with the standards of this chapter.

~~e.(4) A dwelling or dwelling unit specifically devoted to the housing of employees working in the local service industry and earning less than 80 percent of the county's median household income, does not count toward density allowances and are not required to be established through transferable development rights.~~



Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: Public hearing to discuss and/or take action on an application to amend the Form-Based Village zoning ordinance along with other sections of the Weber County Land Use Code to add provisions and exhibits intended to create a Nordic Valley Village Area.

Applicant: Skyline Mountain Base

Agenda Date: Tuesday, March 22, 2022

File Number: ZTA 2021-07

Frontier Web Address: <https://frontier.co.weber.ut.us/p/Project/Index/13886>

Staff Information

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

Report Reviewer: CE

Applicable Ordinances

§101-2: Definitions
§104-22: Form-Based Village Zone (FBV)

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 recently received an application by Skyline Mountain Base to create a smaller Destination And Recreation Resort Zone (DRR-2), as opposed to the existing DRR-1 zone, in order to create the regulatory framework to which their property could be rezoned. In reviewing this request, County staff ultimately recommended that the applicant pursue an amendment to the recently adopted Form-Based Village (FBV) zoning classification as a means to achieve the desired outcome for their property.

Following this recommendation, the applicant has spent the past several months working and negotiating with staff to identify adjustments and additions needed to the FBV ordinance to accommodate their vision. The attached Exhibit A contains the revised draft of the FBV zoning ordinance created through this effort.

Policy Analysis

Policy Considerations:

Form-Based Village Zone (FBV) Amendments (See Exhibit A):

Definitions:

Various definitions have been added and/or modified. For example, dwelling types, such as “three-family” and “four-family dwellings” have added definitions that were previously absent from the Definitions section.

Land Use Table:

One of the largest changes to the FBV ordinance entails the expansion and recategorization of the land use table. The previous table adopted to govern the uses within the New-Town and Old-Town Villages made specific reference to only a handful of uses while referencing the uses outlined in the CV-2 zone also

applying to any property in the FBV zone. The proposed table imports all the uses from the CV-1, CV-2, and CVR-1 zones. As such, the table is much larger, but simply consolidates all of the commercial zoning uses into a single table within the FBZ ordinance rather than simply referencing the other commercial zones. With all of the commercial uses consolidated into a single table, we took the opportunity to categorize uses by industry sector and street type in addition to cleaning and thinning the overall table. We also took this opportunity to make some adjustments to the permitted, non-permitted, and conditional uses to better fit within the Form-Based Village context.

Addition of Special Regulation Sections:

In addition to porting over the uses from the other commercial zoning classifications, we also ported over the special regulations associated with various uses as well to further clarify the context in which some uses are either permitted or conditionally permitted.

Addition of a Medium-Lot Residential (MLR) and Estate-Lot Residential (ELR) Street Types:

In the originally adopted FBV ordinance, street types for single-family residential skipped from Small-Lot Residential (SLR) (6,000 sq. ft.) straight to Large-Lot Residential (LLR) (20,000 sq. ft.). The proposed adjustments adds a Medium-Lot Residential (MLS) street type and shuffles around the other street types to fit it into the stratification. By doing so, a Small-Lot Residential (SLR) lot starts as low as 3,000 sq. ft., with Medium-Lot Residential (MLR) starting at 8,000 sq. ft. From there, Large-Lot Residential (LLR) stays at 20,000 sq. ft. However, from there we changed the previous “Very Large Lot Residential (VLLR)” descriptor to “Rural Residential (RR)” and kept the 40,000 sq. ft. lot size. Lastly we changed the previous “Rural Residential (RR) descriptor to “Estate Lot Residential (ELR)” and kept the 3 acre lot size. See **Figure 1** below for a side-by-side comparison of these street types and lot areas:

Figure 1: Street Types and Lot Area Comparison

Previous Street Types & Lot Areas:

STREET TYPE:	MINIMUM LOT AREA:
Government and Institutional (G/I)	None
Vehicle-Oriented Commercial (VOC)	
Mixed-Use Commercial (MUC)	
Multi-Family Residential (MFR)	
Small Lot Residential (SLR)	6,000 square feet
Large Lot Residential (LLR)	20,000 square feet
Very Large Lot Residential (VLLR)	40,000 square feet
Rural Residential (RR)	3 acres
Open Space (OS)	None

Proposed Street Types & Lot Areas:

STREET TYPE:	MINIMUM LOT AREA:
Government and Institutional (G/I)	None
Vehicle-Oriented Commercial (VOC)	
Mixed-Use Commercial (MUC)	
Multi-Family Residential (MFR)	
Small Lot Residential (SLR)	3,000 square feet
Medium Lot Residential (MLR)	8,000 square feet
Large Lot Residential (LLR)	20,000 square feet
Rural Residential (RR)	40,000 square feet
Estate Lot Residential	3 acres
Open Space (OS)	None

Adjustments to Development Standards and Street Cross Sections:

Minor adjustments to development standards were made to accommodate for the addition of the Medium-Lot Residential (MLR) street type as well as to facilitate development within topographically challenged areas.

Height Allowances Specific to Nordic Village:

The height table has been adjusted to add columns specific to the Nordic Village area. These adjustments allow a maximum building height on a lot in the Nordic Village to be 55-feet tall. It also limits buildings on corner lots in the Nordic Village Area to a minimum of 25-feet.

Adjustments to the Parking Standards:

A minor adjustment to the previous language would now allow for seasonal day-skier parking lots to be of a material other than hard-surface asphalt or concrete.

Addition of Specific Nordic Village Design Standards:

Similar to New-Town and Old-Town Eden, the proposal defines specific design and architectural standards for the Nordic Village area. The overall theme chosen by the applicant for the Nordic Village is that of a modern interpretation of alpine design that includes a balance between modern alpine and classical alpine design features.

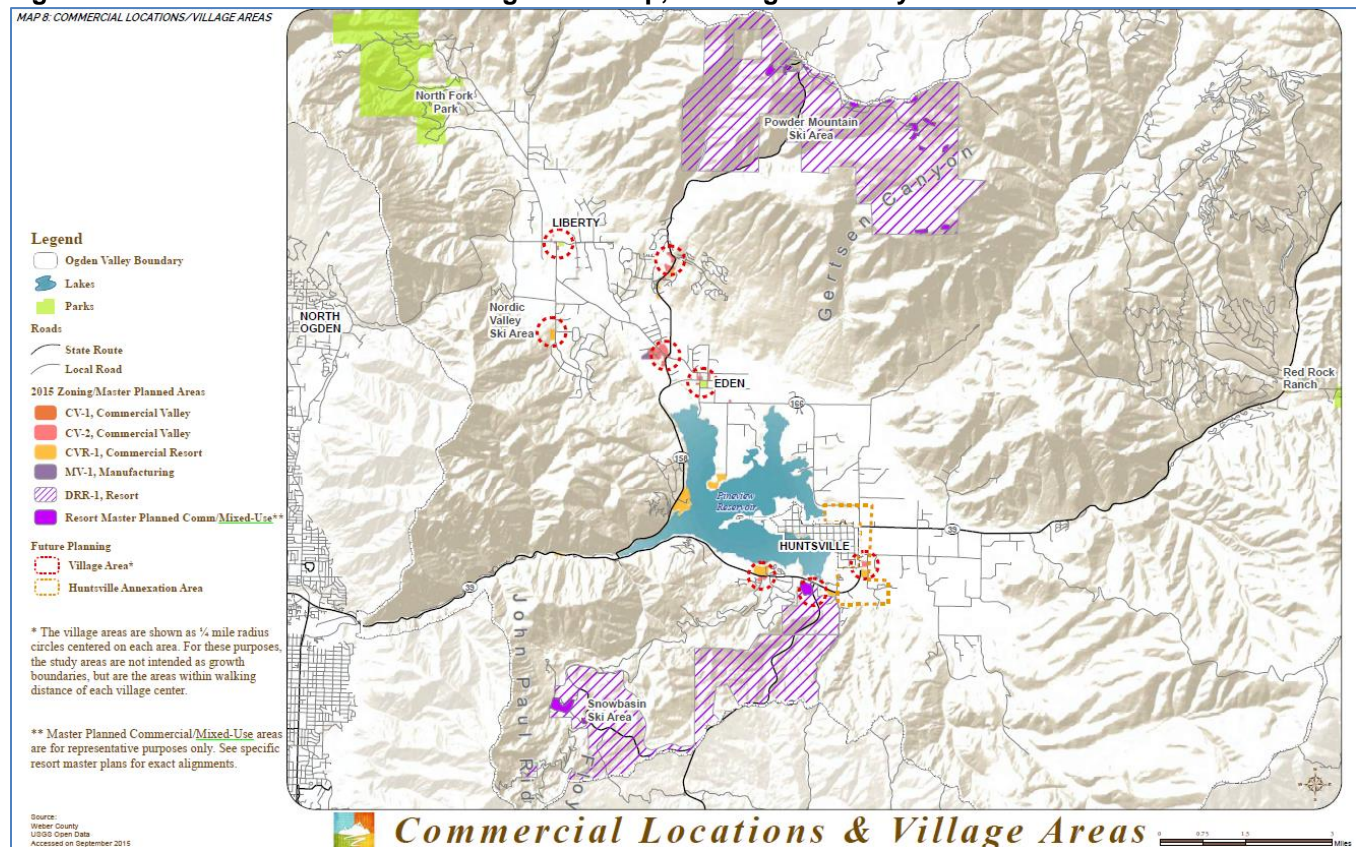
Addition of a Specific Nordic Village Street Regulating Plan:

Similar to the existing street regulating plans for New-Town and Old-Town Eden, the proposed amendment adds a street regulating plan that is specific to a Nordic Village area. This plan focuses Mixed-Use Commercial (MUC) at the heart of the Nordic Ski area along Nordic Valley Way near the existing white barn, while providing a waning transect with lower intensity development radiating further outwards from the core village area.

Conformance to the General Plan

Generally, land use code changes should be vetted through the filter of policy recommendations of the applicable general plan. In 2016, the Ogden Valley General Plan was adopted after a significant public involvement process and received overwhelming support from Valley residents. See **Figure 2** below for the Commercial Locations & Village Areas map from the general plan.

Figure 2: Commercial Locations & Village Area Map, 2016 Ogden Valley General Plan



The proposed adjustments to the Form-Based Village zoning ordinance helps to implement numerous goals and objectives of the Ogden Valley General Plan including the following:

Land Use Implementation 1.1.1: Weber County will support the transfer of existing development rights (TDRs) as the primary means to increase densities in suitable project areas while proportionately decreasing density in other areas. Incentives – such as reduced road cross sections and other cost-saving measures for

master-planned developments – should be proposed to reduce development intensities and as the primary means to incentivize the purchase and transfer of development rights. Bonus density should be used sparingly, and only in the event minimal bonuses can be leveraged for significant and meaningful advancement of the goals and principles of this plan. Development rights include residential (e.g. townhouses, single family detached units, etc.) and non-residential development rights (e.g. hotel units, accessory dwelling units, retirement center units, etc.).

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

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

Commercial Development Implementation 2.1.1: As part of small area planning, revise County design standards to adopt more detailed and specific commercial design standards that specify building materials, style elements, colors, dark sky lighting, walkability, landscaping, signage, open spaces, public features, and building height and orientation. Acceptable style elements may include agrarian architecture, Old West or mine-town architecture, or mountain rustic architecture elements that are prevalent in Ogden Valley (Figure 16).

Commercial Development Implementation 2.2.1: Amend County ordinances to limit the maximum square footage of retail businesses in Ogden Valley, or develop design standards to mitigate negative visual impacts. Monitor the demand for additional retail sales in the Valley to determine a possible future need for larger retail businesses.

Transportation Principle 1.3: Support the development of on-street, street-adjacent, or street-alternative active transportation facilities and infrastructure in Ogden Valley as an integral part of the Valley’s transportation system.

Streetscape Design Implementation 1.1.1: Develop and adopt multimodal streetscape cross sections for villages based on the small area plans referenced in Commercial Development Goal 1, and implement key elements during programmed road creation, maintenance, and upgrade projects. During small area planning, consider the need for traffic calming measures, reduced speed limits, consistent landscaping and lighting, and other public improvements.

Streetscape Design Implementation 1.1.3: Develop intersection designs that utilize roundabouts rather than stop signs and lights. Encourage UDOT to do the same.

Moderate Income Housing Implementation 1.1.3: Encourage the development of low-to moderate-income housing within or near established cities, towns and village areas in order to protect agricultural lands and provide open spaces within the unincorporated areas of Weber County.

Past Action on this Item

No action has occurred on this item to-date. The Ogden Valley Planning Commission has viewed the proposal in work session during their 2/15/22 meeting. Additionally, during the 12/28/2021 meeting, the Planning Commission was introduced to a proposed village plan by Skyline Mountain Base to begin developing a village area for the Nordic Valley Ski resort.

Noticing Compliance

A hearing for this item was noticed to be held on March 22, 2022 with the Ogden Valley Planning Commission in compliance with UCA §17-27a-205 and UCA §17-27a-502 in the following manners:

Posted on the County's Official Website (10 days prior to the public hearing)

Posted on the Utah Public Notice Website (10 days prior to the public hearing)

Published in a local newspaper (Standard Examiner) (10 days prior to the public hearing)

Staff Recommendation

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

1. The changes are supported by the 2016 Ogden Valley General Plan.
2. The proposal serves as an instrument to further implement the vision, goals, and principles of the 2016 Ogden Valley General Plan.
3. The changes will enhance the general health and welfare of County residents.

Exhibits

- A. Proposed Amendments to the Form-Based Village (FBV) zoning ordinance.

A full copy of this staff report including this Exhibit A is available through the following weblink: <https://frontier.co.weber.ut.us/p/Project/ViewFile?ProjectDocumentId=63723>