



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 File ZTA2022-06, a County-initiated application to amend the Form-Based Village zoning ordinance along with other sections of the Weber County Land Use Code to add a new street type for use in street regulating plans, and to adjust height allowances, workforce housing requirements, and TDR provisions, and to provide clerical edits and updates to better implement the intent of the general plan.

Applicant: Weber County
Agenda Date: Tuesday, April 25, 2023
File Number: ZTA 2022-06

Staff Information

Report Presenter: Charlie Ewert
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Report Reviewer: RG

Applicable Ordinances

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

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 Western Weber Planning Area has a new general plan. The plan calls for the use of the Form-Based zone in certain areas. Currently, the County's Form-Based zone has street regulating plans that pertain only to the Ogden Valley. In order to assist the Western Weber Planning Area in executing their desires, the County's Form-Based zone needs to be updated to provide a street regulating plan for a new "West Weber Village" area. This ordinance amendment was initiated by the County for this purpose.

Because the County's Form-Based zone applies to the Ogden Valley, any amendment thereto may affect village-area planning. For this reason, the Ogden Valley Planning Commission has been asked to review the changes desired by the Western Weber Planning Commission to verify consistency with the Ogden Valley General Plan as well as with development desires generally.

While reviewing the proposed changes, the Ogden Valley Planning Commission noted a number of changes that they would like to see implemented in the Form-Based zone as well. These changes primarily relate to allowed building height, transferable development rights, and workforce housing requirements. Other changes requested by the Ogden Valley Planning Commission are clerical or administrative in nature.

The attached Exhibit A contains the revised draft proposal of the FB zone that was created through this effort. The Western Weber Planning Commission has already forwarded a positive recommendation to the County Commission for the proposal.

Policy Analysis

Policy Considerations:

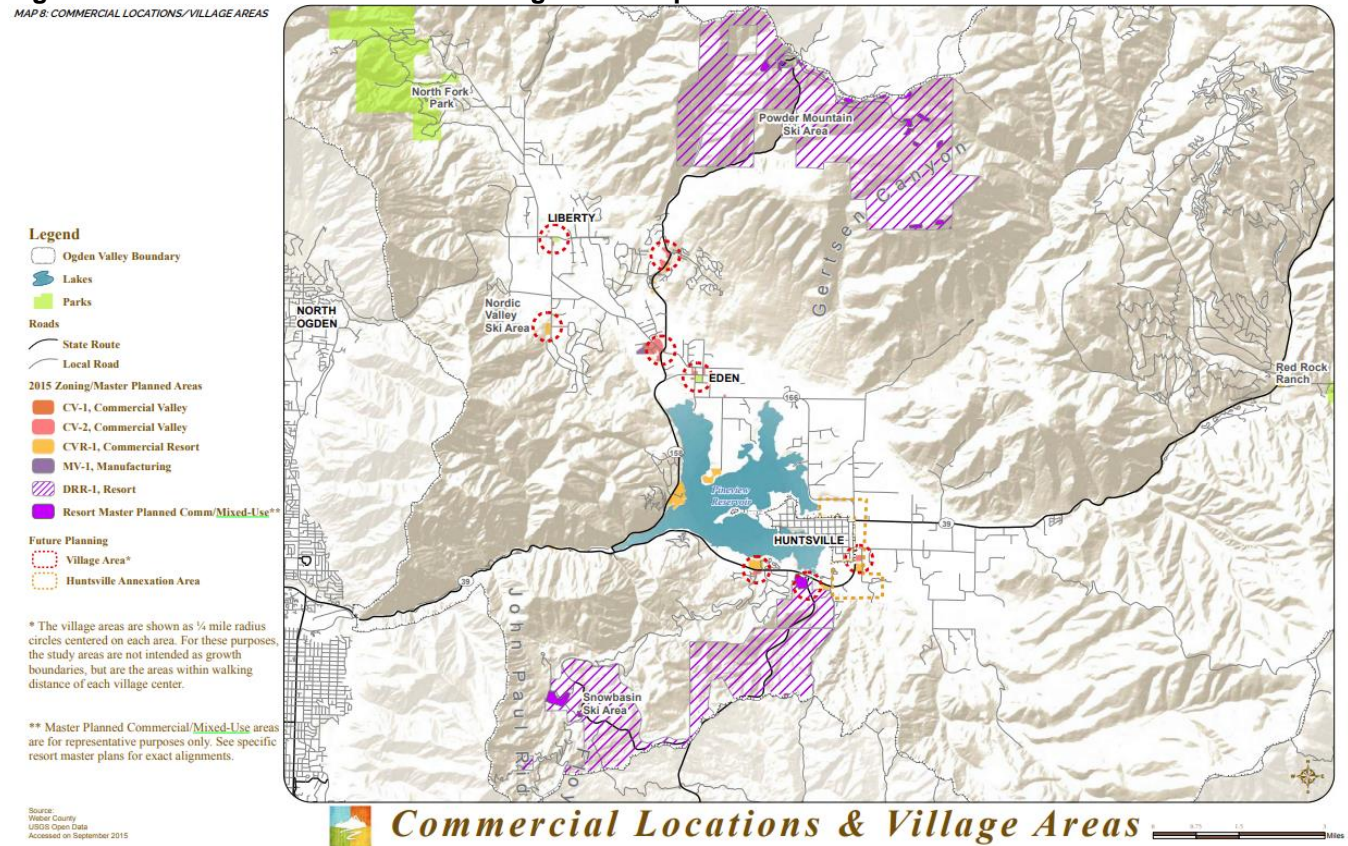
When reviewing the proposed amendments, it is important to keep the considerations within the context of the General Plan. The land-use vision written in the general plan is as follows:

*Vision: The Ogden Valley community desires a variety of housing types to meet the needs of a diverse population of various income levels, ages and stages of life. Neighborhoods should have convenient access to community amenities¹ and be designed in a manner that protects the valley's character. Residential development should be centered around **villages** and town centers and designed to provide open spaces and efficient uses of the land.*

All of the other land-use goals, policies, and implementation strategies should be reviewed within the context of this vision.

The following provides the Commercial Locations and Village Area map:

Figure 1: Commercial Locations and Village Area Map



The Form-Based zone is the tool that the County Commission, after receiving positive recommendation by the Planning Commission, adopted to help establish and implement the village areas specified. The Form-Based zone checks numerous boxes recommended by the plan, including but not limited to:

- Creates small area plans for “vibrant” commercial and mixed use development.
- Provides for a wide variety of housing options, including workforce housing (moderate income housing).
- Adopts both streetscape and building design standards.
- Adopts multi-modal street designs.
- Implements a transferable development rights program to move density from other areas into villages.

Additional general plan considerations regarding village (small area plan) areas:

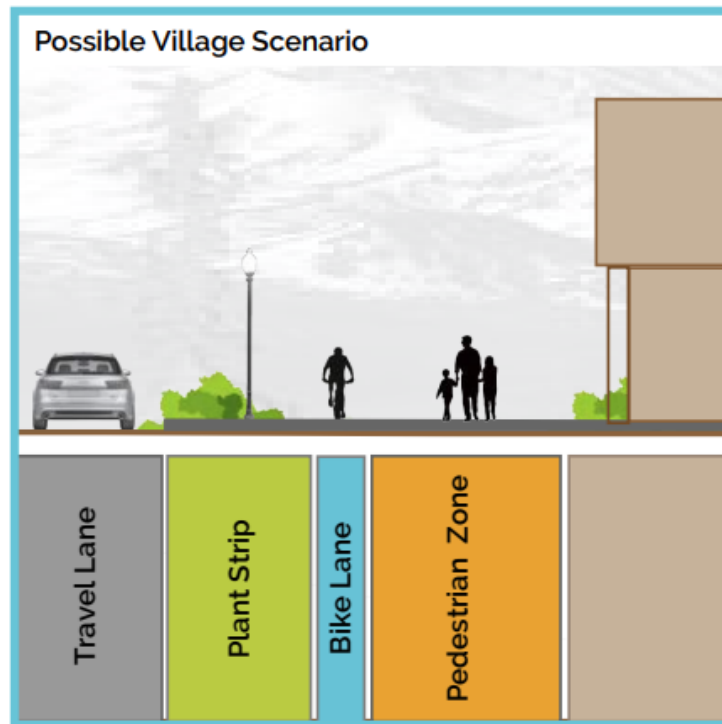
Commercial Development Goal 1: A goal of Weber County is to ensure that the location of retail and commercial development is consistent with Ogden Valley's rural character.

Commercial Development Principle 1.1: Limit all new commercial development in the Ogden Valley planning area to Huntsville, the resort areas, and the village areas, as shown on Map 8. Avoid scattered and strip commercial and retail development patterns in the Valley.

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 multi-modal 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 1.2.1: As also provided in the Transportation Element Streetscape implementation 1.1.1, develop and adopt multimodal streetscape cross sections for village areas, and implement key elements during programmed road maintenance and upgrade projects. Evaluate current commercial development standards in Ogden Valley to ensure opportunities for internal walkability and connections to the trail system.



Proposed Form-Based Zone (FB) Amendments (See Exhibit A):

Definitions:

The definition of alley is proposed to be revised and two definitions are being created to help implement TDRs.

They are “transfer of development rights” and “transferable development right.” References to “development right” and “residential development right” are also proposed.

General Revisions:

The proposal suggests reorganizing some of the sections so reading the ordinance flows better. More context regarding street regulating plans and street types are being moved closer to the beginning of the zone chapter. One of the bigger changes is the addition of a new street type. This street type is called a “medium-large lot residential” (MLLR) street. This street type will facilitate lots that are 12,500 square feet. This is between the medium lot residential (MLR) of 8000 square-foot lots, and the large lot residential (LLR), which provides 20,000 square-foot lots.

Land Use Table:

The land use tables were adjusted to provide for the new MLLR street type. Both planning commissions wanted further restrictions on short-term rentals than what was previously allowed in the FB zone. The proposal removes the allowance for short-term rentals from single-family residential areas that are on the periphery of commercial villages.

Lot Development Standards:

Both planning commissions paid special attention to lot development standards. Newly requested provisions not only add the new MLLR street type with associated lot standards, they also:

- Better govern the development of land-locked parcels within a street-block;
- Address the challenges of front-facing garage doors on narrow lots;
- Add missing standards for accessory buildings;
- Reduce the allowed height of buildings in commercial and multifamily areas. The reduced height is also proposed to require a building step-back from the street right-of-way, meaning buildings that are closer to the street are required to be shorter.

Street Design Standards:

Street design standards are proposed to be amended to include a three-lane street cross section for use on highways such as Highway 166 and 162 through village areas. The standard two-lane highway will remain the same for non-village areas. Other street design modifications include:

- Better standards and regulations regarding mid-block alleys and pedestrian crossings;
- Enhanced illustrations to provide better context of the implementation of the standards;
- Provide significant improvements to the provisions for pathways and pathway connectivity; both on-street and off.

Here is, in part, what the general plan recommends for street design and configuration:

Streetscape Design Goal 1: A goal of Weber County is to provide roads and streets in Ogden Valley that enhance community character.

Streetscape Design Principle 1.1: Ensure that Ogden Valley roads and streets have a cohesive design that promotes traffic calming and enhances community character.

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 1.1.2: Establish comprehensive streetscape standards for new residential streets and rural connector roads in Ogden Valley, including multimodal considerations, paving patterns, and other public improvements.

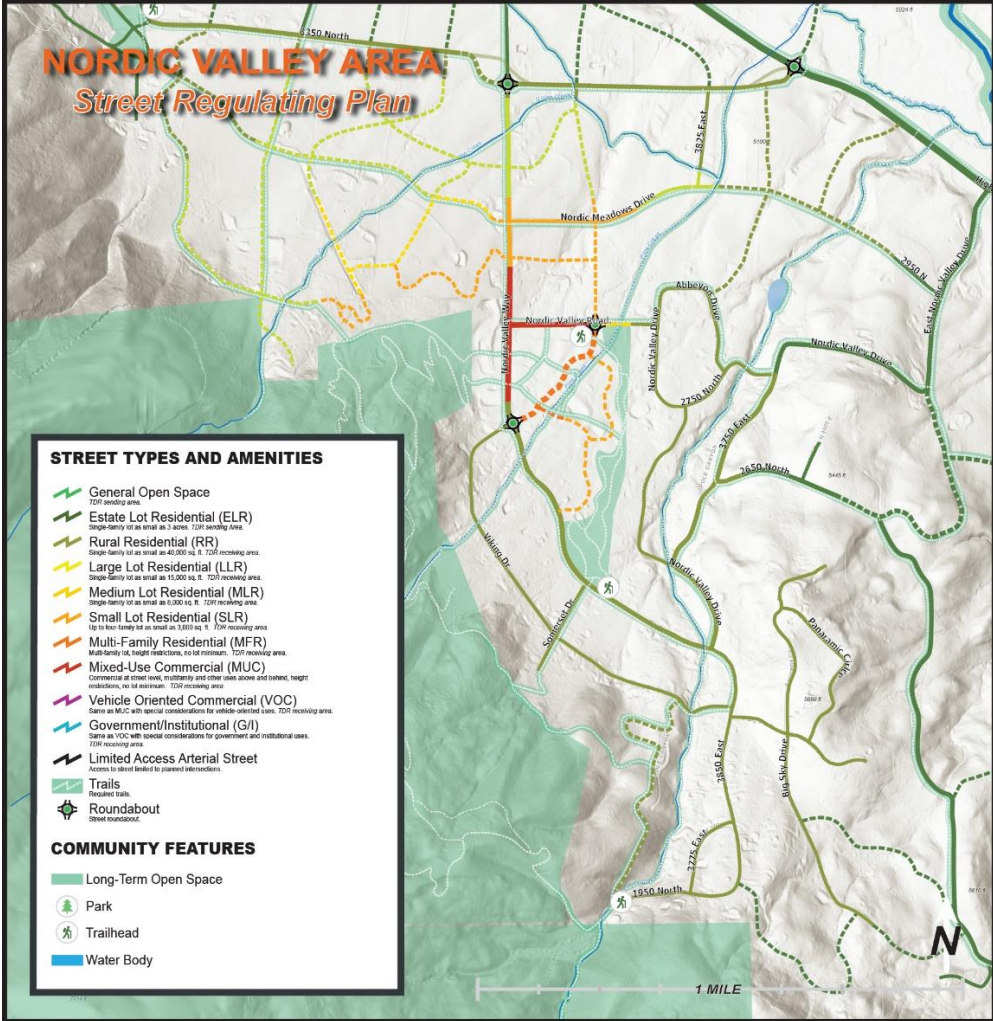
Streetscape Design Implementation 1.1.3: Develop intersection designs that utilize roundabouts rather than stop signs and lights. Encourage UDOT to do the same.

Street Regulating Plans:

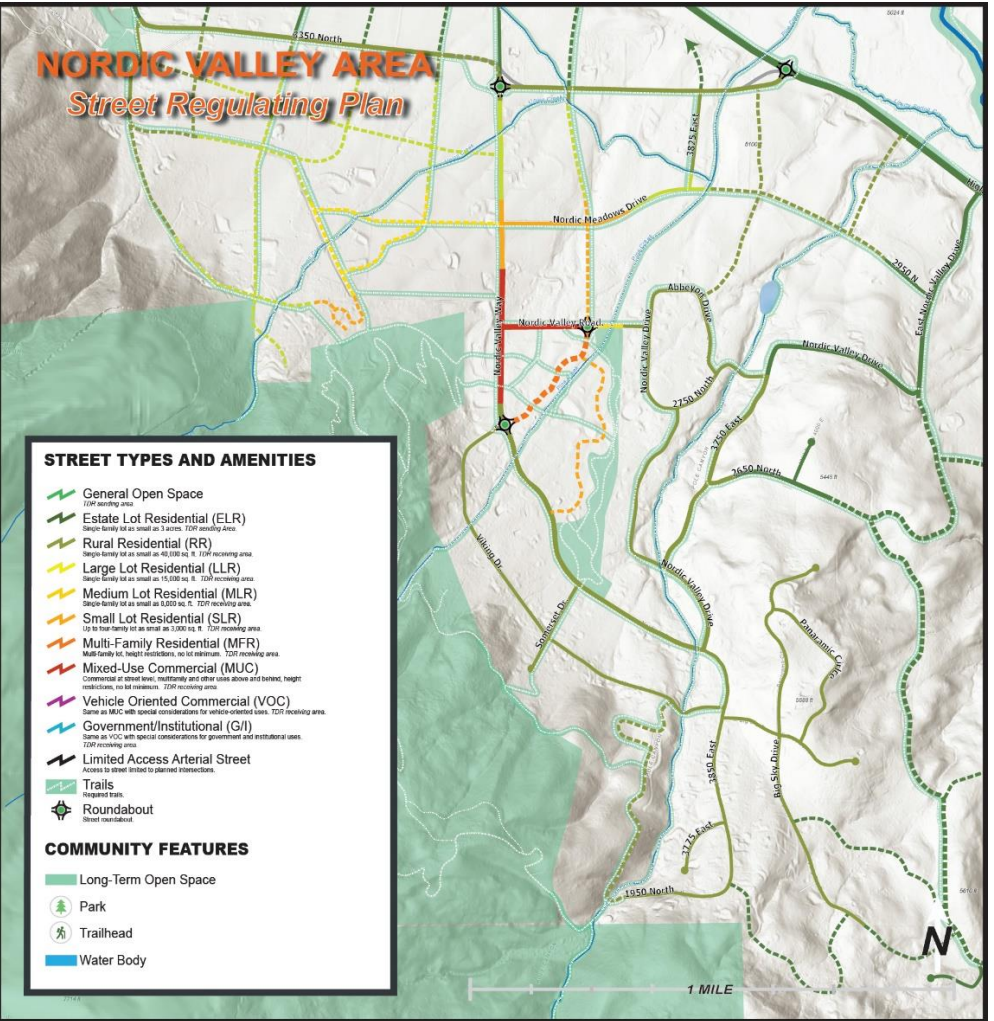
Other than the newly proposed West Weber Village street regulating plan, the Nordic Valley and Eden area maps are being adjusted to standardize line work, colors, and icons in order to provide efficiencies in mapping and regulating. Further, staff is recommending making adjustments to future-planned streets on the Nordic Valley map. The adjustments do not affect streets that currently exist, and are intended to help future streets work better with the natural topography. This will help avoid future streets that are too steep, and will also help avoid large and visually intrusive cuts and fills that would otherwise likely be needed with the current street layout. If the Planning Commission is not comfortable amending the Nordic Valley street regulating map with this proposal, staff has also provided in the proposal an alternative that uses the existing plan's layout. The motion will need to specify which map the Planning Commission is recommending to the County Commission. The two maps can be observed side-by-side on the following page.

Nordic Area Street Regulating Plan

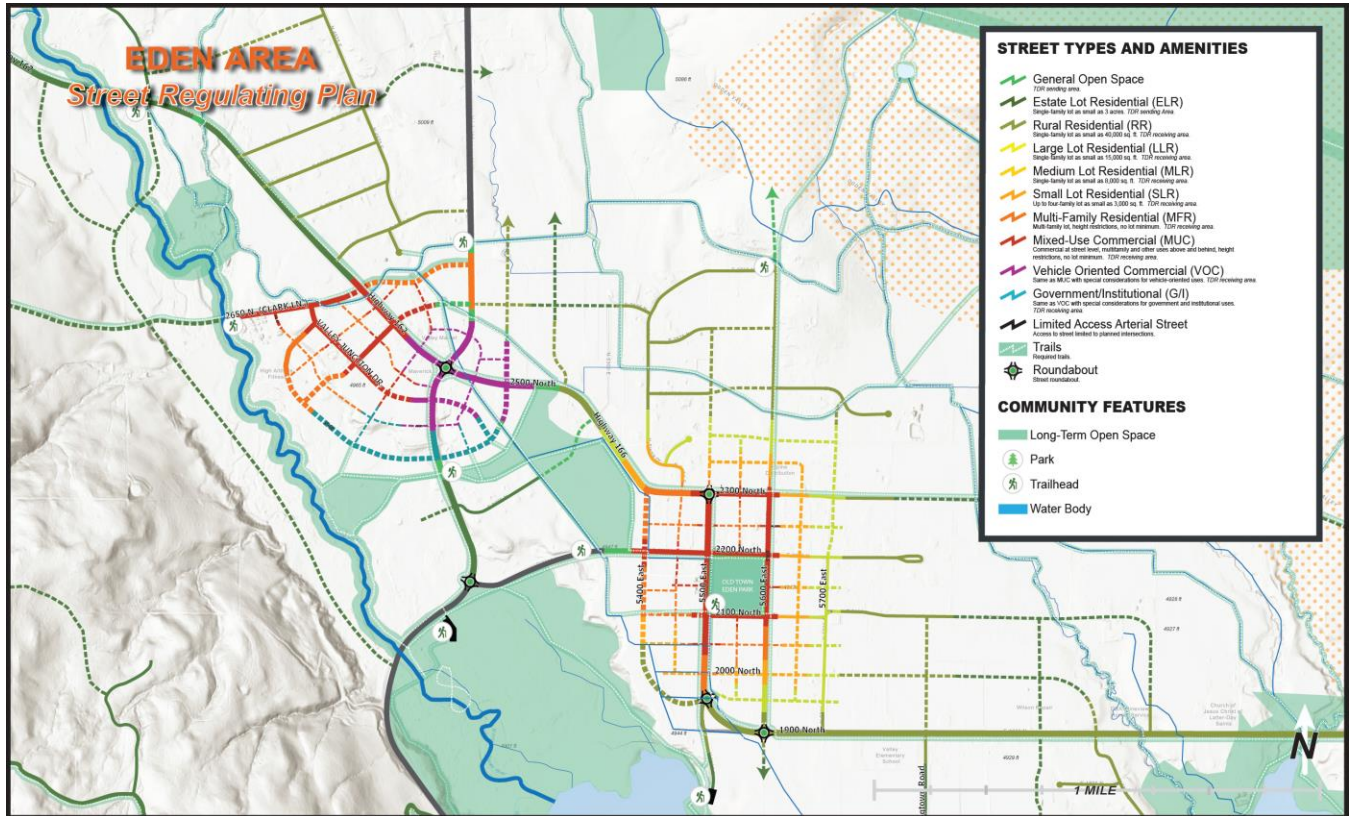
Staff-Proposed Amendment



Current Layout



Eden Area Street Regulating Plan



Parking and Internal Block Access:

The parking and internal block access section is proposed to be revamped to better provide for needed off-street parking in the middle of a commercial block without enabling individual landowners within the block to inhibit the shared burden of providing public parking. The changes also enable better internal block circulation.

Transferable Development Rights:

Most of the transferable development rights section is being rewritten. The section has to be divided to provide alternative allowances in the Western Weber Planning Area from the Ogden Valley Planning Area. In the Ogden Valley, no transfer bonuses are proposed. In the Western Weber, a 1:3 transfer bonus is being proposed for any landowner that moves residential rights from agricultural land to a property in the Form-Based zone.

Further, the Ogden Valley Planning Commission has expressed desire to limit the transfer of development rights from certain sensitive lands. The Ogden Valley Planning Commission also does not want to allow the banking of development rights. The Ogden Valley Planning Commission has expressed desire to have authority over the approval of TDRs rather than utilizing the current method of in-house administrative approvals. These additional regulations are currently only proposed to apply to the Ogden Valley Planning Area.

The added regulations will likely have a negative effect on providing support for a TDR market in the valley. In turn, the reduced support could demotivate a landowner from pursuing the purchase of transferable rights, and could also demotivate a would-be seller from selling rights. This could be both good and bad depending on one's viewpoint. The following provides a generalized review of both sides:

<u>Keeping TDR Regulations As-Is</u>	<u>Applying Greater Regulations to the TDRs</u>
Will induce the moving of development rights from open spaces to villages faster and sooner, thereby assuring those development rights do not eventually get built on open spaces.	Will demotivate the moving of development rights from open spaces to villages, which will allow villages to grow at a slower pace but risks the development of open spaces as a result of those untransferred development rights.
Induced growth of villages will change the appearance of the valley in a more obvious and prominent manner.	Inhibited growth of villages will help current residents benefit from current conditions for longer.
Induced growth that is centered in villages will help reduce infrastructure costs and allow more focused planning of infrastructure in key growth centers.	Inhibited growth of villages will likely induce more rural sprawl. Rural sprawl will create greater infrastructure liabilities for taxpayers.
Induced growth of villages will focus transportation onto specific streets. This may result in transportation challenges in key locations, but the smaller more focused area of growth will likely be easier to predict, which will allow greater ease of management of transportation improvements.	Inducing greater rural sprawl will likely spread traffic out throughout the valley, thereby alleviating traffic challenges in focused locations. However, because all traffic into and out of the valley has the same three year-around highway choices, the traffic on these legs will not be any different in the future from the traffic demand of more focused villages. The spreading out will require the spreading out of management resources to handle the new streets that sprawled development will create.
Induced growth that is centered in villages will create a more predictable growth pattern. The effects for which can be planned greater ease.	Inhibited growth of villages will result in less predictability of future development of the valley, making infrastructure planning more challenging.

Here is what the general plan says about TDRs:

Land Use Goal 1: A goal of Weber County is to reduce the overall amount and impact of future land development in the Ogden Valley planning area.

Land Use Principle 1.2: To the extent allowed by law, development should not occur on sensitive areas including steep slopes, wetlands, floodplains, areas of geological instability, prominent ridgelines, wildlife habitat and corridors, natural riparian areas and natural waterways.

Land Use Implementation 1.2.1: Amend the land use code to require that the development potential of steep slopes (slopes over 30%), wetlands, and floodplains will not be included in project density calculations, nor will be available for transfer pursuant to a TDR program.

Land Use Implementation 1.2.2: The sensitive lands map for Ogden Valley should be updated to incorporate the revised 2015 Division of Wildlife Resources crucial habitat maps.

Land Use Principle 1.4: Employ mechanisms such as TDRs to reallocate existing authorized development units from less suitable to more suitable locations.

Land Use Implementation 1.4.2: Create a Transfer of Development Rights (TDR) Ordinance for the Ogden Valley planning area. The purposes of the TDR Ordinance would be to establish a process for reviewing and approving proposals to transfer development rights from the Agricultural Protection and Open Space Overlay areas to locations where additional development density could be more appropriate (receiving areas). The TDR Ordinance would establish standards for review and approval of each proposed TDR. Each TDR application would include information including, but not limited to: identification of the lands from which development units are proposed to be removed; identification of the land to which the development units would be moved; the number of development units and type(s) of development proposed; how water, sewer and other services would be provided; and other information specified by the ordinance. Standards for evaluation of the application would include such factors as detrimental or beneficial effects to both the sending and receiving properties; availability of roads and infrastructure; proximity of other development including town centers; the proposed uses and intensity of use; consistency with private covenants; compatibility with surrounding land uses and the extent to which the transfer advances the goals of the General Plan. The resort areas and villages are likely most suitable receiving areas for transferred development units.

Land Use Implementation 1.4.3: Foster the creation of a TDR market by exploring ways for developers to benefit from purchasing TDRs. Consider requiring TDRs for lodges, hotels, accessory dwelling units, accessory apartments, lockout rooms, etc.

Workforce Housing:

The Ogden Valley Planning Commission desires to change the workforce housing requirements to not require workforce housing contribution in larger-lot developments, and to only allow workforce housing to be located in the commercial, multi-family, and small-lot residential areas. Ogden Valley Planning Commission also has requested a cap on how much of any one development can be devoted to workforce housing.

The current regulation requires all new development to provide a reasonable share of workforce housing. This is because all new development will ultimately demand its own proportionate share of services. Thus, all new development will have effect on the future need for workforce housing. The requested change will allow new development to occur without providing this proportionate share.

Current regulation also ensures that workforce housing opportunities are provided as much in dispersed development as they are more concentrated development. Dispersing workforce housing has been a proven best-practice method of reducing the potential blight that highly concentrated workforce housing can create over time.

For these reasons, the Planning Commission may want to reconsider the requested changes to the workforce housing section. However, there may well be a few positive effects of the requested changes. The proposed changes only affect the future larger-lot developments in the Form-Based zone giving it limited effect; , and the changes may help consolidate the location(s) of workforce housing, which, if managed correctly, may help ease the effort needed to professionally manage, operate, and maintain workforce housing properties. The Planning Commission should carefully consider these policy-outcomes and determine the best course of action.

Here is, in part, what the general plan says about workforce housing as it relates to this discussion (workforce housing and moderate income housing are synonymous for this topic:

Moderate-Income Housing Goal 1: A goal of Weber County is to support affordable homeownership and rental housing opportunities in Ogden Valley, and maintain the quality of existing single-family housing stock.

Moderate-Income Housing Principle 1.1: Facilitate mix of housing types in new construction in keeping with neighborhood design standards and community sustainability.

Moderate-Income Housing Implementation 1.1.1: Support the Weber Housing Authority's role in developing mixed-use housing projects resulting in additional housing opportunities; where mixed-use development occurs, provide a variety of housing types; require resorts to comply with the Destination and Recreation Resort Zone provisions to establish a seasonal workforce housing plan and provide appropriate numbers of housing for employees; and investigate the potential for adding accessory dwelling units as an allowed use in the zoning ordinance.

Moderate-Income Implementation 1.1.2: Develop cluster ordinances that will allow for mixed housing types in compact areas consistent with village area locations on Map 8 and pursuant to small area plans referenced in Development Implementation 1.1.1.

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.

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 should be passed to the County Commission.

Model Motion

The model motions herein are only intended to help the planning commissioners provide clear and decisive motions for the record. Any specifics provided here are completely optional and voluntary. Some specifics, the inclusion of which may or may not be desired by the motioner, are listed to help the planning commission recall previous points of discussion that may help formulate a clear motion. Their inclusion here, or any omission of other previous points of discussion, are not intended to be interpreted as steering the final decision.

Motion for positive recommendation **as-is**:

I move we forward a positive recommendation to the County Commission for File #ZTA2022-06, a county-initiated application to amend the Form-Based zone and related amendments, as provided in Exhibit A. I do so with the following findings:

Example findings:

1. *The changes are supported by the Western Weber General Plan.*
2. *The proposal serves as an instrument to further implement the vision, goals, and principles of the Western Weber General Plan*
3. *The changes will enhance the general health and welfare of Western Weber residents.*
4. add any other desired findings here].

Motion for positive recommendation **with changes**:

I move we forward a positive recommendation to the County Commission for File #ZTA2022-06, a county-initiated application to amend the Form-Based zone and related amendments, as provided in Exhibit A, **but with the following additional edits and corrections**:

Example of ways to format a motion with changes:

1. *Example: On line number _____, it should read: _____ state desired edits here _____.*
2. *Etc.*

I do so with the following findings:

Example findings:

1. *The changes are supported by the Western Weber General Plan.*
2. *The proposal serves as an instrument to further implement the vision, goals, and principles of the Western Weber General Plan*
3. *The changes will enhance the general health, safety, and welfare of Western Weber residents.*
4. *[Example: allowing short-term rentals runs contrary to providing affordable long-term rental opportunities]*
5. *[Example: etc]*

Motion to **table**:

I move we **table** action on File #ZTA2022-06, a county-initiated application to amend the Form-Based zone and related amendments, **to [_____ state a date certain _____], so that:**

Examples of reasons to table:

- *We have more time to review the proposal.*
- *Staff can get us more information on [_____ specify what is needed from staff _____].*
- *The applicant can get us more information on [_____ specify what is needed from the applicant _____].*
- *More public noticing or outreach has occurred.*
- *[_____ add any other desired reason here _____].*

Motion to recommend **denial**:

I move we forward a recommendation for **denial** to the County Commission for File #ZTA2022-06, a county-initiated application to amend the Form-Based zone and related amendments. **I do so with the** following findings:

Examples findings for denial:

- *The proposal is not adequately supported by the General Plan.*
- *The proposal is not supported by the general public.*
- *The proposal runs contrary to the health, safety, and welfare of the general public.*
- *The area is not yet ready for the proposed changes to be implemented.*
- *[_____ add any other desired findings here _____].*

Exhibits

- A. Proposed Amendments to the Form-Based (FB) zoning ordinance (Redlined Copy).

Last updated 4/17/2023

**WEBER COUNTY
ORDINANCE NUMBER 2022-**

AN AMENDMENT TO VARIOUS SECTIONS OF THE COUNTY’S LAND USE CODE TO CREATE A WEST WEBER STREET REGULATING PLAN WITHIN THE FORM-BASED CODE, AND TO PROVIDE AMENDMENTS RELATED TO THE EXECUTION OF THE FORM BASED ZONE.

WHEREAS, the Board of Weber County Commissioners has heretofore adopted land use regulations governing uses of land in unincorporated Weber County; and

WHEREAS, these land use regulations include form-based ordinances, that establish a street regulating plan, street classifications, land uses, architectural standards, and lot development standards for specific communities; and

WHEREAS, a private landowner located within the West Weber Village area near 12th Street and 4700 West has requested an amendment to the Weber County Land Use Code to add specific provisions and exhibits intended create a form-based zone applicable to land within and around the West Weber Village area; and

WHEREAS, on _____, the Western Weber Planning Commission, after appropriate notice, held a public hearing to consider public comments regarding the proposed amendments to the Weber County Land Use Code, offered a positive recommendation to the County Commission; and

WHEREAS, on _____, the Ogden Valley Planning Commission, after appropriate notice, held a public hearing to consider public comments regarding the proposed amendments to the Weber County Land Use Code, offered a positive recommendation to the County Commission; and

WHEREAS, on _____, the Weber County Board of Commissioners, after appropriate notice, held a public hearing to consider public comments on the same; and

WHEREAS, the Weber County Board of Commissioners find that the proposed amendments herein substantially advance many goals and objectives of the Western Weber General Plan and the Ogden Valley General Plan; and

WHEREAS, the Weber County Board of Commissioners find that the proposed amendments serve to create the necessary regulatory framework that will guide future development in form-based communities;

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

SECTION 1: AMENDMENT. The Weber County Code is hereby *amended* as follows:

- 1 **Part II Land Use Code**
- 2 ...
- 3 **Title 101 General Provisions**
- 4 ...
- 5 **Chapter 101-2 Definitions**
- 6 ...
- 7 **Sec 101-2-2 AI-Definitions**
- 8 **Alley.** The term "~~alley~~**Alley**" means a public thoroughfare ~~less than 26 feet wide~~**of less width than the**
- 9 **typical public street right-of-way, and which provides access to the inside of a Street-Block where no**
- 10 **street is otherwise planned or required.**
- 11
- 12 **Sec 101-2-19 R Definitions**

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13 **Ridge line area.** The term "ridge line area" means the top, ridge or crest of a hill or slope, plus the land
14 located within 100 feet on both sides of the top, ridge, or crest.

15 [Right, development.](#) See "development right."

16 [Right, residential development.](#) See "residential development right."

17 ...

18 **Sec 101-2-21 T Definitions**

19 ...

20 **Transfer company.** The term "transfer company" means a company established to provide expert
21 shipping services that include the shipping, receiving, inspection and temporary warehousing of
22 commercial or household goods.

23 [Transfer of development rights.](#) The term "transfer of development rights.", means the removal of a
24 residential development right from one lot or parcel which is then transferred to a different lot or parcel.

25 [Transferable development right.](#) The term "transferable development right" also known herein as a
26 "TDR," means the ~~removal-transfer of the a development right to develop property~~ from one Lot or Parcel
27 ~~to another, that is then transferred to a different lot or parcel.~~

28 **Transfer incentive matching unit (TIMU).** The term "transfer incentive matching unit (TIMU)" means a
29 discretionary development right, or fraction thereof, that may be granted by the county commission, after a
30 recommendation from the planning commission, when a development right is transferred from an area
31 within the Ogden Valley to a Destination and Recreation Resort Zone.

32 ...

33 **Title 104 Zones**

34 ...

35 **Chapter 104-22 Form-Based Zone FB**

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

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

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

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

49

50 **Sec 104-22-2 Applicability**

51 (a) **New development to comply.** The principles, standards and guidelines of this chapter apply to
52 proposals for new development, changes in land uses, and site improvements to existing buildings,
53 Lots, or Parcel~~s~~ that are in the Form-Based Zone. Exterior modifications to existing development shall
54 comply if the exterior modification exceeds either 25 percent of the street-facing facade of the building,
55 or 25 percent of the Lot's street frontage.

56 (b) **Other regulations apply.** In the Form-Based Zone, except when more specific regulations
57 are provided in this chapter, the design review regulations and architectural, landscape, screening,
58 and design standards of Title 108 Chapter 1 and Title 108 Chapter 2 apply to all Lots, except a Lot
59 with only one single-family dwelling.

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60 (c) **Street regulating plan.** The applicable regulations herein are specific to the street type, as designated
61 by the applicable street regulating plan. New development within the Form-Based Zone shall comply
62 with the applicable street regulating plan. Development of any property along a street or that gains
63 primary access from that street shall comply with the street design requirements, as provided in Section
64 104-22-7, and the building design standards in Section 104-22-6, for the specific type of street. A list
65 and explanation of each street type is provided in ~~Section 104-22-7~~ [Subsection \(e\) of this section](#).

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

68 (e) **Street type, description, and purpose.**

69 (1) **Government/institutional street.**

A government/institutional street or ~~alley~~ [Alley](#) has street-front buildings that are intended to
~~serve the traveling public~~ [provide the same as a Vehicle-Oriented Commercial Street, and](#)
~~provide . The primary purpose of the street is preferential areas~~ for the siting of government or
public-service oriented buildings ~~that~~ [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.

70 (2) **Vehicle-oriented commercial street.**

A vehicle-oriented commercial street or ~~alley~~ [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 [as described for a Mixed-Use Commercial Street](#). Multi-family residential uses are
allowed only if located above first-floor street-level commercial space.

71 (3) **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
operations. Commercial and Multi-family residential uses are allowed above or behind first-
floor street-level commercial space.

72 (4) **Multi-family residential street.**

A multi-family residential street has street-front buildings that are used for multi-family
dwellings, and are set back from the street enough to provide a stoop or door yard between
the facade and the street's sidewalk. Where possible, given terrain, 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 unless the first-floor street level is also
occupied by a commercial space.

73 (5) ~~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 standards herein, and
at a maximum to the standards applicable for a public street. Some mid-block alleys~~

Commented [E1]: This entire section has been moved up to here from 104-22-7 to provide earlier reading of street types prior to reading other sections of code.

Commented [E2]: Moved to mid-block alley to Sec 104-22-7.010

Last updated 4/17/2023

81 ~~connect to adjoining residential streets. Where they connect, the applicable standards~~
82 ~~shall change to residential street standards. Snow removal for an alley is the~~
83 ~~responsibility of all landowners, collectively, or an HOA, that have a parking area that has~~
84 ~~an access from the alley.~~

85 ~~(6)~~(5) **Small-lot residential street.**

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

86 ~~(7)~~(6) **Medium-lot residential street.**

A medium-lot residential street has street-front single family buildings that may be set back more than small-lot residential street facades to provide a small front yard area.

87 ~~(8)~~(7) **Medium-large-lot residential street.**

A medium-large-lot residential street has street-front single family buildings similar to medium-lot residential street facades but on lots with greater area.

88 ~~(9)~~(8) **Large-lot residential street.**

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

89 ~~(10)~~(9) **Rural residential street.**

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

90 ~~(11)~~(10) **Estate lot residential street.**

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

91 ~~(12)~~(11) **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.

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

93 The following land use table provides use regulations applicable for each street type. In the list, those
94 designated for any street type as "P" will be a permitted use. Uses designated as "C" will be allowed only
95 when authorized by a conditional use permit obtained as provided in Title 108, Chapter 4 of this Land Use
96 Code. Uses designated "N" will not be allowed on property with frontage on, or that gains access from, that
97 street type. All uses listed are indoor uses, unless explicitly stated otherwise with the terms "outdoor" or
98 "yard."

99 **Sec 104-22-3.010 Accessory Uses**

100 An accessory use is prohibited unless located on the same Lot or Parcel as the main use to which it is
101 accessory.

G	V	M	M	S	M	<u>M</u>	L	L	E	SPECIAL
&	O	U	F	L	L	<u>L</u>	L	R	L	REGULATIONS
I	C	C	R	R	R	<u>R</u>	R	R	O	

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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	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	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	P	
Agricultural hobby farm	P	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	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	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	P	N	
Main building. A main building that is designed or used to be accessory to an outdoor main use allowed in the zone.	P	P	P	P	P	P	P	P	P	P	P	
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	P	See Section 104-22-9.
Produce stand, for produce grown on the premises only.	P	P	P	P	P	P	P	P	P	P	P	
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	P	See Section 104-22-4.

Sec 104-22-3.020 Agricultural and Open Space Uses, Generally.

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

Agriculture, as a main use of the property	N	N	N	N	N	N	N	N	P	P	P	P	
Agricultural experiment station.	P	N	N	N	N	N	N	N	N	P	P	P	
Agri-tourism.	N	N	N	N	N	N	N	N	N	P	P	P	See Title 108, Chapter 21.
Aquaculture.	N	N	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	P	P	
Fruit and vegetable storage and packing plant, for produce grown on premises.	N	N	N	N	N	N	N	N	N	P	P	P	10-acre minimum lot-Lot or Parcel area required.

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Grain storage elevator.	N	N	N	N	N	N	N	N	N	N	P	P	10-acre minimum lot- Lot or Parcel area required.
Greenhouse and nursery. Sales are limited to plants produced on the premises.	P	P	N	N	N	N	N	N	P	P	P	P	
Manure spreading, drying and sales.	N	N	N	N	N	N	N	N	N	N	P	P	
Wildlife sanctuaries. A wildlife sanctuary.	N	N	N	N	N	N	N	N	N	N	P	P	10-acre minimum lot- Lot or Parcel area required.

Sec 104-22-3.030 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~~ [Parcel](#).



Animal grazing. Animal grazing, as defined in Title 101 Chapter 2.	N	N	N	N	N	N	N	N	N	P	P	P	
Apiary. The keeping of bees.	N	N	N	N	C	P	P	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	N	N	P	P	P	P	
Aviary. The raising of birds.	N	N	N	N	N	P	P	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	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	N	N	P	P	P	P	10-acre minimum lot- Lot or Parcel area required.

Sec 104-22-3.040 Amusement, Entertainment, and Recreation Uses.

The following are uses oriented toward providing amusement or entertainment for patrons.



Amphitheater. An outdoor open-air amphitheater with raising rows of spectator seating used for entertainment and performances.	C	C	N	N	N	N	N	N	N	N	N	C	
Entertainment facility, large indoor. An indoor entertainment facility, 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	N	N	

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Entertainment facility, outdoor. An outdoor entertainment facility, as defined in Title 101, Chapter 2.	C	C	N	N	N	N	<u>N</u>	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	<u>N</u>	N	N	N	N	
Amusement park. Amusement park.	C	C	N	N	N	N	<u>N</u>	N	N	N	N	
Amusement park, temporary. An amusement park, circus, petting zoo, pony ring, or carnival that is conducted for no longer than one month.	P	P	P	C	N	N	<u>N</u>	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	<u>P</u>	P	P	P	P	2-Acre minimum Lot or Parcel lot or parcel area required.
Campgrounds or picnic areas, commercial. A commercial campground or picnic area.	N	N	N	N	N	N	<u>N</u>	C	C	C	C	See Section 104-22-4. 2-Acre minimum Lot or Parcel lot or parcel area required.
Dude ranch. A dude ranch, as defined in Title 101 Chapter 2.	N	N	N	N	N	N	<u>N</u>	N	P	P	C	10-acre minimum Lot or Parcel lot or parcel area required.
Golf course. Golf course.	N	N	N	N	N	N	<u>N</u>	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	<u>P</u>	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	<u>P</u>	P	P	P	P	
Recreation lodge. A recreation lodge, as defined in Title 101, Chapter 2.	P	P	P	P	P	N	<u>N</u>	N	N	C	N	
Recreational resort. A recreational resort, as defined in Title 101, Chapter 2.	P	P	P	N	N	N	<u>N</u>	N	N	N	N	
Shooting range or training course. A shooting range.	C	C	N	N	N	N	<u>N</u>	N	N	N	C	See Section 104-22-4. Five-acre minimum Lot or Parcel 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	<u>P</u>	P	P	P	P	
Ski lodge and associated services	N	N	P	P	N	N	<u>N</u>	N	N	N	P	When accessory to an allowed ski area.
Swimming pools, private. A private swimming pool.	P	P	P	P	P	P	<u>P</u>	P	P	P	P	
Trails. Trails for skiing, equestrian uses, hiking, biking, and similar.	P	P	P	P	P	P	<u>P</u>	P	P	P	P	
Zoo.	P	P	N	N	N	N	<u>N</u>	N	N	N	P	10-acre minimum Lot or Parcel lot or parcel area required.

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112

Sec 104-22-3.050 Animal Services and Uses.

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I	C	C	R	R	R	R	R	R	R	S

SPECIAL REGULATIONS

Animal grooming, small animal. Grooming for small animals.	P	P	P	P	N	N	N	N	N	P	N	A small animal generally weighs less than 250 lbs.
Dog or cat facility. Dog or cat breeding, kennels, lodging, or training school.	P	C	N	N	N	N	N	N	C	C	N	If located completely indoors, and inaudible from an adjoining Lot or Parcel 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	N	C	
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	N	P	P	P	P	No more than two horses shall be kept for each one-half acre of land used for the horses.
Stray animal shelter. A shelter for stray, lost, or seized animals.	P	C	N	N	N	N	N	N	N	N	N	
Veterinary facility. Veterinary facility.	P	P	P	C	N	N	N	N	N	C	C	If located completely indoors, and inaudible from an adjoining Lot or Parcel lot or parcel , this use is permitted where listed as conditional.

113

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Sec 104-22-3.060 Food, Beverage, and Other Products Sales for Human Consumption.

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I	C	C	R	R	R	R	R	R	R	S

SPECIAL REGULATIONS

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	N	

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Bakery, delicatessen, or catering, large. Bakery or other food preparation services primarily intended for offsite consumption.	P	P	N	N	N	N	<u>N</u>	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	<u>N</u>	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	<u>N</u>	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	<u>N</u>	N	N	N	N	This use shall not include onsite slaughtering.

Eating and Drinking Establishments, Products Primarily for Onsite Consumption												
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	<u>N</u>	N	N	N	N	
Brewery or distillery in conjunction with a restaurant.	P	P	P	P	N	N	<u>N</u>	N	N	N	N	
Restaurant with drive-up window. Restaurant, all food types, with drive-up windows.	P	P	C	N	N	N	<u>N</u>	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	<u>N</u>	N	N	N	N	

Retail, Food, and Drug: Products Primarily for Offsite Consumption.												
Candy or confectionary store. The sales of candy, sweets, snacks, and small batch bakery goods and desserts.	P	P	P	P	N	N	<u>N</u>	N	N	N	N	
Drugstore or pharmacy.	P	P	P	P	N	N	<u>N</u>	N	N	N	N	If applicable, see drive up (drive-thru) window requirements of Section 104-22-4.
Grocery store. A grocery store 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	<u>N</u>	N	N	N	N	
Produce stand, commercial. A commercial produce stand intended for the sales of agricultural products.	P	P	P	P	N	N	<u>N</u>	N	P	P	P	

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115

116

Sec 104-22-3.070 Government and Institutional Uses.

G & I	V O C	M U C	M F R	S L R	M L R	M L L R	L L R	L R R	E L R	O S	SPECIAL REGULATIONS
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	G & I	V O C	M U C	M F R	S L R	M L R	M L L R	L L R	L R R	E L R	O S	SPECIAL REGULATIONS
Cemetery.	P	N	N	N	N	N	N	N	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	N	
Child daycare. A daycare center operating in compliance with State regulation.	P	P	P	P	P	N	N	N	N	N	N	
Fire station. Fire and emergency medical service station.	P	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	N	
Instructional facility, large. A facility in which instructional lessons are taught, such as a school or education center, and that does not qualify as a small instructional facility.	P	C	C	N	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	C	N	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	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	N	
Post office. A post office.	P	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	P	N	
Public library. A library owned and operated by a governmental entity.	P	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	P	
Public recreation or community center. A recreation or community center owned and operated by a public entity.	OVPC					N	N	N	N	N	N	
	WWPC	P	P	C	C							

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Commented [E3]: Western Weber Planning Commission requested this use be allowed in all residential areas. Would OVPC desire the same?

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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	P	N
Public storage facilities. Storage facilities used by a governmental entity.	P	C	N	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	N
Worship facility. A church, synagogue or similar building used for regular religious worship.	P	P	P	P	P	P	P	P	P	N	N

117

118 **Sec 104-22-3.080 Office uses.**

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

SPECIAL REGULATIONS

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	N
Bank or financial institution. A bank or other financial institution.	P	P	P	N	N	N	N	N	N	N	N
Medical or dental office. A medical or dental office for routine out-patient care.	P	P	P	N	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	N

119

120 **Sec 104-22-3.090 Residential Uses.**

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

SPECIAL REGULATIONS

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	

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Dwelling, four-family. A four-family dwelling, as defined by Title 101, Chapter 2.	N	N	N	P	P	N	<u>N</u>	N	N	N	N	
Dwelling, multi-family. A multi-family dwelling, as defined by Title 101, Chapter 2.	P	P	P	P	N	N	<u>N</u>	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	<u>N</u>	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. This use may include lockout sleeping rooms, as defined by Title 101, Chapter 2, as an accessory use.	P	P	P	P	N	N	<u>N</u>	N	N	N	N	
Residential facility for elderly persons.	P	P	P	P	P	P	<u>P</u>	P	P	P	N	See requirements of Section 104-22-4, and TDR requirements of 104-22-11
Residential facility for handicapped persons.	P	P	P	P	P	P	<u>P</u>	P	P	P	N	See requirements of Section 104-22-4, and TDR requirements of 104-22-11
Residential facility for troubled youth.	P	P	P	P	P	P	<u>P</u>	P	P	P	N	See requirements of Section 104-22-4, and TDR requirements of 104-22-11
Short-term rental. A short-term rental.	P	P	P	<u>N</u> <u>P</u>	<u>N</u> <u>C</u>	N	<u>N</u>	N	N	N	N	See Title 108, Chapter 11
Workforce housing. Workforce housing, dormitory, or residence hall, or portion thereof.	P	P	P	P	P	P	<u>P</u>	P	P	P	N	Must comply with See "dwelling" requirements of Section 104-22-4, and Section 104-22-12.

121

122 **Sec 104-22-3.090 Sales with Retail Storefront.**

G	V	M	M	S	M	<u>L</u>	<u>L</u>	<u>L</u>	L	R	E	O	S	SPECIAL REGULATIONS
I	C	C	R	R	R	<u>R</u>	<u>R</u>	<u>R</u>	R	R	R	S		

Agricultural implement sales or repair. A facility that sells or repairs agricultural implements.	C	C	N	N	N	N	<u>N</u>	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	<u>N</u>	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	C	N	N	N	<u>N</u>	N	N	N	N	See Section 104-22-4.

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Nursery, commercial. A plant nursery, with associated greenhouses for retail sales of plants and accessory products.	P	C	N	N	N	N	N	N	N	N	N	P	See Section 104-22-5 for maximum lot-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	N	N	N	
Smoke shop. A shop primarily devoted to the sale of tobacco or vaping products.	C	C	C	N	N	N	N	N	N	N	N	N	

123

124

Sec 104-22-3.100 Sales typically without retail storefront.

G & I	V O C	M U C	M F R	S L R	M L R	M L R	L L R	L L R	R L R	E L R	O L R	S	SPECIAL REGULATIONS
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Christmas tree sales. The temporary siting of an outdoor Christmas tree sales establishment.	P	P	C	N	N	N	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	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	N	N	N	C	See Section 108-13-3 and Section 104-22-4.

125

126

Sec 104-22-3.110 Services.

G & I	V O C	M U C	M F R	S L R	M L R	M L R	L L R	L L R	R L R	E L R	O L R	S	SPECIAL REGULATIONS
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Dry cleaning, laundry, or linen cleaning establishment. The professional cleaning of laundry and linens.	P	P	P	P	N	N	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	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	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	N	N	

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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	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	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	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	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	N	N	
Printing and copying service without retail shop. Printing, lithographing, publishing or reproductions sales and services, including engraving and photo engraving.	P	P	N	N	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	N	N	
Taxidermist. Taxidermy services.	P	C	N	N	N	N	N	N	N	N	N	N	

127

128 **Sec 104-22-3.120 Storage.**

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

SPECIAL REGULATIONS

Outdoor storage. The storage of anything that meets the definition of "outdoor storage" pursuant to Title 101 Chapter 2	N	N	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	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	N	N	

129

130 **Sec 104-22-3.130 Utility uses.**

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

SPECIAL REGULATIONS

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

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Sec 104-22-3.140 Vehicle-oriented uses.

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

SPECIAL REGULATIONS

Airport, private and commercial.	C	N	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	N	
Automobile sales or rentals, outdoor. The sale or rental of a passenger automobile.	P	C	N	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	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	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	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	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	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	N	
Trailer sales or rentals.	C	C	N	N	N	N	N	N	N	N	N	
Transit terminal.	P	P	N	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.	O	N	N									
	V											
	P			N	N	N	N	N	N	N	N	
	A											
	W	P	P									
	W											

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	P A																		
Trucking terminal. The repair, service, and/or storage of freight trucks, or a station for transferring freight.		N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N

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Sec 104-22-4 Special Regulations

Sec 104-22-4.010 Special Regulations, Generally.

- (a) **All uses, generally.** All uses listed in the use table are indoor uses, unless specifically stated otherwise. All indoor uses shall not generate noise, outdoor lighting, vibration, smoke, dust or airborne particulate matter, refuse, or anything else that is uncommon to the established character of the neighborhood to such a degree as to be perceptible to constitute a nuisance to the occupants of the immediate area.
- (b) **Drive up (drive-thru) window.** Any business with a drive up (drive-thru) window shall comply with the following:
 - (1) The window shall be located on the rear of the building. The rear of the building shall be determined as the side of the building opposite from the building's facade that faces the public street. If on a corner along a government or institutional street or vehicle-oriented commercial street, the window may be located on the side of the building that is visible from the less prominent street.
 - (2) The stacking lanes and drive up (drive-thru) queue, and the parking spaces devoted to the drive up (drive-thru) window shall be located in an area that is not visible from the more prominent street right-of-way when the area is fully built-out.
 - (3) One drive up (drive-thru) queue space that is at least 20 feet in length may substitute a parking space required by this Land Use Code.
- (c) **Perpetual building maintenance agreement. Other than single-family dwellings and their accessory buildings.** When a building is set back less than ten feet from a property line, a perpetual building maintenance agreement is required between the building owner and the affected adjacent property owner, which shall allow for construction and maintenance of the side or rear of a commercial building, and shall:
 - (1) be reviewed for compliance with this section by the Planning Division and County Attorney's Office;
 - (2) place responsibility on the building owner for prompt repairs and maintenance of the side or rear of the building;
 - (3) require allowances of access to the property for repairs and maintenance purposes; and
 - (4) be signed by the owner of the building and the adjacent property owner and be recorded on the title of both properties.

Sec 104-22-4.020 Special Regulations For Specific Uses.

- (a) **Automobile or other vehicle related uses.** The use of a Lot or Parcellet for automobile repair of any kind, automobile sales, rental or service, boat sales, rental or service, a tire shop, or any other use governed by this section by reference shall only be conducted within a completely enclosed building that meets the standards of this chapter.
 - (1) No vehicle awaiting service shall be stored outside for more than one day.
 - (2) Sufficient parking for all employee or customer uses, including the temporary parking of vehicles awaiting pickup from owners, shall be provided on the Lot or Parcellet.
 - (3) No vehicles associated with the use shall be parked on the street. However, up to 20 vehicles may be temporarily parked in a parking lot meeting all applicable parking standards of this land use code if the vehicles are available for immediate purchase, lease, or rent, and as long as all other standards of this Land Use Code are met.

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- 175 (b) **Automobile repair of any kind.** Refer to paragraph (b~~a~~) of this section.
- 176 (c) **Automobile sales, rentals, or service.** Refer to paragraph (b~~a~~) of this section.
- 177 (d) **Boat sales or service.** Refer to paragraph (b~~a~~) of this section.
- 178 (e) **Campgrounds or picnic areas, commercial.** A commercial campground or picnic area shall comply
179 with Title 108, Chapter 20. If located along any street in the FB zone except open space, an opaque
180 fence or wall shall surround the use. Vegetation screening shall be planted on the outside of the fence
181 or wall to allow the use to blend in with surrounding uses. A drip irrigation system shall be installed to
182 ensure long-term viability of the vegetation.
- 183 (f) **Car wash.** Where allowed, a car wash is subject to the following restrictions:
- 184 (1) Operation hours are only allowed between 6:00 a.m. and 10:00 p.m.
- 185 (2) There shall not be more than four washing bays for a manual spray car wash.
- 186 (3) Car wash facilities shall be set back from the street right-of-way at least 60 feet, reserving street
187 frontage for buildings that provide street-facing commercial facades.
- 188 (4) The off-street vehicle spaces or queues required shall be as follows:
- 189 a. One bay car wash, four spaces in the approach lane;
- 190 b. Two bay car wash, three spaces in the approach lane for each wash bay;
- 191 c. Three or more bay car wash, two spaces in the approach lane for each wash bay.
- 192 (g) **Corral or stable.** This use shall be located no less than 100 feet from a public street and not less than
193 25 feet from any side or rear lot line
- 194 (h) **Dwelling or dwelling unit.** The regulations for a dwelling unit use listed in the land use table are as
195 follows:
- 196 (1) **Construction standards.** A dwelling unit on a government and institutional, vehicle-oriented, mixed
197 use commercial, or multi-family residential street shall be constructed to a multifamily residential
198 standard in accordance with the International Building Code.
- 199 (2) **Dwelling unit location.** A dwelling unit proposed along a government and institutional, vehicle-
200 oriented commercial, or a mixed-use commercial street shall be located on a [Lot or Parcel](#)lot as
201 follows:
- 202 a. Above or behind any street-level commercial space; or
- 203 b. Behind a building that provides street-level commercial space, or if no such building exists at
204 the time of application, behind the area reserved for street-level commercial space as otherwise
205 required herein. The location shall provide for the existing and future planned street layout of
206 the area, including the future street-level commercial space that will face future streets, and
207 internal ~~Street-Block~~block ~~alleyways~~Alleys.
- 208 (3) **Two, three, four, and multi-family residential:** Unless one of the units is owner occupied, a two,
209 three, four, or multi-family residential building shall be operated and maintained by a professional
210 management company that specializes in multi-family residential property management.
- 211 (4) **Density allowance and transferable development rights.** No dwelling units in excess of the base
212 density, as defined by Title 101, Chapter 2, and as provided in Section 104-22-11, are allowed in
213 the Form-Based Zone except when in compliance with the transferable development rights
214 requirements of Section 104-22-11.
- 215 (i) **Family food production.**
- 216 (1) As used in this subsection, a Group A animal is either one pig, one sheep, one cow, or one goat,
217 and Group B animals or fowl are either a set of ten rabbits, ten chickens, ten pheasants, five turkeys,
218 five ducks, five geese, or five pigeons.
- 219 a. No more than four sets of Group B animals or fowl may be kept on a [Lot or Parcel](#)lot or parcel
220 that is less than 40,000 square feet.

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- 221 b. No more than six combined sets of Group A animals and Group B animals or fowl may be kept
222 on a [Lot or Parcel](#)~~lot or parcel~~ that is less than two acres. The same applies to a [Lot or Parcel](#)~~lot~~
223 ~~or parcel~~ greater than two acres, except that an additional six combined sets of Group A and
224 Group B animals or fowl may be kept per each additional acre greater than two.
- 225 (j) **Gas or fuel station.** A gas or fuel canopy shall not be located closer to a public street right-of-way,
226 excluding a [mid-Block Alley](#)~~mid-block~~, than 60 feet. The canopy shall be located to the rear of the
227 convenience store associated with the canopy.
- 228 (k) **General retail sales, small items.** This use is any store that primarily retails or rents items to be
229 physically taken by the customer from the store, when those items weigh less than 80 lbs, including
230 product packaging, or that are small enough to fit in a typical passenger vehicle. The use is limited to
231 4,000 square feet of retail floor-area. No sales yard is permitted. No sales of items intended to be
232 explosive or hazardous to human health, safety, or welfare is permitted.
- 233 (l) **General retail sales, large items.** This use is any store that primarily retails or rents items to be
234 physically taken by the customer from the store, when those items weigh more than 80 lbs, including
235 product packaging, or that are too large to fit in a typical passenger vehicle. This use may include an
236 outdoor sales yard of no greater than 6,000 square feet as long as it is completely surrounded by an
237 opaque wall. No sales of items intended to be explosive or hazardous to human health, safety, or welfare
238 is permitted.
- 239 (m) **Office uses.** A use listed in the "office uses" table may only be located above or behind first-floor street-
240 level commercial space, reserving the street frontage for first-floor street-level commercial space. A local
241 recreation and tourism office devoted to providing services, information, and events primarily for visitors
242 to the Ogden Valley is exempt from this requirement provided that it is open and accessible to all
243 members of the public.
- 244 (n) **Shooting range or training course, indoor or outdoor.** The facility shall provide designated shooting
245 positions for which ballistic backstops are designed. No shooting is allowed except in these designated
246 shooting positions. All sides down range of a shooting position shall have a non-ricochet ballistic
247 backstop, including overhead and on the ground or floor, capable of containing all errant bullets. For an
248 outdoor range, the overhead backstop may be a series of baffles. Approval shall be subject to the
249 requirements and conditions of the local fire authority. The range operator shall be onsite at all times
250 shooting is occurring.
- 251 ~~Short-term rental, owner-occupied. The residence shall be the owner's primary residence, be taxed~~
252 ~~as such, and the owner shall have owned the residence for at least two years prior to submitting a Land~~
253 ~~Use Permit for the owner-occupied short-term rental. Additionally, the owner must be present at all times~~
254 ~~in which the property is being rented on a short-term basis.~~
- 255 (o) **Self-storage.** Self-storage is only allowed if located on the same [Lot or Parcel](#)~~lot or parcel~~ with a building
256 that has street-facing commercial space. The use shall comply with the following:
- 257 (1) Storage units shall be located behind or above building area that provides a first-~~story~~-[floor](#) street-
258 facing commercial façade and related commercial space. The building providing street-facing
259 commercial space shall appear from the exterior as if office or residential space is offered in the
260 area housing the storage units.
- 261 (2) If located in a separate onsite building than the building providing first-~~story~~-[floor](#) street-facing
262 commercial space specified herein, the separate building shall be located behind the building with
263 first-~~story~~-[floor](#) street-level commercial space, and shall be no wider than the building providing first-
264 ~~story~~-[floor](#) street-level commercial space.
- 265 (3) Storage unit bay doors or garage doors shall face away and not be visible from the nearest property
266 line, and shall be completely obscured from view from any public right-of-way.
- 267 (p) **Ski area.** This use may include ancillary equipment and structures such as snow making equipment,
268 snow grooming equipment, maintenance facilities, trail and wayfinding signage, ski lifts, ski fences, ticket
269 booths, concession stands, restroom facilities, food and beverage sales, ski patrol facilities, emergency
270 response facilities, and similar uses commonly found in ski areas. Outdoor storage and maintenance of
271 ski related equipment is allowed provided that it is screened from view of the general public. Ski area
272 trail wayfinding signage are exempt from other signage requirements of this Land Use Code. Any lighting
273 associated with said signage is subject to the requirements of Section 108-16.

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- 274 (q) **Temporary building or use.** The building or use shall be removed upon completion or abandonment
275 of the construction work.
- 276 (r) **Tire shop.** Refer to paragraph (b~~a~~) of this section.
- 277 (s) **Vendor, short term.** No booth or vehicle shall be permanently affixed to the ground, nor shall it be
278 stationary for more than four days at a time.

279

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

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

285 (a) **Lot area.**

STREET TYPE:	MINIMUM LOT AREA:
Government and Institutional (G/I)	No minimum
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
<u>Medium-Large Lot Residential (MLLR)</u>	<u>12,500 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)	No minimum

Commented [E4]: This a quarter-acre(ish)

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

(1) Unless allowed otherwise by this Land Use Code, each Lot shall have frontage on the type of street that corresponds with its governing street type as provided on the street regulating plan map.

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 ¹
Medium Lot Residential (SLR)	50 feet ¹
<u>Medium-Large Lot Residential (MLLR)</u>	<u>60 feet¹</u>
Large Lot Residential (LLR)	100 feet
Rural Residential (RR)	150 feet
Estate Lot Residential	
Open Space (OS)	No minimum

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¹ Unless located at least 30 feet behind the front-most part of the Dwelling, one or more front-facing garage door(s) shall have a cumulative width no greater than 18 percent of the width of the Lot.

- (2) Frontage exception. Along a SLR, MFR, MUC, VOC, and G/I street, the street frontage requirement is not applicable for a Lot that is platted as part of a larger planned development, provided that:
- a. The development includes or has included the dedication and construction of all required public street and mid-Block Alley improvements shown on the street regulating plan or as otherwise required in this Land Use Code.
 - b. The associated public street improvements required shall be, at a minimum, for the same length as the Lot is wide.
 - c. Along MUC, VOC, and G/I streets, no parcel shall be configured or developed in a manner that obstructs the ability to develop buildings that contain street-facing first-floor retail operations on the public street front. A Lot without street frontage shall not have any Lot line closer to the street right-of-way than 60 feet.

Commented [E5]: Standard one-car garage door is 8-10 feet wide. Standard two-car is 16-18 feet wide. 18 percent, generally, allows the following lot width to front-facing garage door width ratios:

0-45': No front-facing garage doors.
45-89': single car front-facing door.
89'-177': double car front-facing door.
100'-177': triple car front-facing door.
177'-etc: quadruple car – etc.

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(c) *Front lot-line and street setback.*

STREET TYPE:	FIRST-FLOOR STREET-LEVEL COMMERCIAL BUILDING FAÇADE ¹			ALL OTHER BUILDING FAÇADES		
	MINIMUM FRONT LOT-LINE STREET SETBACK:	MAXIMUM FRONT LOT-LINE STREET SETBACK	MIN FRONT LOT LINE SETBACK	MINIMUM FRONT LOT-LINE STREET SETBACK:	MAXIMUM FRONT LOT-LINE STREET SETBACK	MIN FRONT LOT LINE SETBACK
Government and Institutional (G/I)	No minimum	5 feet, or 20 feet if providing public dining or gathering space. ^{2*}	No minimum	460 feet ^{**3}	No maximum	No minimum
Vehicle-Oriented Commercial (VOC)						
Mixed-Use Commercial (MUC)						
Multi-Family Residential (MFR)				5 feet	10 feet ^{*2}	
Small Lot Residential (SLR)	Not Applicable			5 feet ⁵	No maximum	5 feet
Medium Lot Residential (SLRMLR)				20 feet ^{4,5}	30 feet	20 feet⁴
Medium-Large Lot Residential (MLLR)						
Large Lot Residential (LLR)	Not Applicable			30 feet	No maximum	
Rural Residential (RR)						
Estate Lot Residential (ELR)						
Open Space (OS)						

308 ¹[Building façade is permitted above the first-floor street-level commercial area, provided compliance with maximum height and use regulations.](#)

309 ^{2*}[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.](#)

310 ^{3**}[Except for a public dining or gathering space public plaza, this setback distance shall remain clear from permanent building 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.](#)

311 ^{4***}[This minimum may be reduced to 15 feet if the lot's only vehicle access is over a side or rear lot line adjacent to an Alley that complies with Section 106-2-2.100 of this Land Use Code.](#)

312 ⁵[No parking area, pad, or driveway within the front setback shall be less than 20 feet deep when measured from the Front Lot Line.](#)

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321 (d) **Side lot-line setback.**

STREET TYPE:	MINIMUM SIDE LOT-LINE SETBACK		MAXIMUM SIDE LOT-LINE SETBACK:
	MAIN BUILDING:	ACCESSORY BUILDING:	
Government and Institutional (G/I)	No minimum. See requirements of perpetual maintenance agreement in Section 104-22-4.1		No maximum. ² Any space between buildings shall be open for pedestrian passage to internal block areas, unless designed, constructed, and actively used (when 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	Same as main building, except 1 foot if located at least 6 feet in rear of main building.	No maximum
Medium Lot Residential (MLR)			
Medium-Large Lot Residential (MLLR)	10 feet ¹		
Large Lot Residential (LLR)	10 feet		
Rural Residential (RR)			
Estate Lot Residential (ELR)			
Open Space (OS)			

322 ¹ This minimum may be reduced to 5 feet if the lot's only vehicle access is over a side or rear Lot Line adjacent to an Alley that complies with Section 106-2-2.100 of this Land Use Code.

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324 ² Any space between buildings shall be open for pedestrian passage to internal Street-Block areas, unless designed, constructed, and actively used (when weather permits) for outdoor dining, shopping, or other street activities that are open to the public.

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329 (e) **Rear lot-line setback.**

STREET TYPE:	MINIMUM REAR LOT-LINE SETBACK FOR MAIN BUILDING:	MINIMUM REAR LOT-LINE SETBACK FOR ACCESSORY BUILDING
Government and Institutional (G/I)	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)	5 feet	1 foot
Medium Lot Residential (MLR)	20 feet	1 foot
Medium-Large Lot Residential (MLLR)	20 feet	1 foot
Large Lot Residential (LLR)	30 feet	1 foot
Rural Residential (RR)		
Estate Lot Residential		
Open Space (OS)		

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331 (f) **Lot coverage.**

STREET TYPE:	MAXIMUM PERCENT OF LOT COVERAGE BY BUILDINGS:	MAXIMUM NUMBER OF DWELLING UNITS ALLOWED PER LOT:
Government and Institutional (G/I)	No maximum, provided compliance with all other requirements.	No maximum
Vehicle-Oriented Commercial (VOC)		
Mixed-Use Commercial (MUC)		
Multi-Family Residential (MFR)		
Small Lot Residential (SLR)	85 30 percent	4
Medium Lot Residential (MLR)	50 percent	1 ^{1*}
Medium-Large Lot Residential (MLLR)	40 percent	1 ^{1*}
Large Lot Residential (LLR)	30 percent	1 ^{1*}

Commented [E6]: OVPC requested this be reduced to provide a more aesthetically pleasing break between dwellings – especially if they are rows of townhomes.

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Rural Residential (RR)	25 0 percent	1 ^{1*}
Estate Lot Residential	10 percent	1 ^{1*}
Open Space (OS)	2.5 percent	Not applicable

332 ^{1*} This does not include ~~Not including~~ an accessory dwelling unit, as provided in Section 108-19.

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

336 (h) **Building location.** Each building shall be located on a ~~lot~~ Lot in a manner that preserves space for the
337 extension of street and trails or pathways rights-of-way as shown in the street regulating plan, and the
338 Lot's respective setback standard.

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

341 **Sec 104-22-6.010 Building Design Standards Per Street Type**

342 The follow table provides regulations applicable to all buildings in the FB Zone. They are broken out by
 343 street type, as represented in the applicable street regulating plan.

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345 (a) **Height.**

STREET TYPE:	MINIMUM MAIN BUILDING HEIGHT	MAXIMUM MAIN BUILDING HEIGHT	MAXIMUM ACCESSORY BUILDING HEIGHT
Government and Institutional (G&I)	25 feet	40 feet, except 35 feet and no more than two stories for any part of a building within 30 feet of a public street. 50 feet	25 feet
Vehicle-Oriented Commercial (VOC)			
Mixed-Use Commercial (MUC)			
Multi-Family Residential (MFR)	One story	35 feet	25 feet
Small Lot Residential (SLR)			
Medium Lot Residential (MLR)			
Medium-Large Lot Residential (MLLR)			
Large Lot Residential (LLR)			
Rural Residential (RR)			
Estate Lot Residential	No minimum	25 feet, except a greater height is allowed for a grain storage elevator or similar agriculturally supportive use.	25 feet
Open Space (OS)			

Commented [E7]: Requested by OVPC.

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347 (b) **Building or use area.**

STREET TYPE:	MAXIMUM BUILDING OR USE FOOTPRINT:	
	OVPA:	WWPA:
Government and Institutional (G&I)	No single commercial use shall occupy a footprint of more than 30,000 square feet ^{1*}	No maximum
Vehicle Oriented Commercial (VOC)		
Mixed-Use Commercial (MUC)	No single commercial use shall occupy a footprint of more than 10,000 square feet	
Multi-Family Residential (MFR)		
Small Lot Residential (SLR)	None	
Medium Lot Residential (MLR)		
Medium-Large Lot Residential (MLLR)		
Large Lot Residential (LLR)		
Rural Residential (RR)		
Estate Lot Residential		
Open Space (OS)		

348 ^{1*}Government buildings and schools are exempt from building area maximum.

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351 (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 ^{that is} 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)			
Medium-Large Lot Residential (MLLR)			
Large Lot Residential (LLR)			
Rural Residential (RR)			
Estate Lot Residential			
Open Space (OS)			

352 ¹For a sloped sidewalk, the street sidewalk's surface shall be determined as the elevation at the midpoint
 353 of the building.

354

355 (d) **Transparent fenestration requirements.**

STREET TYPE:	MINIMUM FENESTRATION FOR THE FIRST STORY FAÇADE OF A BUILDING		MINIMUM FENESTRATION FOR THE SECOND STORY AND ABOVE	
	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		

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Mixed-Use Commercial (MUC)			
Multi-Family Residential (MFR)	70 percent for commercial facade, 30 percent for residential facade.		40 percent
Small Lot Residential (SLR)	Not applicable	Not applicable	Not applicable
Medium Lot Residential (MLR)			
Medium-Large Lot Residential (MLLR)			
Large Lot Residential (LLR)			
Rural Residential (RR)			
Estate Lot Residential			
Open Space (OS)			

356
 357 (e) ~~Main-Entrance requirements~~. Each building with building or Lot frontage along a ~~g~~Government-~~and/~~
 358 ~~institutional~~institutional, ~~v~~Vehicle-~~e~~Oriented ~~e~~Commercial, ~~m~~Mixed-~~u~~Use ~~e~~Commercial, or ~~m~~Multi-
 359 ~~f~~Family street shall be provided with a main entrance that faces the street. Except when the building is
 360 set back from the street right-of-way or any sidewalk, pathway, or pedestrian way at least four feet, ~~the~~
 361 ~~main~~each entrance shall be recessed from the building's façade no less than five feet.

362
 363 **Sec 104-22-6.020 Building Design Standards By Area**

364 Except for single-family, two-family, three-family and four-family dwellings, the following regulations are
 365 applicable to the architecture and design of buildings in each area. Each area, as depicted in the applicable
 366 street regulating plan, has a unique architectural theme as provided herein. Each building, except those
 367 aforementioned, is required to be designed by a licensed architect. After receiving recommendation from a
 368 licensed architect, the planning commission may allow minor modifications to the applicability of the
 369 standards in this section as long as it results in a design that better aligns with the intent of the design theme
 370 and blends well with the design features of adjacent buildings.

371 **Sec 104-22-6.030 Old Town Eden Area Building Design Standards**

- 372 In addition to applicable standards in this chapter, the following standards apply to all buildings in the
 373 Old Town Eden Area:
- 374 (a) **Design theme.** All buildings shall have architectural styling and materials that resemble historic
 375 commercial main-street buildings in the Western United States that were in existence between 1880 and
 376 1910. Each new building shall provide diversity and variety in building design, architectural features,
 377 and building material that set each building apart from adjacent buildings.
 - 378 (b) **Building form.** A building's street-facing façade shall be designed to have a base, body, and cap, each
 379 of varying design features and building material.
 - 380 (c) **Rooflines.** Rooflines shall be broken every 50 feet, with no less than a 12-inch shift between adjacent
 381 rooflines. If the building will have a sloped roof, parapet walls shall be constructed to hide the roof slope.
 - 382 (d) **Building massing.** The wall massing of building facades shall be broken at least every 40 feet with

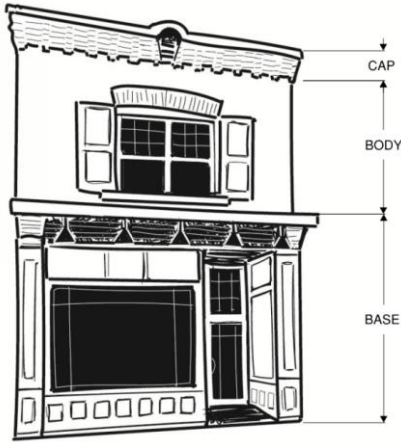
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383 no less than a six-inch shift in the plane of adjacent walls. Each street-facing façade shall be designed
384 and constructed to have a building base, building body, and varying building roofline, each having
385 varying building materials or design techniques.

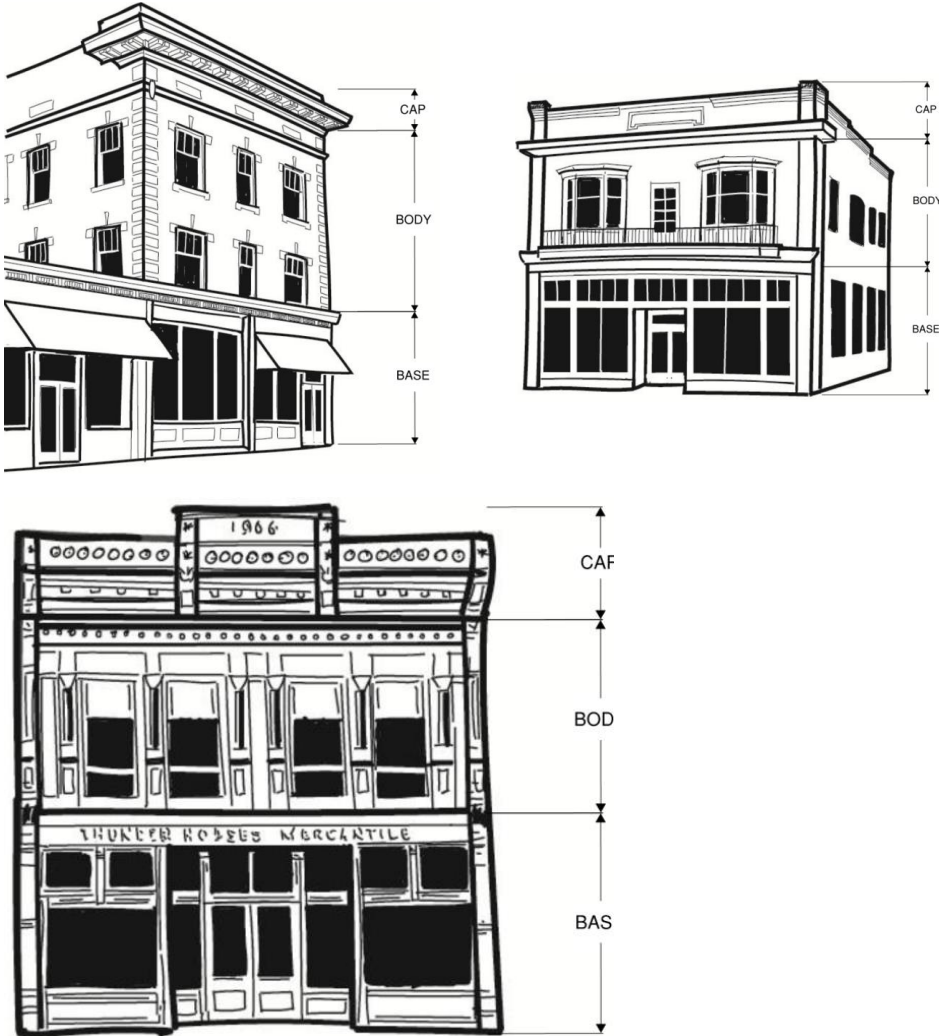
386 (e) **Building material.** Each building facade that faces the street shall consist of brick, or wood, or a faux
387 material that is hard to distinguish from real brick, or wood. Metal may be used for accent material. At
388 least one of the building materials used on the building façade shall also be used on all other sides of
389 the building.

390 (f) **Colors.** Natural colors of wood and brick, as well as natural metals with an aged patina, are allowed.
391 Other muted earth-tone paints may be used as long as they complement the age period. No more than
392 70 percent of a building's facade shall be white.

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



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396

397 **Sec 104-22-6.040 New Town Eden Area and West Weber's 4700 Village Building Design Standards**

398 In addition to applicable standards in this chapter, the following standards apply to all buildings in the New
399 Town Eden Area:

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

- 402 (1) Either a gable roof at a 6/12 or greater slope, a gambrel roof, or a monitor roof.
403 (2) An **attached** shed-roof at a 4/12 or greater slope that is attached to the side of the building but not
404 attached to the main roof structure.

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- 405 (3) A clerestory or cupola.
- 406 (4) Gable-style dormer windows.
- 407 (b) **Building form.** A building's street-facing façade shall be designed to have a base, body, and varying
- 408 roofline, each of varying design features and building material.
- 409 (c) **Rooflines.** Rooflines shall be broken every 50 feet, with no less than a 12 inch shift between adjacent
- 410 rooflines.
- 411 (d) **Building massing.** The wall massing of building facades shall be broken at least every 40 feet with
- 412 no less than a six-inch shift in the plane of adjacent walls. Each street-facing façade shall be designed
- 413 and constructed to have a building base, building body, and varying building roofline, each having
- 414 varying building materials or design techniques.
- 415 (e) **Building material.** Building façade walls shall be finished with no less than two diverse types of material.
- 416 The primary building material shall be wood siding or similar appearing siding. At least one of the
- 417 building materials used on the building façade shall also be used on all other sides of the building.
- 418 a. Brick or stone may be used in place of wood if approved by the Land Use Authority.
- 419 b. Metal siding may be used on the building's body, as long as the building's base is made of brick or
- 420 stone, and as long as the metal siding is broken horizontally by brick or stone every twenty feet, and
- 421 is treated to create a natural-appearing aged patina.
- 422 (f) **Colors.** At least two muted earth-tone colors are required. In the Eden Area, No more than 70 percent
- 423 of a building's facade shall be white.
- 424 (g) **Examples.** Examples of generally acceptable architectural features are depicted in the following
- 425 images. Any conflict between details in the images and regulations in this chapter shall be
- 426 interpreted in favor of the regulations in the chapter.



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428 **Sec 104-22-6.050 Nordic Valley Area Building Design Standards**

429 In addition to applicable standards in this chapter, the following standards apply to all buildings in the Nordic
430 Valley Area:

- 431 (a) **Design theme.** All buildings shall have architectural styling and materials that implement a modern
432 interpretation of alpine design. A modern interpretation of alpine design includes a balance between
433 modern alpine and classical alpine design features. The following design features are intended to
434 provide minimum stylistic requirements to implement this design theme.
- 435 (b) **Building form.** A building's street-facing façade shall be designed to have a base, body, and varying
436 roofline, each of varying design features and building material.
- 437 (c) **Rooflines.** Buildings shall have varying rooflines of predominantly gabled roofs. Rooflines shall be
438 broken every 100 feet, with no less than a 12 inch shift between adjacent rooflines that are on the same
439 plane.
- 440 (d) **Building massing.** The wall massing of building facades shall be broken at least every 50 feet with
441 no less than a six-inch shift in the plane of adjacent walls. Each street-facing façade shall be designed
442 and constructed to have a building base, building body, and a varying building roofline.
- 443 (e) **Building material.** Building façade walls shall be finished with no less than two primary and one
444 secondary type of building material. The primary building materials shall be real cut stone, glass, or
445 wood siding or similar appearing siding with a natural wood finish. The secondary building materials
446 include metal, wood, large-cut timbers, metal beams and columns, or concrete or other flat-surface
447 building material which may be colored as allowed herein. At least one of the building materials used on
448 the building façade shall also be used on all other sides of the building.
- 449 (1) Each building shall have at least 60 percent primary building material.
- 450 (2) The base of the building shall be at least 60 percent stone, except those areas occupied by
451 transparent fenestration.
- 452 (3) Use of metal shall be limited to trim, balconies, railing, exposed structural components, and roofs.
- 453 (4) No more than ten percent of any building façade shall be exposed concrete.
- 454 (f) **Colors.** Muted earth-tone colors are required. No more than 30 percent of a building's facade shall be
455 white.

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



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

Sec 104-22-7.010 Street Types And Right-Of-Way Cross Sections and General Street Design

- (a) **Right-of-way dedication.** As development occurs on each Lot or Parcel, ~~lot or parcel~~, the owner shall dedicate area for public right-of-way with a width as depicted herein or as otherwise adopted, to form a Street-Block, ~~block~~ pattern as depicted in the applicable street regulating plan.
- (b) **Drawings required.** Each application for development shall provide engineered construction drawings of the street improvements required herein.
- (c) **Street right-of-way design.**
 - (1) **Commercial street design.** The dimensions and general design for a governmental and institutional street, vehicle-oriented commercial street, mixed-use commercial street, and multi-family residential street is as follows:

- a. Typical three-lane village cross section. A three-lane village street is required for all arterial and collector streets, as designated by the applicable general plan or master street plan. The design dimensions shall be as follows:

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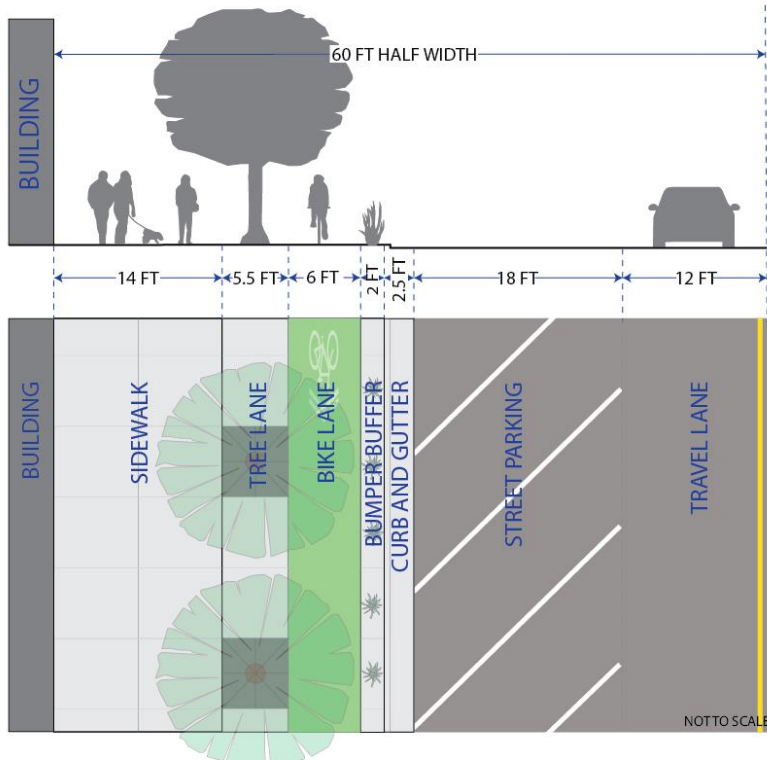
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- c. Typical two-lane village cross section. A two-lane village street is required for other streets. The design dimensions shall be as follows:

TYPICAL 2-LANE VILLAGE CROSS SECTION



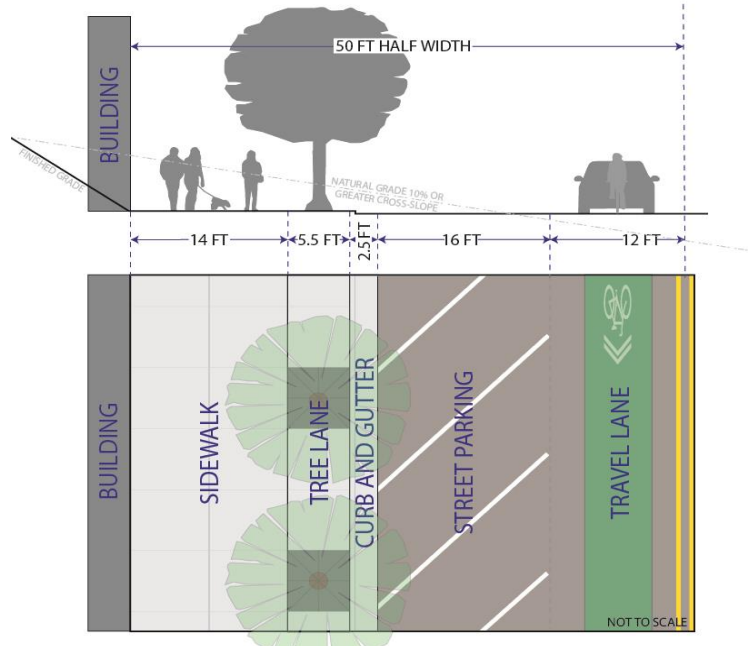
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- (2) **Commercial street design with challenging cross slopes.** Unless otherwise negotiated by development agreement, the design for a governmental and institutional street, vehicle-oriented commercial street, mixed-use commercial street and multi-family residential street with a cross slope that is greater than 10 percent shall provide a 50 foot right-of-way half-width, with design dimensions as follows:

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VILLAGE CROSS SECTION - WITH CROSS SLOPE



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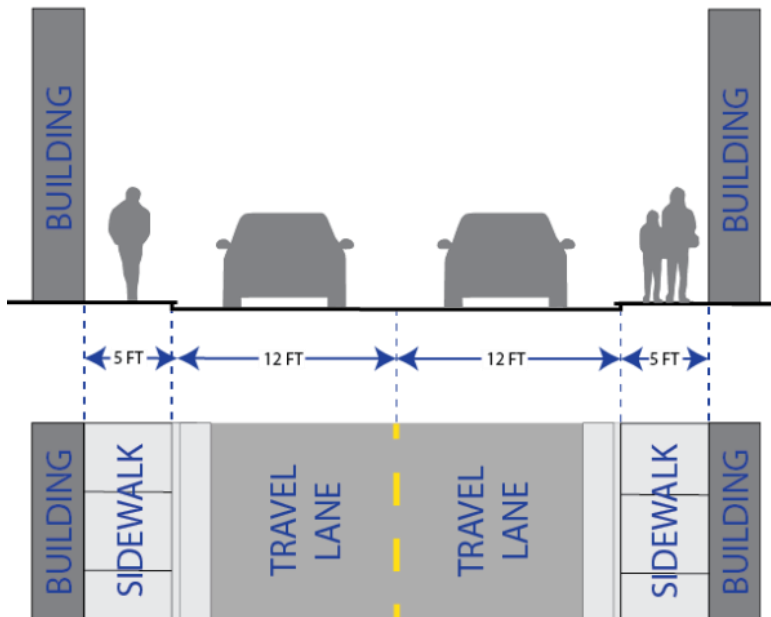
- a. ~~12-foot travel lane with a painted shared bike lane.~~
 - b. ~~16-foot 45-degree angled parking.~~
 - c. ~~2.5-foot curb and gutter.~~
 - d. ~~5.5-foot tree lane.~~
 - e. ~~14-foot sidewalk.~~
- (3) **Commercial Mid-Block Alleys design.** As development occurs along a G/I, VOC, MUC, or MFR street designation, one or more mid-Block Alleys shall be designed and constructed in accordance with the following: that side shall have at least one alley designed and constructed. The design for a governmental and institutional alley, vehicle-oriented commercial alley, mixed-use
- a. The general location of mid-Block Alleys are shown on each street regulating plan as lines with a lighter line weight than the lines that represent streets.
 - b. A mid-Block Alley shall provide both vehicle and pedestrian access to and through the inside of a Street-Block. Specifically, they shall provide access to public shared parking lots, public or private parking garages, and other uses or buildings that are located in the middle of the Street-Block.
 - c. When a mid-Block Alley connects through a Street-Block in which the Alley transitions to a residential street, the applicable design and construction standards shall also transition to a typical residential street standard.
 - d. The Alley shall be dedicated for public use, but the operations and maintenance of it shall be the collective and equitable responsibility of all landowners whose parcels and/or parking areas gain access from it. An association of owners may be created to specify the details of the management thereof.
 - e. Snow storage areas abutting an Alley shall be provided in the middle of each Street-Block of

Commented [E10]: Inserted image makes this unnecessary.

Commented [E11]: Ensure this references the shared parking lot requirements below.

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- 516 [sufficient size and configuration to easily accommodate the Alley's snow storage needs, as](#)
517 [determined by the County Engineer.](#)
- 518 [a.f. Regardless of an Alley's configuration displayed on the street regulating plan map, a mid-Block](#)
519 [Alley shall be located at a distance that is no greater than 330 feet and no less than 200 feet](#)
520 [from a street intersection or other mid-Block Alley intersection.](#)
- 521 [b.g. The mid-Block Alley's access to the street shall align with an existing or planned mid-Block Alley](#)
522 [on the opposite side of the street. If there is no existing or planned mid-Block Alley on the](#)
523 [opposite of the street, then the subject mid-Block Alley's access to the street shall be located in](#)
524 [a manner that provides reasonable opportunity for the creation of a future mid-Block Alley on](#)
525 [the opposite of the street.](#)
- 526 [e.h. The width of the mid-Block ~~commercial alley, and multi-family residential alley~~ Alley shall, at a](#)
527 [minimum, be designed](#) is as follows:



- 528
- 529 (4) **Residential street design.** The design for all non-multi-family residential streets is as follows:
530 See [provided in](#) Section 106-4-5.

531

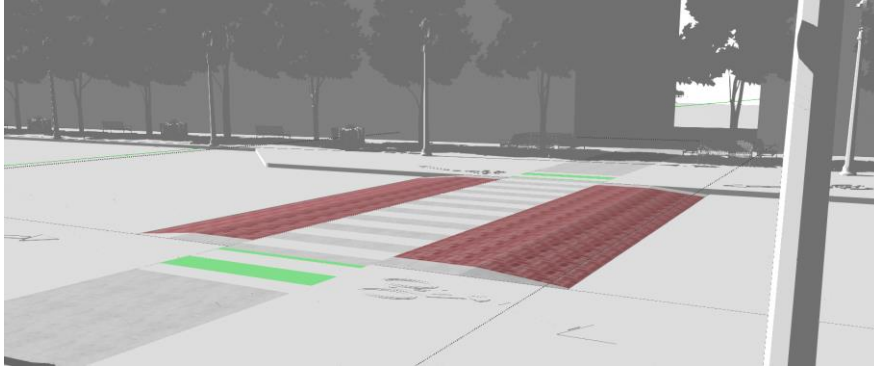
532 **Sec 104-22-7.020 Specific Street Design Standards**

533 For all mixed-use commercial, vehicle-oriented commercial, multi-family residential, and
534 government/institutional street types, the following provisions shall apply. ~~Other~~ [The following standards do](#)
535 [not apply to non-multi-family residential](#) streets [unless explicitly stated herein.](#) [Otherwise, non-multi-family](#)
536 [residential streets](#) shall follow adopted residential street design standards.

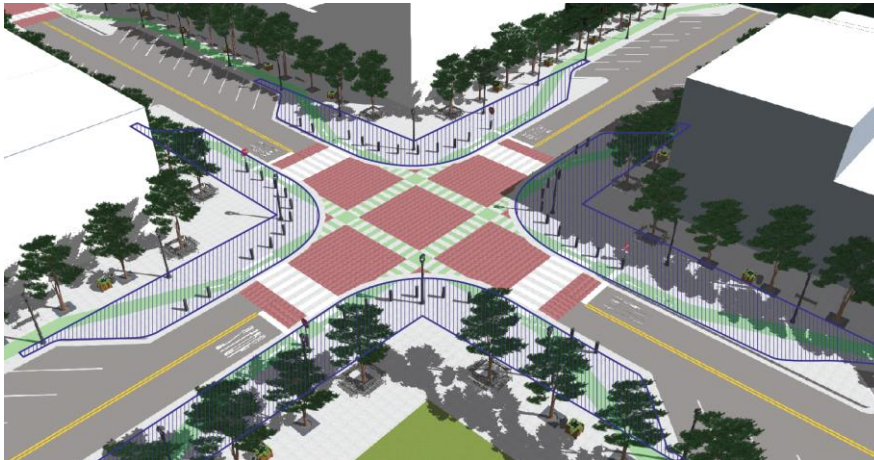
- 537 (a) **Pedestrian priority design.** The street shall be designed to prioritize pedestrian use. At primary points
538 of conflict between pedestrian uses and vehicle uses, the street facility shall be designed and
539 constructed to promote pedestrian safety, comfort, and efficiency.
- 540 (1) **Raised crosswalks.** Where a pedestrian-way intersects with a vehicle-way, the pedestrian-way
541 shall be raised at least six inches above the grade of the vehicle-way, or to the level of the

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542 adjoining pedestrian-ways, whichever is higher. This shall include but is not limited to the installation
543 of crosswalks and intersections that are raised to the same plane as the sidewalk or adjoining
544 pathways. [An example of a raised crosswalk is illustrated as follows:](#)



545
546 (2) **Curb extension bulb-outs.** In order to provide traffic calming and pedestrian safety, street
547 improvements at intersections, pedestrian crossings, and ~~mid-Block~~ ~~mid-block~~ ~~Alley~~ alleys, if
548 different, shall be constructed with curb extensions that bulb out directly adjacent to the lane of
549 travel. Bike lane widths shall not be obstructed or made narrower at any point along a curb extension
550 bulb-out. Bulb-outs shall be designed to the specifications of this ordinance and the County
551 Engineer, or as otherwise adopted. Where a bulb-out provides access to a ~~raised~~ pedestrian
552 crosswalk, bollards [or other permanent features](#) shall be installed along the curve of the bulb-out to
553 keep vehicles from entering the pedestrian-way. ~~Examples of bulb-outs are depicted in the images~~
554 ~~above~~ [An example of curb extension bulb-outs is illustrated as follows:](#)

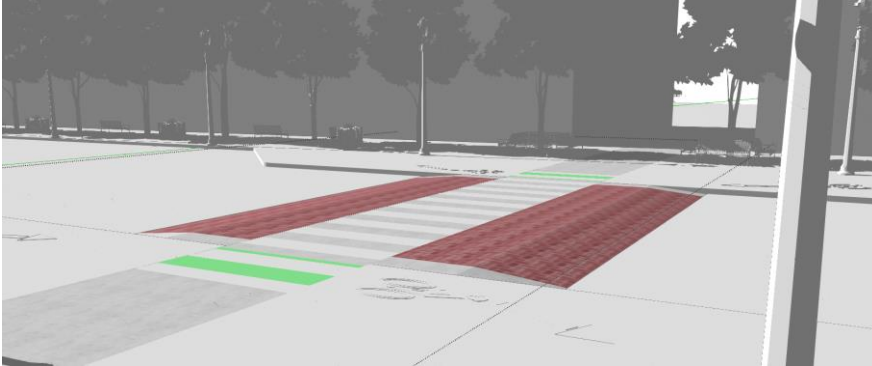


556
557 (3) **Crosswalk contrast.** For enhanced noticeability, in addition to white retroreflective striping,
558 crosswalks shall be constructed of stamped and colored concrete to provide clear contrast between
559 the street and crosswalk.

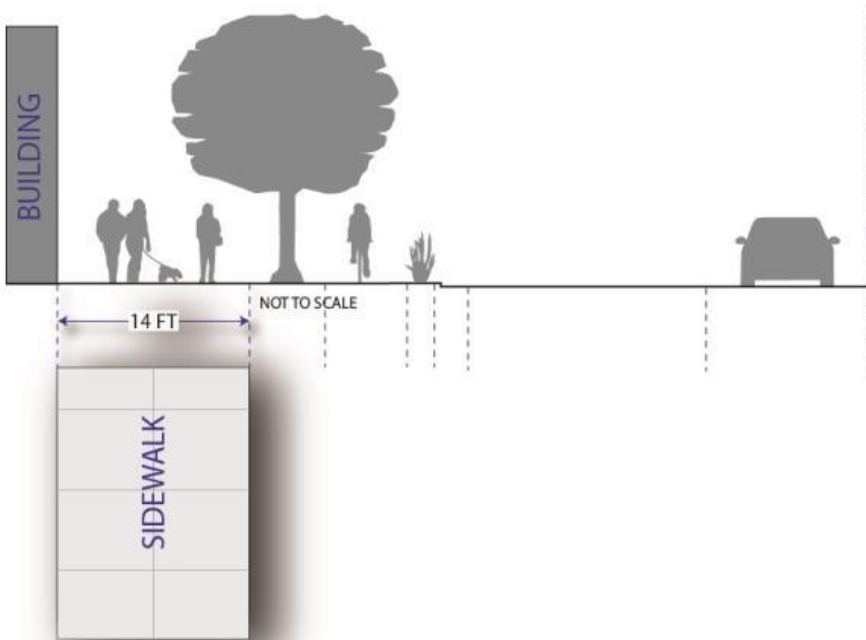
560 (4) **Mid-block crosswalk.** A ~~Street-Block~~ ~~block~~ that has a length that is greater than 330 feet, as
561 measured from the center of each bounding intersection, shall be provided with a ~~mid-Block~~ ~~mid-~~
562 ~~block~~ crosswalk. Solar powered user-activated rapid flashing beacons shall be installed on ~~mid-~~
563 ~~Block~~ ~~mid-block~~ crosswalk signage [unless jurisdictionally controlled power is in the right-of-way at](#)

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564 [the location.](#)



565
566 (b) **Sidewalk required.** As part of the required street improvements within the FB Zone, a sidewalk shall be
567 installed in the designated sidewalk area, as depicted in Section 104-22-7.010 and as illustrated as
568 follows, on the side of the street of the development and for the entire length of the development ~~lot's~~
569 [Lot's street frontage](#) [or width](#).



570
571 (1) **Paved pathway alternative.** A 10-foot wide paved pathway may be installed in lieu of the required
572 sidewalk along any street ~~designated as residential except the multi-family residential street~~ [that is](#)
573 [very unlikely to have an adjacent building with first-floor street-level commercial space.](#) The pathway
574 [shall be designed as provided in Section 104-22-7.030.](#)

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575 (2) **Covered boardwalk alternative.** The County Commission may, but is not obligated to, approve the
576 encroachment of a covered boardwalk, or similar, by legislative approval of an encroachment and
577 maintenance contract. The adjoining landowners shall bear full responsibility for the operations
578 and maintenance of the boardwalk. The covered boardwalk shall comply with the overhead
579 projections standards of this chapter.

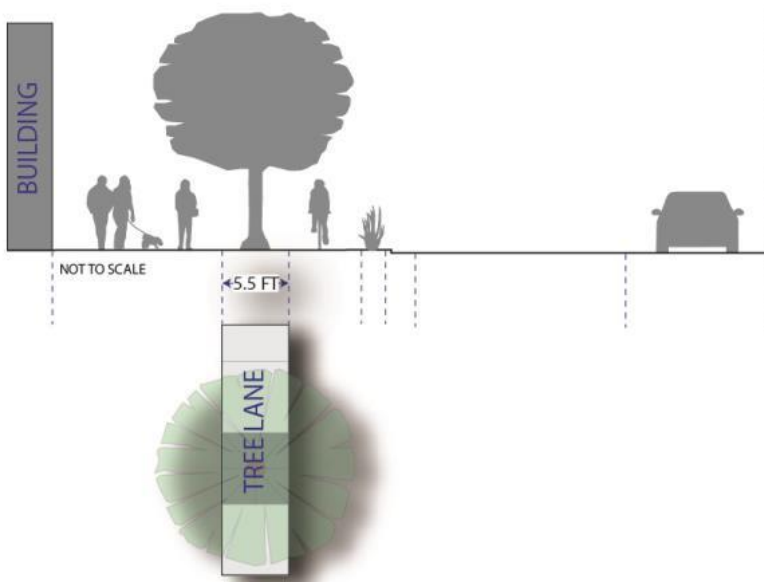


580
581 (c) **Street trees required.** As part of the required street improvements within this zone, street trees shall
582 be installed in the designated tree lane, as depicted in Section 104-22-7.1, on the same side of the
583 street as the development and for the entire length of the development [Lot's](#) street frontage. Tree
584 species shall be approved by the Planning Director and County Engineer as part of the review of the
585 development. A street tree plan shall be submitted as part of a development application and shall be
586 accompanied by a letter from a certified arborist or landscape architect, certifying that the proposed tree

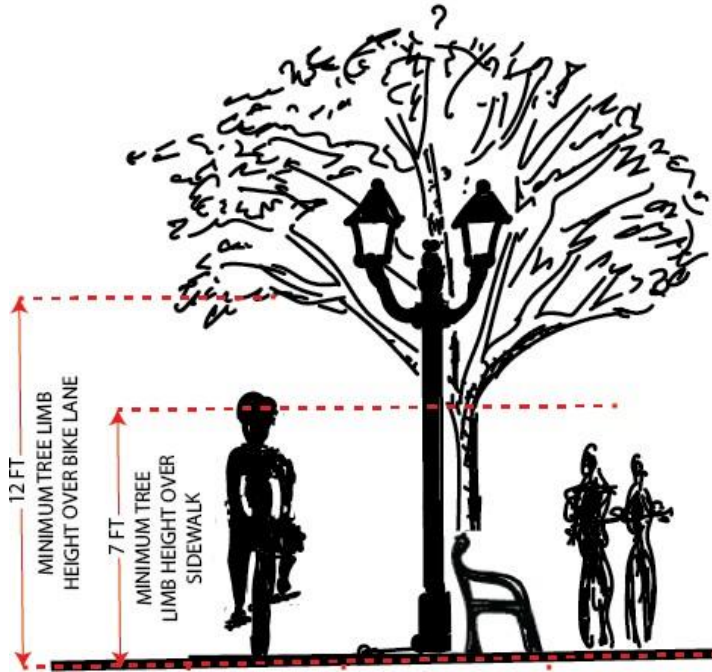
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587 type is suitable considering site conditions and local climate. The plan shall include planting methods
588 that are specific to the site conditions. Planting methods shall provide means of protecting the longevity
589 of the tree and the street infrastructure. Street trees shall be provided with a permanent watering
590 method with irrigation infrastructure installed underground.

591 (1) **Tree planting.** No street tree shall be planted within the clear view triangle as provided in Section
592 108-7-7, Section 106-4-5, or the American Association of State Highway and Transportation Officials
593 (AASHTO) standards. To provide continuous shade of the pedestrian areas, spacing between tree
594 trunks shall equal the average diameter of the specific tree species' canopy at maturity. However,
595 in the Nordic Valley Area, each [street bounding a Street-Block](#) shall have the same number of
596 trees that is equal to one tree per every 50 linear feet of street on both sides of the street, and the
597 trees may be grouped in clusters of no greater than ten trees, rather than equally spaced along the
598 right of way.

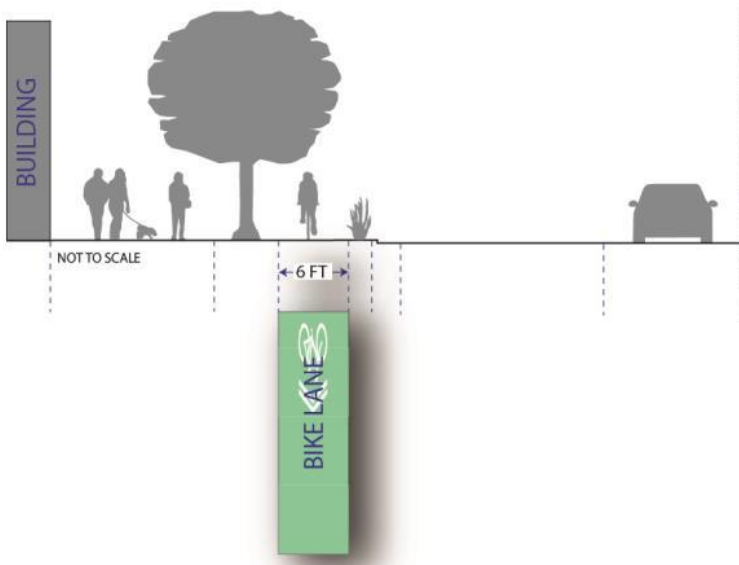


599 (2) **Tree maintenance.** Unless an association, district, or other collective funding and maintenance
600 entity is approved by the County to provide tree maintenance, a street tree shall be maintained by
601 the owner or proprietor of the property that is immediately adjacent to the street right-of-way where
602 the tree is located. A tree maintenance plan shall be submitted as part of the development review
603 for new development. Trees shall be pruned in a manner that gives at least a seven foot clearance
604 above the sidewalk and a 12 foot clearance above a bike lane or parking area, as depicted by the
605 following graphic:
606



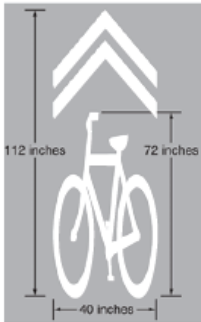
- 607
- 608 (d) **Bike facilities required.**
- 609 (1) **Separated bike lane.** Unless provided otherwise herein, a concrete bike lane that is six feet in width
- 610 shall be installed as part of the required street improvements. The bike lane shall be on the same
- 611 plane as the sidewalk, and shall be separated from the pedestrian walkway by the tree lane.

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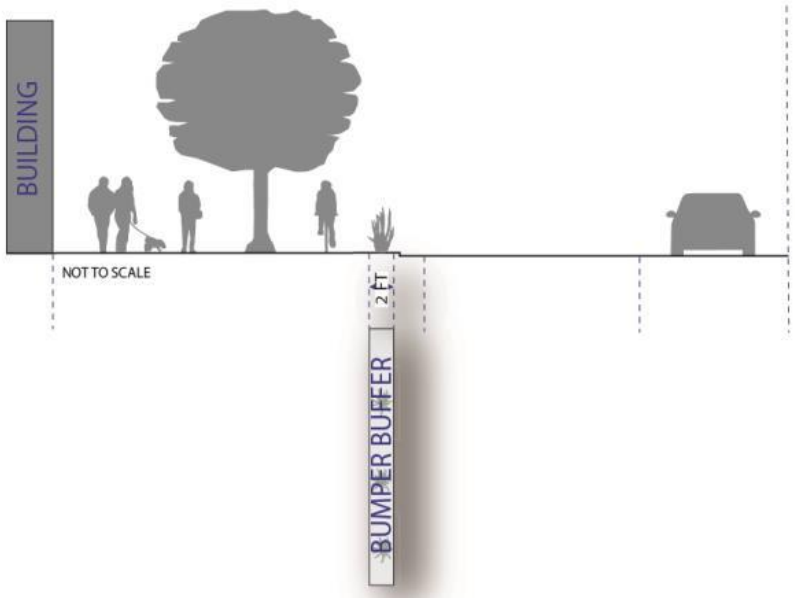
- (2) **Bike lane alternative.** When topography results in the inability to safely create sufficient street right-of-way width, the County Engineer has discretion to allow a bike lane to occupy the street's vehicle travel lane. In these cases, a five-foot wide retroreflective green bike lane shall be applied to the center of the lane, and marked with retroreflective sharrows as depicted by the following graphic:



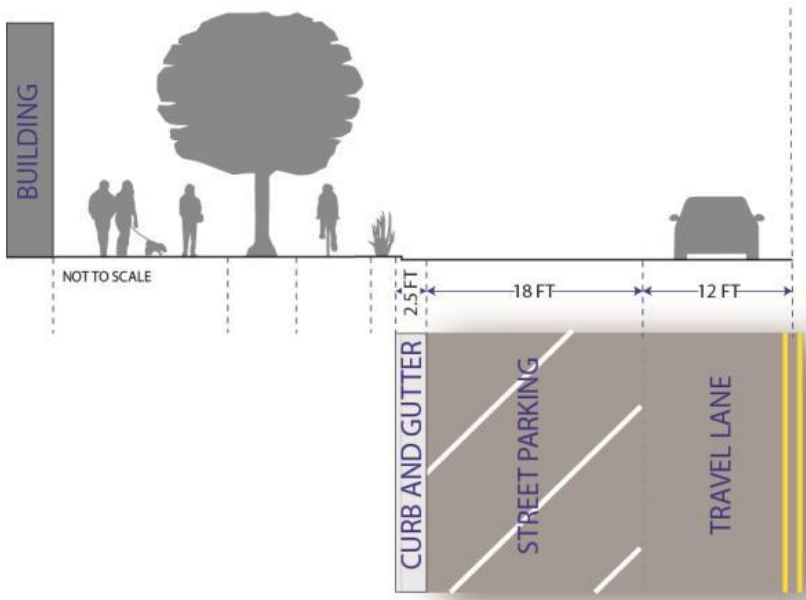
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- (e) **Street parking required.**
- (1) **45-degree angle parking.** Each street shall be designed and constructed to provide 45-degree angled parking.
- (2) **Street parking alternative.** When topography results in the inability to safely create sufficient street 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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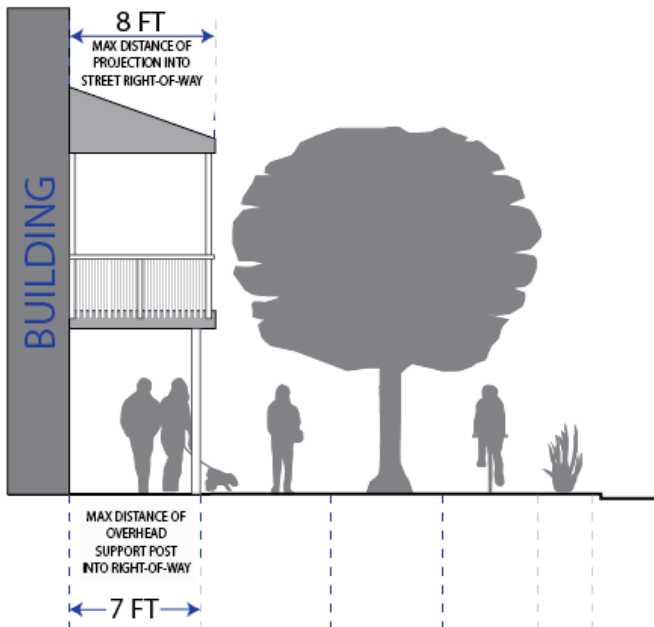
627 (f) **Curb, gutter, and drainage facilities.** Curb, gutter, and drainage facilities shall be installed along each
628 street and internal [Alley](#)alleyway in accordance with the County's standard curb and gutter cross sections

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629 and in a manner that accommodates the street designs herein.

630 (g) **Items in public right-of-way.**

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



637 (2) **Amenities and furniture.** Non-permanent street amenities such as street furniture for outside
638 dining, benches, bike racks, planters, and street sales and displays are permitted between street
639 trees and along sidewalks as long as they do not cause any hazard to the use of the bike lane; and
640 they are located in a manner that leaves a continuous seven-foot wide pedestrian walkway.
641

642 (3) **Street Lighting.** Street lighting shall be installed as part of the required street improvements within
643 this zone. Street lighting shall complement the architectural design theme of the area.

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

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

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651 **Sec 104-22-7.030 Pathway Location and Design Standards**

652 (a) **Pathways and sidewalks, generally.**

653 (1) Pathway and sidewalk layout shall be designed in a manner that prioritizes efficiency of non-
654 motorized modes of transportation.

655 (2) Pathways shall connect using shortest distance reasonably possible.

656 (3) Pathway and sidewalk layout shall provide for the continuation of existing pathways or sidewalks in
657 the general area, and for future planned pathways, as shown on an adopted pathway plan, general
658 plan, master trails plan, or other applicable adopted planning document.

659 ~~(3)~~(4) Except for development along a Rural Residential or Estate Lot Residential street, each
660 development shall be configured so that the maximum pathway or sidewalk walking-distance
661 between a pathway or sidewalk intersection is 400 feet.

662 a. This distance may be increased for a segment of a pathway that travels through a permanently
663 preserved open space area or an area very unlikely to ever develop.

664 b. A pathway or sidewalk intersection is where a pathway or sidewalk intersects with another
665 pathway, sidewalk, or street that has pedestrian facilities.

666 (5) A pathway or sidewalk shall connect to any pathway or sidewalk stubbed from adjacent developed
667 property.

668 (6) Continuation of a pathway or sidewalk to adjacent undeveloped property shall be provided with a
669 stub to the subdivision boundary.

670 (7) Pathway and sidewalk arrangement shall not cause any unnecessary hardship for creating
671 convenient and efficient access to nearby parcels that are likely to eventually be developed.

672 (b) **Street-adjacent pathway.** Along each arterial, collector, and major neighborhood street, as provided in
673 an adopted general plan, master streets plan, or similar adopted document, a 10-foot wide hard-surfaced
674 pathway shall be installed.

675 (1) When determining which side of the street the pathway is required, preference shall be given to the
676 side of the street that has optimal sun exposure during winter months.

677 (2) The Planning Director may require a pathway be located on the other side of the street to support
678 pathway connectivity based on other factors such as existing or planned future pathways in the
679 vicinity and potential pedestrian conflicts.

680 (3) The pathway shall be located within the street right-of-way unless expressly authorized otherwise
681 by the County Engineer. If not located within the street right-of-way, a pathway easement is required.

682 (4) Unless required otherwise by the County Engineer, the pathway shall have an asphalt width of at
683 least nine feet and be bounded on both sides by a six-inch concrete ribbon that is flush with the top
684 of asphalt travel surface. The pathway shall be constructed of three inches of asphalt on eight inches
685 of base-course. Greater thickness may be required where it intersects a vehicle-way.

686 (5) Example: *Street-Adjacent Pathway*

Commented [E12]: OVPC requested exception from this rule for larger lot developments.

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- 687
- 688 (c) **Non-street-adjacent pathway.** Where generally depicted on a map or in the text of an applicable street
- 689 regulating plan, general plan, master streets plan, or when otherwise required herein or in a development
- 690 agreement, a 10-foot wide hard-surfaced pathway shall be installed through the development.
- 691 (1) Where a pathway runs between buildings or fenced Lots, a minimum 30-foot pathway public right-
- 692 of-way is required. The pathway shall run down the center of the 30-foot right-of-way.
- 693 (2) The pathway right-of-way may be reduced to 15 feet if both of the adjoining Lots or parcels are or
- 694 will be single-family residential, and are deed-restricted to:
- 695 a. Only allow a solid fence that is no greater than four-feet; or
- 696 b. Only allow a fence that is 30 percent open with the openings evenly distributed.
- 697 (3) The adjoining land owners are responsible for the maintenance and upkeep of vegetation and waste
- 698 on the half of the pathway right-of-way that is adjacent to their Lot or Parcel.
- 699 (4) Example: Non-Street-Adjacent Pathway

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





704 (a) The following maps depict the adopted Street Regulating Plans for their respective areas. The plans
705 illustrate the intended street layout of the area and the designated street types. The plan is intended to
706 be a guide for the placement of streets and ~~mid-Block~~mid-block Alleyalleys, and is not designed to
707 survey-level accuracy. ~~A mid-block alley shall be as close to the middle of the block as is practicable,~~
708 ~~and the street~~ A street's placement shall be within 200 feet of the location depicted on these maps. A
709 ~~mid-Block Alley, denoted on the maps with thinner line types intersecting with~~
710 ~~Governmental/Institutional, Vehicle Oriented Commercial, Mixed Use Commercial, and Multi-Family~~
711 ~~Residential streets, shall be provided as specified in Section 104-22-7.010.~~ A land owner proposing
712 development in an area that a street or Alleyalley is planned shall be responsible for dedicating the land
713 and constructing the street or Alleyalley improvements.

714 (b) The legend for each street regulating plan is as follows:

STREET TYPES AND AMENITIES

-  **General Open Space**
TDR sending.
-  **Estate Lot Residential (ELR)**
Single-family lot as small as 3 acres. TDR sending.
-  **Rural Residential (RR)**
Single-family lot as small as 40,000 sq. ft. TDR sending in WWPA and receiving in OVPA.
-  **Large Lot Residential (LLR)**
Single-family lot as small as 20,000 sq. ft. TDR receiving.
-  **Medium-Large Lot Residential (MLLR)**
Single-family lot as small as 12,500 sq. ft. TDR receiving.
-  **Medium Lot Residential (MLR)**
Single-family lot as small as 8,000 sq. ft. TDR receiving.
-  **Small Lot Residential (SLR)**
Up to four-family lot as small as 3,000 sq. ft. TDR receiving.
-  **Multi-Family Residential (MFR)**
Multi-family lot, height restrictions, no lot minimum. TDR receiving.
-  **Mixed-Use Commercial (MUC)**
Commercial at street level, multifamily and other uses above and behind, height restrictions, no lot minimum. TDR receiving.
-  **Vehicle Oriented Commercial (VOC)**
Same as MUC with special considerations for vehicle-oriented uses. TDR receiving.
-  **Government/Institutional (G/I)**
Same as VOC with special considerations for government and institutional uses. TDR receiving.
-  **Limited Access Arterial or Collector Street**
Access to street generally restricted to planned intersections.
-  **Trails**
Required trails.
-  **Roundabout**
Street roundabout.

COMMUNITY FEATURES

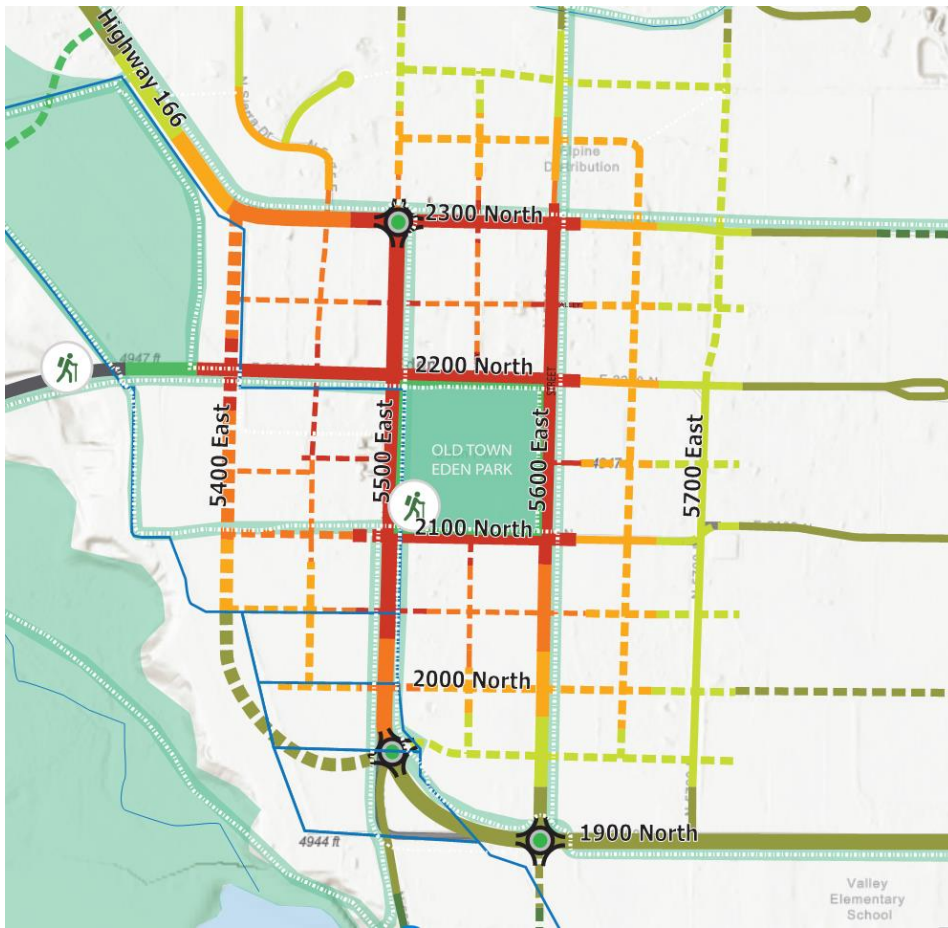
-  **Long-Term Open Space**
-  **Park**
-  **Trailhead**
-  **Water Body**

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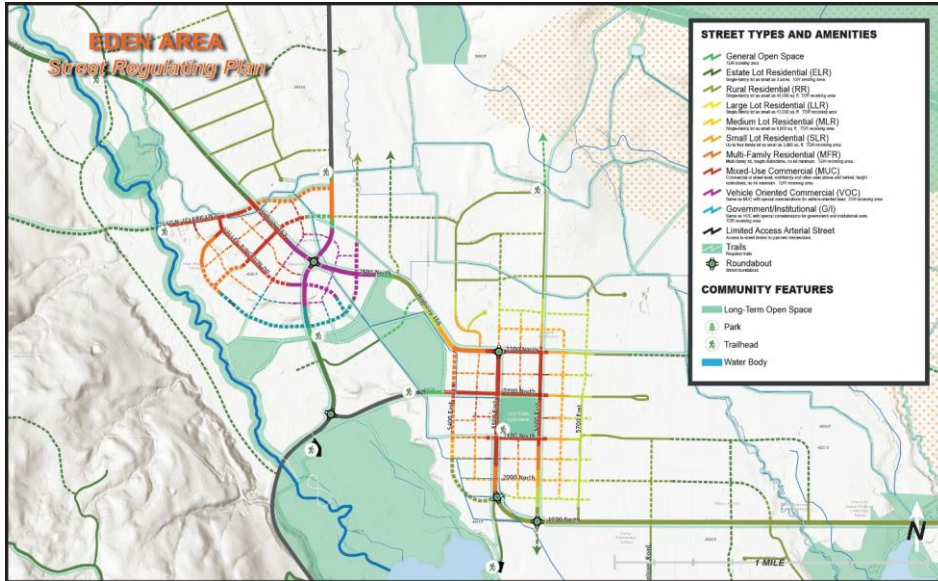
Last updated 4/17/2023

717 [Sec 104-22-8.010 Old Town Eden Area Street Regulating Plan Map.](#)



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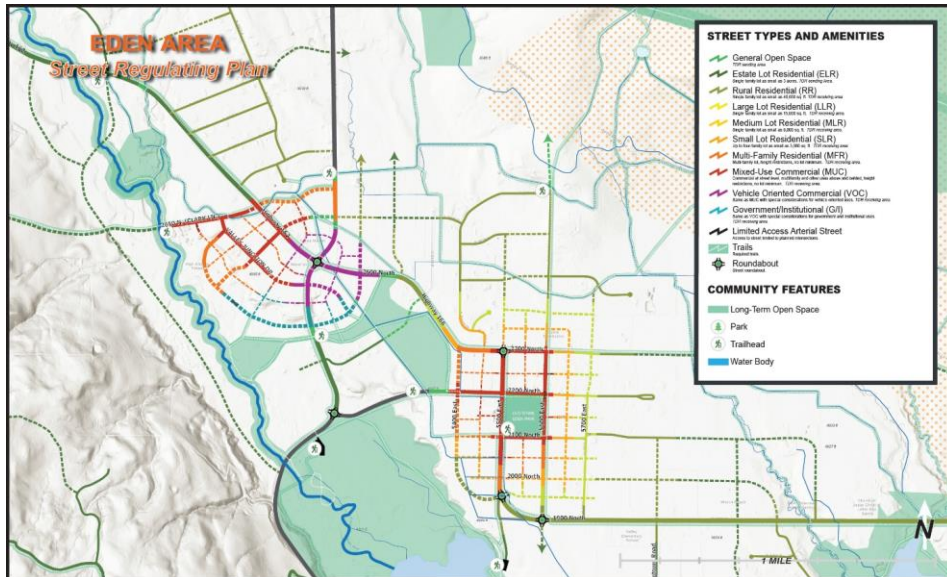
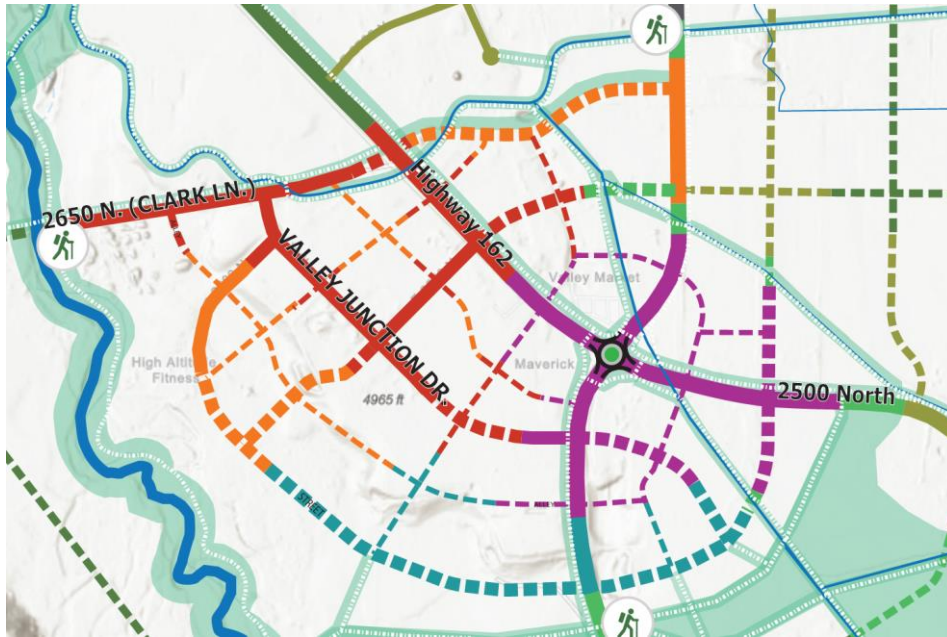
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Sec 104-22-8.020 New Town Eden Area Street Regulating Plan Map.



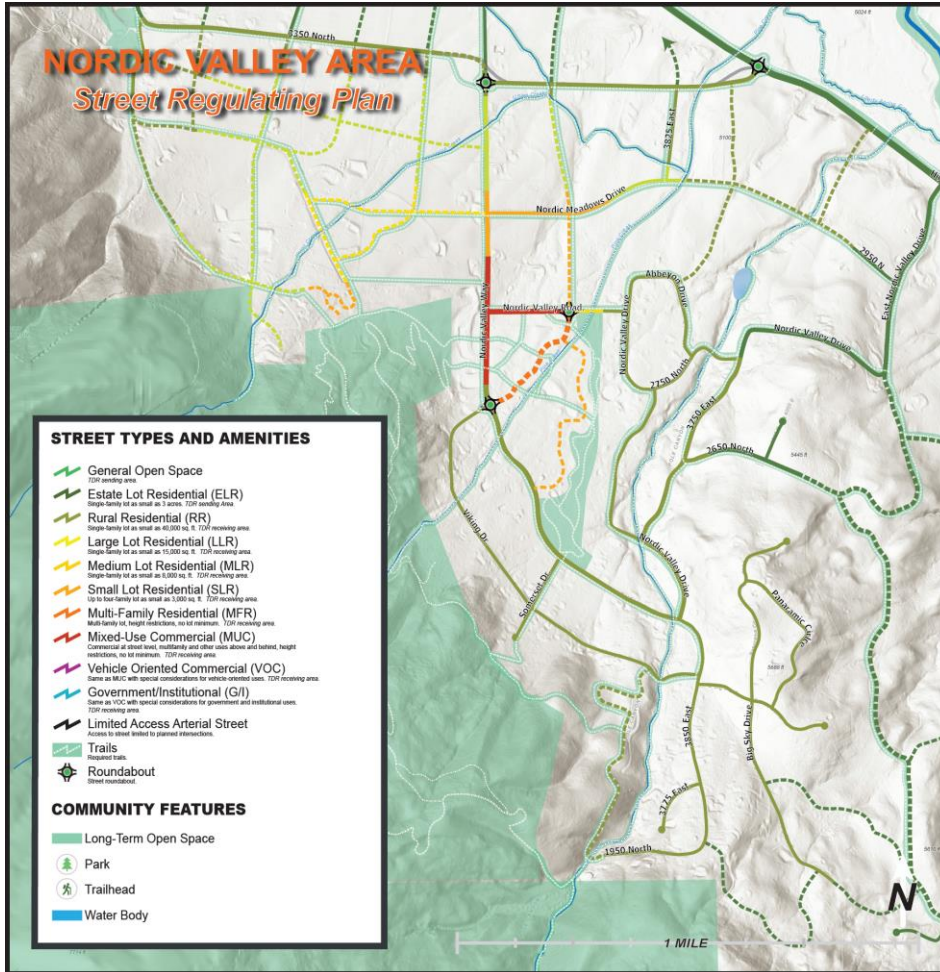
STREET TYPES AND AMENITIES	
	General Open Space
	Estate Lot Residential (ELR) Minimum lot size is 10 acres, 100,000 sq. ft.
	Rural Residential (RR) Minimum lot size is 5 acres, 50,000 sq. ft.
	Large Lot Residential (LLR) Minimum lot size is 2 acres, 20,000 sq. ft.
	Medium Lot Residential (MLR) Minimum lot size is 1 acre, 10,000 sq. ft.
	Small Lot Residential (SLR) Minimum lot size is 0.5 acres, 5,000 sq. ft.
	Multi-Family Residential (MFR) Minimum lot size is 1/4 acre, 2,500 sq. ft.
	Mixed-Use Commercial (MUC) Minimum lot size is 1/2 acre, 5,000 sq. ft.
	Vehicle Oriented Commercial (VOC) Minimum lot size is 1/2 acre, 5,000 sq. ft.
	Government/Institutional (GI) Minimum lot size is 1/2 acre, 5,000 sq. ft.
	Limited Access Arterial Street Minimum lot size is 1/2 acre, 5,000 sq. ft.
	Trails
	Trails
	Roundabout

COMMUNITY FEATURES	
	Long-Term Open Space
	Park
	Trailhead
	Water Body

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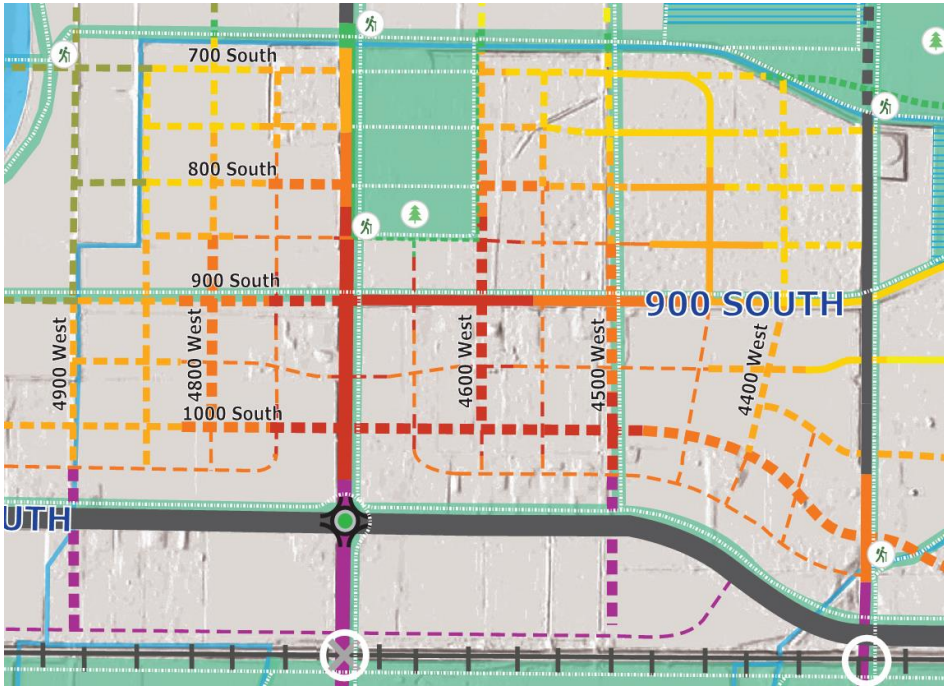
Sec 104-22-8.030 Nordic Valley Area Street Regulating Plan Map.



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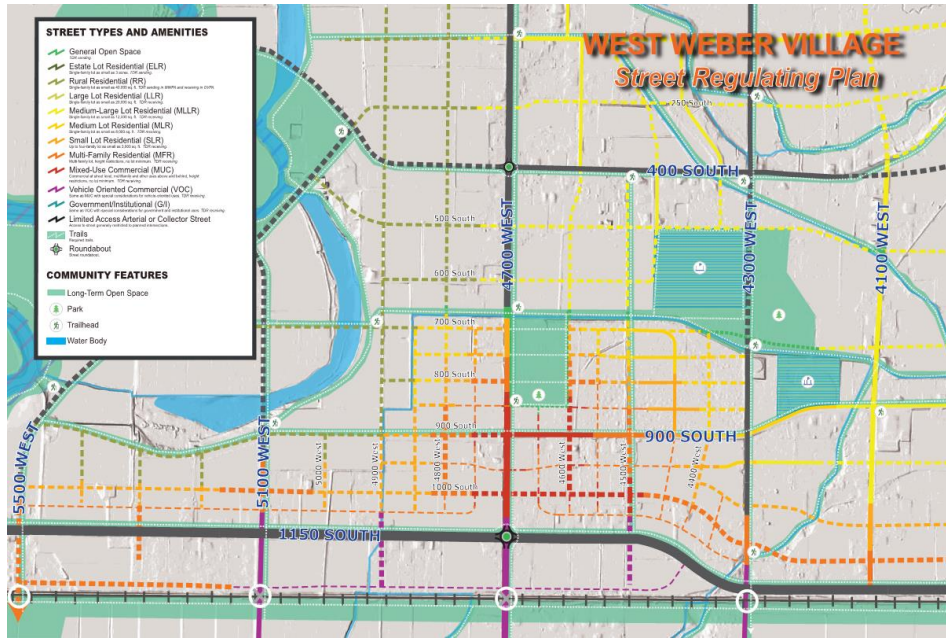
Last updated 4/17/2023

731 [Sec 104-22-8.040 West Weber's 4700 Area Street Regulating Plan Map.](#)



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Sec 104-22-9 Parking and Internal Street-Block Access.

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(a) **Parking required.** Each application for development shall include a parking plan that demonstrates that sufficient parking will be provided by the on-street parking immediately fronting adjacent to the building-lot or an off-street parking lot or garage within 1000 feet of the building. On-street parking not adjacent to the Lot's street-frontage shall not be counted.

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(1) **Internal Street-Block shared public parking.** Each business or use that will have patrons, customers, clients, or similar, shall provide an off-street public parking lot or garage. Use of this parking lot or garage shall be shared by all landowners and business owners within the Street-Block, provided, however, that those other land or business owners within the Street-Block have provided their own respective contribution toward shared public parking within the Street-Block. Each public parking area located within the Street-Block shall be designed to extend to the parcel boundary and shall provide a cross access easement along all sides of the parking area abutting the adjacent Lot(s) or Parcel(s) in a manner that allows the adjoining Lot or Parcel owner to extend that public parking area seamlessly into their parcel. Cross access and cross access easements are required pursuant to Subsection (h) of this section.

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(2) **Alternative to shared internal Street-Block public parking.** If multiple land or business owners within a Street-Block create an alternative shared public parking lot plan that provides for equal or better off-street public parking for the Street-Block than those otherwise required by Subsection (a)(1) of this section, then the provisions of Subsection (a)(1) that run contrary may be waived; provided, however, that all parts of Subsection (a)(1) that have not been adequately considered for other land or business owners within the Street-Block not participating in the parking plan, or within the future Street-Block once fully developed, shall still be required.

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(3) **Internal Street-Block private parking.** Nothing in the subsection (a) shall be construed to prohibit a landowner from creating a private parking lot or garage as long as the shared public parking requirements herein are satisfied.

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(b) **Employee and residential parking.** On-street parking shall not be included toward minimum parking needed for employees or for any residential use. Employee parking and the minimum required residential parking shall be located off-street within the same Street-Block as the use.

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764 ~~(c)~~ (c) **Parking lot surface.** All parking lots shall be hard-surface asphalt or concrete, or other improved
765 surface otherwise approved by the County Engineer and local fire authority. ~~Street parking not adjacent~~
766 ~~to the lot's Lot's street frontage shall not be counted in determining that sufficient parking has been~~
767 ~~provided.~~

768 ~~(b)~~ (d) **Parking flexibility.** Except for residential uses, the Land Use Authority may reduce the minimum
769 parking spaces required if sufficient evidence suggests that the required number of spaces is excessive
770 for the building and proposed use or uses therein.

771 ~~(e)~~ (e) **Parking related to a change of use.** If a change of use occurs, more parking may be required if
772 the new use merits it, as determined by the Land Use Authority. The applicant proposing to change the
773 use shall be required to provide the additional off-street parking within 1000 feet of the use.

774 ~~Residential parking. The minimum required parking for a residential use shall be located off-street within~~
775 ~~the same block as the residential use.~~

Commented [E13]: Moved this to a couple paragraphs above and included employee parking as well.

776 ~~(d)~~ (f) **Parking lot trees.** A surface parking lot shall have one tree for each four parking spaces, and a
777 five-foot wide landscape planting area that runs the depth of the parking row shall be located at each
778 end of a parking row.

779 ~~(e)~~ (g) **Parking structure design standards.** When located adjacent to a vehicle-oriented commercial,
780 mixed use commercial, or multi-family residential street, a parking structure shall have first-floor street-
781 level commercial space along the street's frontage. However, for a corner ~~lot~~ Lot, this requirement
782 applies to the façade that is adjacent to the more prominent street, as determined by the land use
783 authority; the other façade shall have the same for no less than fifty percent of that façade's street
784 frontage. The other fifty percent, and the area of the parking structure above the street level commercial
785 space, shall have a street-facing facade that disguises the parking structure to generally look like other
786 buildings in the area.

787 ~~(f)~~ (h) **Cross-access and cross-access easement.** For all ~~parcels or lots~~ Lots or Parcels along a
788 governmental or institutional, vehicle-oriented commercial, mixed-use commercial, or multi-family
789 residential street, providing access to adjacent existing or future development without the need to
790 access the public right-of-way is required. This access shall be provided by a ~~mid-Block Alley~~ mid-block
791 ~~alley, where shown on a street regulating plan,~~ or other ~~alley~~ Alley or shared driveway as may be
792 deemed necessary by the ~~Land use Use authority~~ Authority. ~~When if not in conflict with mid-Block Alley~~
793 ~~requirements herein, when~~ no new ~~alley~~ Alley access is deemed necessary because an ~~alley~~ Alley
794 access or street access is already provided to the ~~Lot or Parcel~~ lot or parcel through another ~~Lot or~~
795 ~~Parcel~~ lot or parcel, then a cross-access easement shall be provided along adjoining lot lines, as follows:

796 a. A cross access easement shall provide an easement to all landowners in the ~~Street-Block~~ block
797 that develop along a governmental or institutional, vehicle-oriented commercial, mixed-use
798 commercial, or multi-family residential street that is framing the ~~Street-Block~~ block. The easement
799 shall allow ingress and egress to these other ~~lots~~ Lots or ~~P~~ parcels, including ingress and egress
800 infrastructure.

801 b. At a minimum, each developed ~~Lot or Parcel~~ lot or parcel shall have two points of ingress and
802 egress, at least one of which shall be stubbed to adjacent property where practicable. Except that
803 a ~~private~~ private parking area is allowed to only provide a single access as long as it does not block the
804 accessibility to other areas within the ~~Street-Block~~ block that are or could be used for public parking.

805 ~~c. Each parking area that is located within the block and that will be open to the public for public~~
806 ~~parking shall be designed to extend to the parcel boundary and shall provide a cross-access~~
807 ~~easement along all sides of the parking area abutting the adjacent lot~~ Lot(s) or parcel Parcel(s) ~~in a~~
808 ~~manner that allows the adjoining Lot or Parcel~~ lot or parcel ~~owner to extend that public parking area~~
809 ~~seamlessly into their parcel.~~

Commented [E14]: Moved this to parking paragraph above.

810 ~~d.~~ c. When locating a cross-access easement or designing the cross-access infrastructure, good faith
811 efforts shall be made to coordinate the location and design with the adjoining land owner.

812 ~~e.~~ d. The Planning Director may require the cross-access to be located in a manner that optimizes
813 ~~internal block~~ internal block traffic circulation within the Street-Block.

814 ~~f.~~ e. Construction of the cross-access infrastructure shall be completed prior to the issuance of a
815 certificate of occupancy for any structure on the ~~Lot or Parcel~~ lot or parcel, or a completion bond

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816 may substitute for completion if allowed by the County Engineer.

817 ~~g.f.~~ When a Lot or Parcel~~lot or parcel~~ is being developed that abuts an existing cross-access easement
818 or existing cross-access infrastructure, a reciprocal cross-access easement shall be provided on
819 the same lot line or parcel line in the same location and of equal width. The reciprocal cross-access
820 infrastructure shall be constructed to the same standard as, or better than, the existing cross-
821 access infrastructure on the adjacent parcel. A cross-access easement shall be recorded on the
822 title of all affected properties, along with a perpetual operation and maintenance agreement
823 between the property owners that specifies, at a minimum, that the infrastructure will be operated
824 and maintained by the property owners in a manner that is safe and usable for two-way vehicle
825 traffic.

826 ~~h.g.~~ If property owners fail to operate or maintain cross-access infrastructure that was required by the
827 County under this section, the County may pursue enforcement measures as provided in this Land
828 Use Code.

829

830 **Sec 104-22-10 Signage**

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

833

834 **Sec 104-22-11 Form-Base Zone Transferable Development Rights**

835 ~~Density allowance and transferable development rights. As provided in the Ogden Valley General Plan,~~
836 ~~the creation of dwelling units in the FB Zone shall not create any new density in the Ogden Valley Planning~~
837 ~~Area unless otherwise provided in this Land Use Code. To establish the residential dwelling unit rights that~~
838 ~~exist on a lot or parcel in the FB Zone, or to increase or decrease residential dwelling unit rights on a lot or~~
839 ~~parcel in the FB Zone, the following apply:~~

840 (a) Transfers, generally. To establish the ~~Residential dwelling~~Development ~~unit~~ Rights that exist on a
841 Lot or Parcel~~lot or parcel~~ in the FB Zone, or to increase or decrease ~~Residential dwelling~~
842 unitDevelopment Rights on a Lot or Parcel~~lot or parcel~~ in the FB Zone, the following apply:

843 (1) Base density. For a Lot or Parcel rezoned to the Form-Based Zone from a zone that allow(s)(ed)
844 ~~residential~~ dwelling units, ~~including transfers within the Form-Based Zone, the base~~ Base
845 Density, as defined in Title 101, Chapter 2, shall be the same as the density that was allowed
846 in the prior zone. ~~This shall be documented by recording a covenant to the Lot or Parcel~~lot or parcel
847 ~~that provides a calculation of the base density. The covenant shall run with land, and be between~~
848 ~~the owner and the County.~~

849 (2) Transferred density. Additional ~~residential~~ Residential dwelling Development ~~units~~ Rights are
850 permitted on any lot that has street frontage on, or gains primary access from, any street type in
851 the street regulating plan except an Estate Lot Residential street, ~~a general~~ General open ~~Open~~
852 space ~~Space~~ street, ~~and, in the Western Weber Planning Area, a Rural Residential street.~~ However,
853 no additional ~~density~~ Residential Development Right is allowed ~~unless~~ until after the landowner has
854 successfully ~~negotiated~~ completed the ~~reallocation~~ transfer of an equal number of Residential
855 dwelling unit Development Rights from another Lot or Parcel that has ~~an~~ the available number of
856 Residential dwelling unit Development Rights being pursued, ~~as determined by~~ A Residential
857 Development Right is deemed available for transfer if the Lot or Parcel's Base Density
858 calculation, ~~and together with adjusted~~ adjustments for any previous Residential Development
859 dwelling unit right Right reduction or addition, demonstrates that the Residential Development Right
860 could be developed on the lot or parcel given compliance with the provisions of this Land Use Code.
861 A Residential Development Right reduction or addition is any of the following:

862 a. Use of the Residential Development Right for construction of a residential unit onsite.

863 b. Transfer of a Residential Development Right to another Lot or Parcel.

864 c. Receipt of a Residential Development Right from another Lot or Parcel.

865 d. Restriction of the construction, development, or subdivision of or on the Lot or Parcel for
866 residential purposes as provided in County laws not otherwise in this Land Use Code, State or

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867 Federal laws, regulations, or restrictions; private contracts, covenants, or restrictions;
868 conservation or preservation easements or agreements, or any other lawful development
869 restriction or prohibition that makes the Residential Development Right unbuildable on the Lot
870 or Parcel.

871 e. The reallocation shall be ~~made completed~~ by recording a Notice of Transfer Document
872 ~~covenant~~ to each affected Lot or Parcel~~lot or parcel~~.

873 i. Each Notice of Transfer Document ~~covenant~~ shall run with the land ~~and be between the~~
874 ~~owner and the County.~~

875 i.ii. Each Notice of Transfer Document ~~covenant~~ shall document the applicable lot-Lot or

876 Pparcel's ~~calculated-estimated base-Base density~~Density; the number of dwelling-Dwelling
877 ~~units-Units~~ already developed on the lot-Lot or Pparcel; the number of Residential
878 ~~Development~~dwelling-unit ~~R~~Rights subtracted from, or added to, the base-Base density
879 ~~Density~~ by any other means; and the number of dwelling-unitResidential Development
880 ~~R~~Rights remaining for the Llot or Pparcel.

881 (a)(b) **Ogden Valley Planning Area Form-Based Zone transfers.**

882 (1) **Transfer allowances and limitations.** Residential Development Rights may be transferred to a
883 Lot or Parcel in a FB Zone from any Lot or Parcel in the following zones within the Ogden Valley
884 Planning Area: RE-15, RE-20, AV-3, F-5, FV-3, S-1, FR-1, FR-3, RMH-1-6, CVR-1, and FB.

885 (2) **Transfer ratio.** The transfer ratio shall be one to one. This means for every one Residential
886 Development Right transferred from a sending Lot or Parcel in the Ogden Valley Planning Area,
887 one is allowed to be constructed on a receiving Lot or Parcel within the FB Zone.

888 (3) **Transfer calculation and review.** In the Ogden Valley, the Planning Commission is the review
889 authority for transferable development rights. An application for Subdivision or Design Review that
890 is submitted with the intention of receiving transferred Residential Development Rights shall be
891 reviewed by the Planning Commission.

892 a. **Calculating Base Density.** When calculating a sending Lot or Parcel's Net Developable Area,
893 the follow areas shall be considered area Unsuitable for Development, and thereby not
894 included in the Lot or Parcel's Base Density:

895 i. Slopes over 30 percent.

896 ii. Wetlands as mapped by the Army Corp of Engineers.

897 iii. Area within stream corridor setbacks; and

898 iv. Floodplains.

899 b. **Review.** In addition to other process and requirements in this Land Use Code, after receiving
900 recommendation form Planning Staff, the Planning Commission shall review each Subdivision
901 and Design Review application to verify the proposal to Transfer Residential Development
902 Rights complies with this subsection. The Planning Commission's approval of the Design
903 Review or the Subdivision's preliminary plat constitutes the Planning Commission's approval
904 of the proposed transfer(s). After approval of the Subdivision's preliminary plat or Design
905 Review, staff shall record the approved transfers as otherwise provided in this Section. No final
906 plat application shall be approved and no building permit shall be submitted until after the
907 transfer(s) has been approved by each landowner and recorded to each parcel's title in the
908 Office of the County Recorder.

909 (4) **Banking of Residential Development Rights not allowed.** Transferred rights may be held on the
910 receiving Lot or Parcel until they are constructed on the Lot or Parcel. No transferred Residential
911 Development Rights is permitted to be transferred to another Lot or Parcel. No more Residential
912 Development Rights ~~should~~ be transferred to a Lot or Parcel than can actually be constructed on
913 the Lot or Parcel given compliance with the requirements and standards of this chapter, as well as
914 any other applicable provision of this Land Use Code. If excess Residential Development Rights
915 are transferred to a Lot or Parcel than can actually be constructed, the excess Residential
916 Development Rights are forfeit.

917 (c) **Western Weber Planning Area Form-Based Zone transfers.**

Commented [E15]: This means it is the landowner's responsibility to not transfer more than the land can actually handle, not necessarily the County's. If too much is transferred, the excess is forfeit.

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- 918 (1) **Transfer allowances and limitations.** A Residential Development Right may be transferred to a
919 Lot or Parcel in a FB Zone from any Lot or Parcel in the following zones within the West-Central
920 Weber area: A-1, A-2, and A-3. Unless negotiated otherwise in a development agreement, a
921 transfer from any Lot or Parcel is prohibited if the Lot or Parcel received a rezone after January 1,
922 2023 that increased the Base Density.
- 923 (2) **Transfer ratio.** The transfer ratio shall be one to three. This means for every one Residential
924 Development Right transferred from a sending Lot or Parcel in the Western Weber Planning area,
925 three are allowed to be constructed on a receiving Lot or Parcel within the FB Zone.
- 926 (3) **Transfer calculation and review.** A landowners may submit a request for approval of a transfer
927 of Residential Development Rights at any time. Planning Division Staff shall review each request
928 for compliance with applicable regulations. If the transfer is merited, Planning Staff shall prepare a
929 Notice of Transfer Document for each affect Lot or Parcel in a form as approved by the County
930 Attorney's Office.
- 931 a. A transfer is not complete until a notice of transfer has been signed by each affected landowner
932 of record for each affect Lot or Parcel, the reviewing staff, and the Planning Division Director,
933 and then filed to the title of each affected Lot or Parcel in the Office of the County Recorder.
- 934 b. Approval of a Subdivision's preliminary plat or a Design Review that is based on the receipt of
935 transferred Residential Development Rights is conditioned, by reference herein, on the
936 applicable transfers being complete. Approval is void if the transfer is not completed.
- 937 c. No final plat application shall be approved or recorded and no building permit shall be submitted
938 or approved until after the transfer(s) are complete.
- 939 (3)(4) **Banking of Residential Development Rights.** A Lot or Parcel within the Form-Based
940 Zone in the West-Central Weber area may be used to bank Residential Development Rights. These
941 rights may be held on the Lot or Parcel until they are either constructed on the Lot or Parcel, or
942 transferred to another eligible Lot or Parcel. There is no limit to the number of Residential
943 Development Rights that can be transferred to a Lot or Parcel in the Form-Based Zone. However,
944 the number of Residential Development Rights actually constructed on the parcel shall be limited
945 by what can be constructed given compliance with the requirements and standards of this chapter,
946 as well as any other applicable provision of this Land Use Code.

947 **Sec 104-22-12 Workforce Housing**

- 948 Participation in creating workforce housing is required as follows, except when developing along a Large
949 Lot Residential, Rural Residential, or Estate Lot Residential Street.
- 950 (a) **No transfer required.** Workforce housing dwelling units will not be deducted from the Lot or parcel's
951 Parcel's development rights and is not required to be established through transferable development
952 rights in an amount that does not exceed 15 percent of the development's total number of market-rate
953 dwelling units.
- 954 (1) **Lot development standard reduced.**
- 955 a. Unless the applicable lot development standards are more permissive, a structure that is
956 exclusively devoted to, and deed restricted for, workforce housing may have a front yard setback
957 of 20 feet, and a side and rear yard setback of five feet, and has no minimum area requirement.
- 958 b. In the event the provision for the required workforce housing results in the inability to realize the
959 number of dwelling units that would otherwise be allowed if workforce housing was not required,
960 then the applicable minimum lot development standards in the development may be reduced to
961 no less than half of the applicable minimum lot development standard.
- 962 (b) **Workforce housing requirements.** Unless otherwise negotiated by development agreement, one or
963 more of the following workforce housing requirements shall be provided by the developer.
- 964 (1) **Building and reservation of dwelling units.** Dwelling units, in an amount that is equal to or
965 greater than five percent of the non-workforce housing units being developed, shall be constructed
966 and deed restricted for workforce housing;
- 967 (2) **Fee in lieu.** In lieu of building affordable housing units, a fee equaling up to two percent of the
968 dwelling unit's market value, shall be paid for each dwelling unit constructed. This shall be

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969 implemented by a covenant recorded on title of each dwelling unit, and shall be paid at the time a
970 building permit is issued, or prior to the transfer of the property's title after the dwelling unit has
971 been completed;

972 (3) **Buildable lot in lieu.** In lieu of building affordable housing units, a lawfully subdivided ~~lot~~-Lot or
973 Lots in a size and configuration that is capable of supporting dwelling units in an amount that is
974 equal to or greater than 10 percent of the non-workforce housing units being developed, shall be
975 donated, with stubbed utilities, to the Weber Housing Authority for the purpose of meeting this
976 requirement; or

977 (4) **Floor area in lieu.** Along G&I, VOC, MUC, MFR and SLR streets, floor area, in a size and
978 configuration that is capable of supporting dwelling units in an amount that is equal to or greater
979 than five percent of the non-workforce housing units being developed, shall be donated, with
980 stubbed utilities, to the Weber Housing Authority for the purpose of meeting this requirement.

981 (c) **Workforce housing location.** The required housing units, Lots, or floor area provided for workforce
982 housing may be located outside of the proposed development as long as they are located along -but
983 no greater than one-quarter mile from a ~~G&I~~Governmental/Institutional, VOCVehicle Oriented
984 Commercial, or MUCMixed Use Commercial, MFRMulti-Family Residential, Small Lot Residential,
985 Medium Lot Residential, or Medium-Large Lot Residential street designation in the same planning area,
986 as depicted on the street regulating plan map(s), or within one mile of a commercial or manufacturing
987 GV-1, GV-2, or GVR-1 zone in the same planning area.

988 (d) **Weber housing authority.** Eligibility and long-term monitoring of qualification for workforce housing is
989 the responsibility of the Weber Housing Authority.