

High Mountain Orchard Agritourism CUP Explanation

Compliance with Sec 108-4-5 Conditional Use Standards

1. The land use authority may apply conditions of approval related to any of the standards of this section, provided that credible evidence exists that:
 1. The application of the standard is relevant to the use; and
 2. The conditions are reasonable and necessary to substantially mitigate detrimental effects of the use as specified in the standard.
2. The land use authority shall consider the expertise and experience of applicable reviewers and qualified professionals to help determine credible evidence, relevant standards, and reasonable conditions.
3. Conditional use standards are as follows:
 1. *Standards relating to safety for persons and property.*
 1. Mitigate injury, loss of life, property damage, or other disproportionate demand for services on applicable fire fighting agencies. -Site is currently an agricultural site and does not contain hazardous fire materials that are considered a wild fire danger and all buildings will be constructed with fire protection requirements.
 2. Mitigate injury, loss of life, or other disproportionate demand for services on applicable emergency medical service agencies. -During major special events, emergency services will be notified of the event.
 3. Mitigate injury, loss of life, property damage, criminal activity, the need for added peace keeping activities, or other disproportionate demand for services on the county sheriff's office. -During major special events, emergency services will be notified of the event.
 4. Mitigate injury, loss of life, or property damage of any known geologic hazard or flood hazard, if credible evidence of such a detrimental effect is present. -Areas of this site falls within an active geologic hazard area. These areas will not contain any structures but will be open for grazing purposes and glamping.
 5. Mitigate the creation of traffic hazards and right-of-way conflicts, including mitigation of traffic hazards caused by:
 1. The location, massing, size, or height of buildings, structures, and other facilities, including signage, fencing, and landscaping; -Signage will be placed along the property line to identify the agri-tourism site. All fencing, landscaping and buildings have been identified on the site plan.
 6. The frequency of heavy truck traffic to and from the site (i.e. import and export of materials, deliveries, etc.) to minimize right-of-way conflicts with regular vehicle and pedestrian traffic. -All drop offs will be on site and will not impact the public right of way.
 7. Substantially mitigate the likelihood that the proposed use or facility may cause bodily injury or property damage to potential persons or property in the area. -All likelihood has been mitigated.
 2. *Standards relating to infrastructure, amenities, and services.*
 1. Mitigate undesirable vehicle or pedestrian traffic patterns or volumes. -All parking will be on site
 2. Mitigate internal vehicle or pedestrian circulation inefficiencies onsite, and provide for adequate onsite parking given the unique specificities of the proposed use or the proposed site plan. -All parking will be on site. Site will facilitate approximately 50 parking spaces for farm events and uses.
 3. Mitigate material degradation of the level of service of any street. -Heavy traffic is not anticipated at the farm.
 4. Mitigate material degradation of the level of service of any storm water drainage facility or infrastructure, and adequately provide for storm water drainage from the site. -All storm water is retained on site

5. Mitigate material degradation of the level of service of any culinary, secondary, or irrigation water facility or infrastructure, and, if applicable, provide adequate culinary, secondary, or/and irrigation water service to the site. To help determine adequacy of culinary water provisions, the land use authority may require, but are not limited to, the following as a condition of approval of the conditional use permit:
 1. Written verification that the culinary water source of any new public water system can meet the requirements of the Utah Division of Drinking Water and/or the Weber Morgan Health Department; or **See water share transfer letter. Culinary Water comes from Middleton Water Works**
 2. A capacity assessment letter from the Utah Division of Drinking Water for additional connections to any existing public water system; or **N/A**
 3. Written verification that the source of any non-public well providing culinary water for the use meets the requirements of the Weber Morgan Health Department. This verification shall be based on a test of a new or existing well. **N/A**
6. Mitigate material degradation of the level of service of any sanitary sewer service, and, if applicable, provide adequate sanitary sewer service to, or septic system on, the site. **-New public restroom to be constructed as part of the development process. Septic System design will come as part of the building permit process.**
7. Mitigate material degradation of the level of service of any other utility, and, if applicable, adequately provide such utility services to the site. **-N/A**
8. Mitigate material degradation of the level of service, functionality, capacity, or usability of the existing open spaces, public features, or recreational amenities in the area, and, if applicable, adequately provide additional open spaces, public features, or recreational amenities. **-See site plan**
9. Mitigate any disproportionate demand for government services, generally. **-N/A**
3. *Standards relating to the environment.*
 1. Mitigate detrimental effects on the natural features of the site, and the surrounding affected areas, if credible evidence of such a detrimental effect is present; including, but not limited to, rivers and creeks, lakes, ponds, reservoirs, wetlands, drainage ways, groundwater protection, and slopes. **-Any recommendations made by the County Engineer regarding geologic hazard area if applicable. Will make any modifications as informed.**
 2. Mitigate detrimental effects on the natural environment of the site, and the surrounding affected areas, if credible evidence of such a detrimental effect is present; including, but not limited to, wildlife, air quality, water quality (including erosion control), local natural resources, natural vegetation (including protection against noxious or invasive species), and wildland areas. **This area will be farmed and will be maintained under federal regulations.**
4. *Standards relating to the current qualities and characteristics of the surrounding area and compliance with the intent of the general plan.*
 1. Provide buffering, screening, or fencing of the use or site, or provide other landscape features, sufficient to mitigate the proximity of incompatible uses, objectionable site features, and disharmony with existing and future land uses in the area. **-Exempt from landscaping requirements, all other structures that require screening will be screened appropriately from the public right of way if visible from the public right of way.**
 2. Provide hours of operation appropriate for the general nature and character of existing land uses in the area to mitigate conflict or incompatibility with surrounding uses. **- Hours of operation will be from Agri-tourism activities 7:00 am to 9:00 pm with the exception of special events and special occasions. Bed and Breakfast/Glamping lights out at 10:00 pm**
 3. Provide reclamation, restoration, cleanup, or beautification of the site as the use evolves, or as the use is terminated, in order to mitigate aesthetic and nuisance effects. **-Part of the proposed plan is to continue to grow High Mountain Orchard Agritourism. No part of the site will need reclamation or restoration/cleanup. The agri-tourism activities are meant to continue to beautify and grow the site.**
 4. Mitigate nuisance factors, including, but not limited to, light and glare, noise, vibrations, smoke, dust, dirt, odors, gases, noxious matter, heat, electromagnetic disturbances, and radiation, if credible evidence of such a nuisance is present. **-All nuisance factors will be contained within the property boundaries and will not create a nuisance for the neighboring properties or neighborhood.**

5. Mitigate detrimental effects of the use considering the combined effect of it and other main uses on the property. -The uses are cohesive and do not create a detrimental effect.
6. To the extent supported by law, mitigate other general detrimental effects in a manner that sustains the objectives and intentions of the county's general plan, future land use map (or proposed land use map), and this Land Use Code. -Site plan complies with Weber County's General Plan, future land use map and this Land Use Code.
5. Standards relating to performance.
 1. Mitigate potential noncompliance or poor performance by providing appropriate performance measures, including, but not limited to, completion or performance bonds, completion agreements, and development agreements. -A development agreement will go into place once a commercial structure is constructed on site.
 2. Mitigate potential noncompliance or poor performance by requiring regular review or monitoring of certain specified detrimental effects by an appropriately qualified professional. -Planning Dept to review on a periodic time frame
6. *Standards generally.*
 1. Mitigate unsustainable effects on the economy of the surrounding area or county, generally, if credible evidence of such negative effects is present. -N/A
 2. Provide appropriate mitigation of detrimental effects as required in standards found elsewhere in this Land Use Code in a manner that complies with this Land Use Code, and any other federal, state, or local regulation, as may be applicable. -N/A
7. *Voluntary contributions providing satisfactory compliance with applicable standards.* When considering a conditional use, the land use authority has discretion to determine satisfactory compliance with any applicable standard, requirement, provision, or restriction of this chapter if the applicant has voluntarily offered a more desirable alternative to mitigate the reasonably anticipated detrimental effects of the use than those otherwise specified here. The land use authority may require a development agreement to execute the voluntary alternative. N/A

Compliance with Sec 108-1 Design Review

See Narrative, site plan and exhibits with site, single family dwelling, commercial structures, agricultural structures, bed and breakfast and glamping structures.

Compliance with Sec 108-2 Architectural, Design and Landscaping

Exempt

High Mountain Orchard Agritourism Uses

Uses/Activities	Farm Designations
	Ranch (=80 acres)
Farm Stay (Residential and Overnight Lodging Accommodation) Uses/Activities	
Accessory dwelling unit*	•
Agro-ecology research and education center (AREC)*	•
B&B farm dwelling (2 room)*	•
B&B farm retreat (7 room)*	•
B&B farm inn (16 room)*	•
Glamorous camping (glamping)*	•
Conference/education center*	•
Single-family dwelling; a.k.a. Farm house*	•
Health farm*	•
Motor coach/caravan area, agri-tourism*	•

Agriculturally Related Uses/Activities	
Agro-ecology research and education center (AREC)*	•
Barn dance	•
Community garden/rent-a-row	•
Community supported agriculture	•
Corn maze	•
Educational classes	•
Farm museum	•
Farm tour	•
Fee fishing (if aquaculture)	•
Harvest-market*	•
Multi-farmer open air (farmer's) market, agri-tourism*	•
Nursery (plant cultivation)	•
Petting farm/zoo	•

Sleigh/hay ride	•
Special event; as defined by title 38, special events	•
Special occasion, agri-tourism	•
U-pick operation/pumpkin patch	•
Non-Agriculturally Related Uses/Activities	
Agricultural arts center	•
Bakery/cafe featuring farm products*	•
Conference/education center*	•
Fee fishing	•
Food concessions stand*	•
Gift shop (retail)*	•
Haunted house/hay stack/farm	•
Hunting preserve*	•
On-farm store/retail market, agri-tourism*	•

Play area, agri-tourism	•
Restaurant featuring farm products*	•
Special event; as defined by title 38, special events	•
Health farm*	•
Motor coach/caravan area, agri-tourism*	•
Value added product processing*	•