



# Staff Report to the Western Weber and Ogden Valley Planning Commissions

Weber County Planning Division

## Synopsis

### Application Information

**Application Request:** ZTA2023-02, A public hearing to discuss and take action on a proposal to amend the Weber County Code pertaining to the standards and regulations for agritourism operations, allowance for agritourism operations in the S-1, F-10, and F-40 zones, and allowing certain limited agricultural sales in agricultural zones.

**Applicant:** Weber County

**Agenda Date:** Tuesday, November 7, 2023

**File Number:** ZTA2023-02

### Staff Information

**Report Presenter:** Charlie Ewert  
cewert@webercountyutah.gov  
(801) 399-8763

**Report Reviewer:** RG

## Applicable Ordinances

- Chapter 101-2 Definitions
- Chapter 104-2 Agricultural Zones
  - Section 104-2-3 Land Use Table
  - Section 104-2-4 Special Regulations
- Chapter 104-9 Forest Zones
  - Section 104-9-2 Permitted Uses
  - Section 104-9-3 Conditions Uses
  - Section 104-9-4 Minimum Lot Area, Width, and Yard Regulations
- Chapter 104-10 Shoreline Zone
  - Section 104-10-1 Purpose and Intent
  - Section 104-10-2 Permitted Uses
  - Section 104-10-3 Conditional Uses
  - Section 104-10-4 Area Regulations Building Site Area Required
  - Section 104-10-5 Front Yard Regulations
  - Section 104-10-6 Side and Rear Yard Regulations
  - Section 104-10-7 Special Provisions
- Chapter 108-21-1 Agritourism (ALL)

## Legislative Decisions

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

## Summary and Background

The county has received an application to amend the Shoreline Zone (S-1) to allow agritourism as a conditional use in the zone. In reviewing the request, the Ogden Valley Planning Commission became concerned with the significant flexibility of the currently codified Agritourism Ordinance, citing concerns about potential loopholes that could introduce undesirable land uses. The Ogden Valley Planning Commission seemed desirous to expand the allowance of the agritourism use into the S-1 zone, but only after tightening the language of the ordinance.

From the inception of the Agritourism Ordinance in 2012, an agritourism operation has been required to obtain a conditional use permit. The Agritourism Ordinance was initially adopted during a relatively transitional time as it relates to the county's understanding of conditional use permits. At the time, conditional use permits were understood

as being fairly discretionary in nature. With this discretion, it seemed as if the county had wider flexibility when approving or denying a conditional use permit. This perception was based on longstanding practices prior to the mid-2000's.

Since then, however, the county has become more aware of court rulings which strip most of the discretionary decision-making out of the issuance of conditional use permits. Simply stated, a conditional use permit is a permitted use with conditions. As a result, in 2015 the county updated its Conditional Use Permit Ordinance to omit the discretionary language and focus decisions on objective facts and written standards. Changes to the Agritourism Ordinance were not proposed at the time, and thus the more flexible-appearing ordinance language is still present in codified code.

According to state code, if more than one reasonable interpretation of the code can be made, the county must read the code in a manner that favors the landowner. This means that flexible code language will always be required to be read in favor of the landowner, giving credence to the Ogden Valley Planning Commission's concern about potential unintended loopholes.

After review of the ordinance amendments suggested by the Ogden Valley Planning Commission, the Western Weber Planning Commission seemed tentatively in support of tightening the ordinance language. However, there was discussion about concerns over making the ordinance too restrictive to those farmers who want a simple alternative to earning supplemental farm income. To provide for this concern, staff is suggesting the addition of a couple of by-right permitted uses into the agricultural zones that allow certain types of sales to occur on farm-property without the need to obtain a conditional use permit for an agritourism operation. This should simplify access to those uses.

Staff is recommending approval of the attached ordinance amendments. In addition to amending the Agritourism Ordinance and inserting it into the S-1 zone, staff is recommending inserting agritourism into the Forest Zones (F-10 and F-40 zones). Staff is also recommending taking this opportunity to standardize the formatting of the S-1, F-5, F-10, F-40, FR-1, and FR-3 zones to add clarity and better match the formatting, administration, and efficiencies of other zones in the Land Use Code.

## Policy Analysis

### Policy Considerations:

Staff analysis of the ordinance is substantially provided in the comment bubbles in the right-hand column of the attached Exhibit A.

#### *Review guidance.*

When reviewing the proposed amendments, staff recommends the planning commissioners prioritize their review accordingly:

- Start review on line 799. Lines 799 – 1253 pertain directly to regulations specific to agritourism. It offers the substance of the proposed amendments.
  - As can be reviewed in staff's corresponding comments, these changes are intended to tighten the language of these regulations so they provide a more predictable outcome.
  - As you review these lines, if there is any term used that you do not fully understand, it may be better defined in the definitions portion of the proposal on lines 1 – 222.
  - Ogden Valley Planning Commission: The yellow highlights indicate a change a general change in response to some of the discussion in your most recent work session. I rewrote the qualifications section to provide the desirable components of the Agricultural Assessment Act without directly referencing the Act. This way the County Code will not change if the Act changes in the future.
- Then direct your review specifically to the table on line 721 – 722 (Section 104-10-3(d)). This table pertains to uses allowed in the Shoreline (S-1) Zone. Adding the agritourism use to this table is the applicant's actual request.
- Following that, take a glance at the table on line 568 – 569 (Section 104-9-3(l)). In this table you will see that agritourism is being added to the F-10 and F-40 zones.
- From there you may desire to review the proposed changes to the definitions (lines 1 – 222) more

thoroughly to ensure they meet your expectations.

The above encompass all of the proposed changes pertaining to agritourism. Following that review, you may desire to look over the rest of the proposed changes. Perhaps in the following order:

- Review the tables on lines 235 – 237, then lines 242 – 259. These lines pertain to adding new allowed uses to the agricultural zones. As previously mentioned, these new uses were requested by the Western Weber Planning Commission, but serve to help resolve a concern also expressed in the Ogden Valley Planning Commission work sessions. The concern revolved around ensuring minor agriculturally related commercial uses are allowed in a manner that does not involve the more cumbersome conditional use permit of the agritourism use.
- From there, feel free to peruse the proposed reorganization of the FR-1, FR-3, F-5, F-10, and F-40 Zones. These amendments are not intended to change the substance of any regulation that currently exists. Rather, they are intended to organize, reformat, and clarify the existing regulations by assembling them into a consist format. In doing so, staff had to make a few judgment calls when the current regulations do not seem to provide cohesion. The changes, you will see, are in blue underline. Please review at your convenience to ensure staff did not miss anything or misunderstand anything.

## Conformance to the General Plan

Generally, land use code changes should be vetted through the filter of policy recommendations of the applicable general plan. In 2022, the Western Weber General Plan was adopted after a significant public involvement process. In 2016, the Ogden Valley General Plan was adopted, also after a significant public involvement process.

The proposed amendments helps implement numerous goals and objectives of each general plan including the following:

Ogden Valley:

- **Community Character Vision:** *The rural character of Ogden Valley is defined by its open fields, agricultural lands, stands of trees, peace and quiet, dark skies, clean air and water, abundant wildlife, and small villages; ...*
- *“Residents generally support the continuation of viable agricultural operations in Ogden Valley as one of the most significant contributions to the rural character of the Valley.” (p. 5)*
- **Dark Sky Preservation Principle 1.2:** *Promote [...] and encourage astro-, agri-, and ecotourism development.*
- **Land Use Goal 2:** *A goal of Weber County is to support continued agricultural operations in Ogden Valley.*
- **Resource Management Vision:** *The Ogden Valley community desires responsible and sustainable growth while conserving the natural and social character of Ogden Valley. With this vision, Weber County in Ogden Valley is prepared to shape its future by preserving character; promoting sustainability; supporting agriculture, wildlife, habitat, and scenic vistas; and recognizing the importance of management of public lands.*

Western Weber:

- **COMMUNITY CHARACTER PRINCIPLE 2.1:** *Encourage open space preservation of crop producing lands in both agricultural and, where appropriate, residential areas.*
- **Community Character Action Item 2.1.2:** *Support existing and future agritourism operations as a means to supplement farm income.*
- **Community Character Action Item 2.1.3:** *Explore other means by which local agricultural operations may remain financially feasible, such as expanding onsite land-use allowances that will help supplement farm income, provided the uses are not disharmonious to surrounding land uses.*
- **COMMUNITY CHARACTER PRINCIPLE 2.2:** *Provide support for the importance of local food production and local farm-to-table benefits for Weber County’s food economy in support of local farms and reduced environmental impacts.*
- **Community Character Action Item 2.2.1:** *Pursue opportunities to support and create farm-to-table*

**operations such as farmer's markets and roadside produce stands in appropriate areas.** When determining appropriate areas, evaluate whether there are local food deserts that might be best served by one of these operations.

## 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 or 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 #ZTA2023-02, an application to amend the Weber County Code pertaining to the standards and regulations for agritourism operations, allowance for agritourism operations in the S-1, F-10, and F-40 zones, and allowing certain limited agricultural sales in agricultural zones, as well as other administrative and clerical 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 #ZTA2023-02, an application to amend the Weber County Code pertaining to the standards and regulations for agritourism operations, allowance for agritourism operations in the S-1, F-10, and F-40 zones, and allowing certain limited agricultural sales in agricultural zones, as well as other administrative and clerical 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: In Section 104-12-3(f), remove short-term rentals as a permitted use.*
2. *Example: On line number [\_\_\_\_], it should read: [\_\_\_\_\_ desired edits here \_\_\_\_\_].*
3. *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. *Etc.*

### Motion to **table**:

I move we **table** action on File #ZTA2023-02, an application to amend the Weber County Code pertaining to the standards and regulations for agritourism operations, allowance for agritourism operations in the S-1, F-10, and F-40 zones, and allowing certain limited agricultural sales in agricultural zones, as well as other administrative and clerical amendments, as provided in Exhibit A, to provide a date certain, so that:

*Examples of reasons to table:*

- *Example: We have more time to review the proposal.*
- *Example: Staff can get us more information on [\_\_\_\_\_ specify what is needed from staff \_\_\_\_\_].*
- *Example: The applicant can get us more information on [\_\_\_\_\_ specify what is needed from the applicant \_\_\_\_\_].*
- *Example: 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 #ZTA2023-02, an application to amend the Weber County Code pertaining to the standards and regulations for agritourism operations, allowance for agritourism operations in the S-1, F-10, and F-40 zones, and allowing certain limited agricultural sales in agricultural zones, as well as other administrative and clerical amendments, **as provided in Exhibit A. I do so with the following findings:**

*Examples findings for denial:*

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

### Exhibits

- A. Proposed Agritourism Amendments, and related (Redlined Copy).
- B. Proposed Agritourism Amendments, and related (Blacklined Copy).

WEBER COUNTY

ORDINANCE NUMBER 2023-

AN AMENDMENT TO VARIOUS SECTIONS OF THE COUNTY'S LAND USE CODE TO THE SHORELINE (S-1) ZONE TO ENABLE AGRITOURISM AS A CONDITIONAL USE.

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

WHEREAS, those land use ordinances contain various zones, each with a specific purpose and intent, and each with a variety of uses; and

WHEREAS, Agritourism is a listed use, permitted by conditional use permit in certain zones, and regulated by specific regulations in the land use regulations; and

WHEREAS, Agritourism is not currently listed as allowed in the Shoreline (S-1) Zone; and

WHEREAS, The Board of Weber County Commissioners has received an application to amend the land use regulations to also allow agritourism to occur in the Shoreline (S-1) Zone; and

WHEREAS, After thorough consideration, the Ogden Valley Planning Commission desires specific changes to the agritourism regulations to avoid potential abuse and unintended consequences; and

WHEREAS, After thorough consideration, the Western Weber Planning Commission desires specific changes to the Agricultural Zones (A-1, A-2, A-3, and AV-3) to make certain types of agricultural sales permissible without the need for an Agritourism permit; and

WHEREAS, As part of a longstanding effort to reorganize the land use regulations to enhance efficiencies and application, both planning commissions are recommending approval of other land use regulation amendments as proposed herein; and

Commented [E1]: Readdress if planning commission's recommendation is different.

WHEREAS, on October 14, 2023, 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

Commented [E2]: Readdress if planning commission's recommendation is different.

WHEREAS, on October 7, 2023, 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

Commented [E3]: Readdress if planning commission's recommendation is different.

WHEREAS, on [redacted], 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 advance goals and objectives of the Ogden Valley General Plan; and

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 **TITLE 101 GENERAL PROVISIONS**

2 ...

3 **CHAPTER 101-2 DEFINITIONS**

4 **Sec 101-2-2 A Definitions**

5 ~~**Acreage, agri-tourism activity center.** The term "agri-tourism activity center acreage" means the land~~  
6 ~~area within an approved agri-tourism operation that contains the grouping or assemblage of agri-tourism~~  
7 ~~uses/activities. Activity center area consists of that impacted ground lying immediately adjacent to, in~~  
8 ~~between, and within a reasonable distance around each use/activity. Distances greater than 300 feet in~~  
9 ~~between uses/activities and their impacted grounds, represent a separation of activity centers.~~

10 **Acreage, gross.** The term "gross acreage" means a total of all acreage that lies within a project boundary.

11 **Acreage, net developable.** The phrase "net developable acreage" means the total acreage within a project  
12 boundary, subtracting acreage unsuitable for development, as defined by this section or as otherwise  
13 provided in this Land Use Code. When calculating net developable acreage, the area encumbered or  
14 proposed to be encumbered by a street right-of-way or other required right-of-way providing primary access  
15 to a lot is considered area unsuitable for development. The term "net developable area" shall have the  
16 same meaning, unless the context clearly indicates otherwise.

17 ...

18 **Agritourism.** The term "agritourism" means a use, accessory to an agricultural use, which can provide a  
19 means of diversifying agricultural income through broadening an agricultural operation's offerings with an  
20 agriculture-oriented tourism attraction. An agritourism use provides product, activities, and other uses that  
21 are clearly related and incidental to the agricultural operation to which it is accessory.

22 ~~**Agri-tourism.** The term "agri-tourism" means an agricultural accessory use that can provide a means of~~  
23 ~~diversifying a farm's income through broadening its offerings and adding value to its products. They operate~~  
24 ~~during more than six (consecutive or non-consecutive) days per year and provide agriculturally related, and~~  
25 ~~in some instances, non-agriculturally related products and activities that attract members of the public to~~  
26 ~~the farm for retail, educational, recreational, and/or general tourism purposes.~~

27 **Agritourism Events Facility.** The term "agritourism events facility" means an agritourism use or activity  
28 that provides the opportunity for agritourists to rent an area that can act as a venue for events, including,  
29 but not limited to, birthdays, weddings, family reunions, small scale fundraisers, or corporate picnics or  
30 outings that do not constitute a special event as defined by Title 38.

31 **Agritourism Farm Tour.** The term "agritourism farm tour" means an agritourism use or activity that offers  
32 opportunities for the public to learn how a farm functions and where and how food, fiber, fuel, and other  
33 agricultural products are produced. Farm tours frequently highlight the history of the subject farm and, in  
34 general, educate the public about agricultural practices and technology.

35 **Agritourism Fee Fishing.** The term "agritourism fee fishing" means an agritourism use or activity,  
36 approved by the appropriate local, state and federal agency, which provides the opportunity for anglers to  
37 pay a fee for the right to fish on a farm.

38 **Agritourism Glamorous Camping.** The term "agritourism glamorous camping" means an agritourism use  
39 or activity that provides the opportunity for agritourists to rent, on a nightly basis, fully furnished tents or  
40 rustic cabin sites that are characterized by furnishings, amenities, and comforts offered by that of a luxury  
41 hotel room. Furnishings, amenities, and comforts may include but are not limited to luxurious decor, beds,  
42 linens, baths, veranda, spa services, concierge, dining, and chef.

**Commented [E4]:** As a reminder:  
•Black text is text that is currently in the Land Use Code and is not being proposed to change.  
•Red strikethrough text is text currently in the Land Use Code proposed to be deleted.  
•Blue underline text is text proposed to be added.

**Commented [E5]:** Lines 4-222 provide amendments to certain definitions of the Land Use Code. Staff's intention here is to eliminate redundant and unnecessary definitions that are tied to agritourism. At the time of the adoption of the Agritourism Ordinance, these definitions were directly a part of that ordinance. Afterwards those definitions, along with all others spread throughout the Land Use Code, were consolidated into this single chapter. In the context of other definitions of the Land Use Code, or due to proposed changes to the Agritourism Ordinance, some of these definitions should either be removed or modified.

**Commented [E6]:** Proposed ordinance changes makes this definition irrelevant. See lines 952-969.

**Commented [E7]:** Changing from "special occasion"

**Commented [E8]:** Moved from elsewhere to here

**Commented [E9]:** Moved from elsewhere to here

**Commented [E10]:** Moved from elsewhere to here



43 **Agritourism Health Farm.** The term "agritourism health farm" means a farm building designed for the  
44 purpose of providing proactive health and wellness education or physical exercise and diet regimens that  
45 can improve one's quality of life in a rural or spa-like environment. Health and wellness opportunities may  
46 consist of, but are not limited to, general and specialized exercise, wellness, and nutritional classes/ and  
47 consultations, organic cooking classes or workshops, yoga, meditation, and massage therapy.

Commented [E11]: Moved from elsewhere to here

48 **Agritourism Hunting Preserve.** The term "agritourism hunting preserve" means an agritourism use or  
49 activity, approved by the appropriate local, state and federal agency, which provides the opportunity for an  
50 individual or group to pay a fee for the right to hunt on a farm.

Commented [E12]: Moved from elsewhere to here

51 ~~**Agritourism productive acreage.** The term "agritourism productive acreage" means agriculturally~~  
52 ~~productive land area used for the combined purpose of cultivating agricultural products and hosting active~~  
53 ~~tourism attractions (e.g., pumpkin patch, corn maze, U-pick, U-cut Christmas trees, crop tour, bird watching,~~  
54 ~~hunting, horseback/sleigh/wagon rides etc.).~~

Commented [E13]: Deleting this here in favor of qualifying it directly in the Agritourism Ordinance. See lines 846 – 865.

55 **Agritourism You-Pick Operation.** The term "agritourism you-pick operation" means an agritourism use/  
56 or activity that provides the opportunity for customers to pick or harvest fruits and vegetables directly from  
57 the plant grown on a farm location.

Commented [E14]: Moved from elsewhere to here

58 ...

59 **Agricultural arts Arts centerCenter.** The term "agricultural arts center" means a facility designed for the  
60 purpose of offering public education, enjoyment, and enlightenment through artistic expression and/or a  
61 translation of concepts related to art, art history, and art theory. In a conducive agricultural setting, it acts  
62 as a venue for the community to experience, appreciate, and consume art in a variety of forms, including,  
63 but not limited to, visual or media art, literature, music, theatre, film, and/or dance. ~~An agricultural arts center~~  
64 ~~does not provide accommodation for overnight lodging farm-stays; however, it may serve meals when~~  
65 ~~served to event participants and/or guests.~~

Commented [E15]: Deleting non-definition-based standards from definitions. Proposed changes anticipate this change.

66 ...

67 **Agricultural Produce Sales, Onsite.** The phrase "Onsite Agricultural Produce Sales" means farm-produce  
68 sales that are part of an onsite agricultural operation. Offerings for sale include agricultural products and  
69 goods derived from the agricultural operation on which the store is located, and may include other farm-  
70 produce derived from other agricultural operations in Weber County. An Onsite Agricultural Produce Sales  
71 operation does not consist of multiple vendors.

Commented [E16]: This proposed definition goes along with the proposed addition in the table starting on line 236, and Lines 242 – 259.

72 ...

73 **Agroecology Research and Education Center.** The term "agroecology research and education center"  
74 means a facility designed for the purpose of providing academic training in the techniques of agroecology  
75 and sustainable agricultural systems. An Agroecology Research and Education Center conducts theoretical  
76 and applied research and community outreach while offering academic education, practical experience,  
77 training, and public service and instructional opportunities for audiences ranging from school children to  
78 international agencies.

79 ~~**Agro-ecology-research-and-education-center (AREC).** The term "agro-ecology-research-and-education~~  
80 ~~center (AREC)" means a facility designed for the purpose of providing academic training in the techniques~~  
81 ~~of agro-ecology and sustainable agricultural systems. An AREC conducts (theoretical and applied) research~~  
82 ~~and community outreach while offering academic education, practical experience/training and public~~  
83 ~~service/instruction opportunities for audiences ranging from local school children to international agencies.~~  
84 ~~Such a facility may afford meals and overnight lodging facilities for faculty, staff, and/or~~  
85 ~~students/apprentices.~~

86 ...



87 **Sec 101-2-3 B Definitions**

88 ~~**Bed and breakfast (B&B) farm dwelling, agri-tourism.** The term "agri-tourism B&B farm dwelling" means~~  
89 ~~an owner-occupied farm house further utilized for the purpose of providing overnight lodging~~  
90 ~~accommodations and meals to overnight guests.~~

**Commented [E17]:** Unnecessary definition. Consolidated into "lodging house"

91 ~~**Bed and breakfast (B&B) farm retreat, agri-tourism.** The term "agri-tourism B&B farm retreat" means an~~  
92 ~~owner-occupied farm house further utilized for the purpose of providing overnight lodging accommodations~~  
93 ~~as well as meals to overnight guests and the visiting day-use public within an internally incorporated dining~~  
94 ~~area.~~

**Commented [E18]:** Unnecessary definition. Consolidated into "lodging house"

95 ...

96 **Sec 101-2-5 D Definitions**

97 **Dude ranch.** The term "dude ranch" means a commercial vacation ranch operation that provides  
98 activities related to a ranch lifestyle, which may include camping, horseback riding, and wrangling, and  
99 which may also offer ~~short-term rental accommodations~~ a [lodging house](#) for guests engaged in these  
100 activities.

**Commented [E19]:** See definition of lodging house on lines 155 – 158.

101 ...

102 **Sec 101-2-7 F Definitions**

103 ~~**Farm inn, agri-tourism.** The term "agri-tourism farm inn" means a farm building designed for the purpose~~  
104 ~~of providing overnight lodging accommodations as well as meals to overnight guests and the visiting day-~~  
105 ~~use public within an internally incorporated dining area.~~

**Commented [E20]:** Unnecessary definition. Consolidated into "lodging house"

106 ~~**Farm stay, agri-tourism.** The term "agri-tourism farm stay" means a general agri-tourism use/activity~~  
107 ~~category that comprises a variety of overnight lodging accommodations made available at a working farm~~  
108 ~~that is approved for an agri-tourism operation. A farm stay, for any group or individual, does not exceed 14~~  
109 ~~(consecutive or non-consecutive) calendar days per month; however, farm stays may serve as an~~  
110 ~~interactive recreational activity that offers agri-tourists, including children, opportunities to participate in~~  
111 ~~feeding animals, collecting eggs, and/or learning how a farm functions through practical day-to-day~~  
112 ~~experience. A farm stay may also consist of a retreat or be described as a work exchange, where the~~  
113 ~~guests, for recreational purposes, work in exchange for free or discounted accommodations.~~

**Commented [E21]:** The proposed changes herein make this definition irrelevant.

**Commented [E22]:** This is a standard, not a definition

114 ~~**Farm tour, agri-tourism.** The term "agri-tourism farm tour" means an agri-tourism use/ or activity that~~  
115 ~~offers opportunities for the "non-farm" public to learn how a farm functions and where and /how food, fiber,~~  
116 ~~fuel, and other agricultural products are produced and/or packaged. Farm tours frequently highlight the~~  
117 ~~history of the subject farm and, in general, foster a broader understanding of the importance of agriculture~~  
118 ~~and educate the public as to current agricultural practices and technology.~~

**Commented [E23]:** Moved to lines 31-34.

119 ~~**Fee fishing, agri-tourism.** The term "agri-tourism fee fishing" means an agri-tourism use/activity, approved~~  
120 ~~by the appropriate local, state and/or federal agency, which provides the opportunity for anglers to pay a~~  
121 ~~fee for the right to fish on a farm. Fee fishing is a non-agriculturally related use unless provided as an~~  
122 ~~accessory to a bona fide aquaculture operation.~~

**Commented [E24]:** Moved to lines 35-37.

123 ...

124 **Sec 101-2-8 G Definitions**

125 ...

126 ~~**Glamorous camping (glamping), agri-tourism.** The term "agri-tourism glamorous camping (glamping)"~~  
127 ~~means an agri-tourism use/activity that provides the opportunity for agri-tourists to rent, on a nightly basis,~~

**Commented [E25]:** Moved to lines 38-42.

128 fully furnished tents and/or rustic cabin sites that are characterized by furnishings, amenities, and comforts  
129 offered by that of a luxury hotel room. Furnishings, amenities, and comforts may include but not be limited  
130 to, luxurious decor, beds, linens, baths, veranda, spa services, concierge, dining, and chef.

131 ...

### 132 **Sec 101-2-9 H Definitions**

133 ...

134 ~~**Harvest market, agri-tourism.** The term "agri-tourism harvest market" means an agri-tourism use/activity  
135 that provides the opportunity for customers to purchase a wide variety of farm products at one farm location.  
136 A harvest market does not consist of multiple farm vendors; however, it offers for sale, agricultural products  
137 and goods derived from the farm on which the harvest market is located as well as other commonly owned  
138 and/or independent or unaffiliated Weber County farms.~~

139 ...

140 ~~**Health farm, agri-tourism.** The term "agri-tourism health farm" means a farm building, including overnight  
141 lodging facilities, designed for the purpose of providing proactive health and wellness education and/or  
142 physical exercise and diet regimens that can, in a rural and spa-like environment, improve one's quality of  
143 life in a rural and spa-like environment. Health and wellness opportunities may consist of, but are not limited  
144 to, general and specialized exercise, wellness, and nutritional classes/consultations, organic cooking  
145 classes or workshops, yoga, meditation, and massage therapy. A health farm may serve meals only when  
146 served to participating clientele.~~

147 ...

148 ~~**Hunting preserve, agri-tourism.** The term "agri-tourism hunting preserve" means an agri-tourism use or  
149 activity, approved by the appropriate local, state and/or federal agency, which provides the opportunity for  
150 an individual or group to pay a fee for the right to hunt on a farm. A hunting preserve is a non-agriculturally  
151 related use unless provided as an accessory to a bona fide agricultural operation.~~

152 ...

### 153 **Sec 101-2-13 Loc - Lod Definitions**

154 ...

155 ~~**Lodging House.** The term "Lodging House," also referred herein as "Boardinghouse," means a building  
156 designed for temporary lodging for compensation, in which no provision is made for cooking in any  
157 individual guest room or suite. Unless otherwise more specifically provided in this Land Use Code, a  
158 Lodging House has between one and 15 guest rooms.~~

159 ~~**Lodging house/boardinghouse.** The term "lodging house/boardinghouse" means a building where  
160 lodging only is provided for compensation in five or more guest rooms, but not exceeding 15 persons.~~

161 ...

### 162 **Sec 101-2-14 M Definitions**

163 ...

164 ~~**Motor coach/caravan area, agri-tourism.** The term "agri-tourism motor coach/caravan area" means an  
165 area, within an approved agri-tourism operation, that provides individual sites for the temporary parking  
166 and occupation of recreational vehicles (i.e., motor coach, camper van, trailer, etc.).~~

167 ...

**Commented [E26]:** Replacing with "onsite agricultural produce sales." See lines 67 – 71.

**Commented [E27]:** Moved to lines 43 – 47.

**Commented [E28]:** Moved to lines 48-50.

**Commented [E29]:** Revising this definition using similar language found in hotel. A hotel is defined this same way except has 16+ rooms.

**Commented [E30]:** Unnecessary and antiquated term. See "recreational vehicle or travel trailer," lines 202-206, instead.

168 **Sec 101-2-16 O Definitions**

169 ~~On farm store/retail market, agri-tourism.~~ The term "agri-tourism on farm store/retail market" means an  
170 agri-tourism use/activity that provides the opportunity for a farmer to sell retail quantities of agriculturally  
171 related products and, in some cases, non-agriculturally related products directly to the consumer or agri-  
172 tourist.

**Commented [E31]:** No longer needed. Revised code replaces this phrase with "market," which does not need a specialized definition outside of Merriam Webster.

173 ...

174 **Sec 101-2-17 P Definitions**

175 ...

176 ~~Play area, agri-tourism.~~ The term "agri-tourism play area" means an area within an agri-tourism  
177 operation's activity center that is dedicated to open and informal play. The play area may include, but not  
178 be limited to, conventional and unconventional playground equipment.

**Commented [E32]:** Unnecessary definition.

179 ...

180 ~~Product, agricultural.~~ The term "agricultural product" means any raw product which is derived from  
181 agriculture, including fruits, vegetables, crops, floriculture, herbs, forestry, animal husbandry, livestock,  
182 aquaculture products, water plants, horticultural specialties, and other similar products that can be broadly  
183 classified as a food, fiber, fuel, or a raw material group. Specific foods may include cereals, fruits,  
184 vegetables, and meat. Fibers may include cotton, wool, hemp, silk and flax. Raw materials may include  
185 lumber and other plant products.

186 ~~Product, agriculturally related.~~ The term "agriculturally related product" means any item that is sold at a  
187 specific farm, approved for agri-tourism, which attracts customers and promotes the sale of agricultural  
188 products. Such items may include, but are not limited to, all agricultural products, baked goods, cheese, ice  
189 cream and ice cream-based desserts and beverages, jams, honey, and other food stuffs or products that  
190 feature ingredients produced on a specific farm, approved for agri-tourism, or other farm located within  
191 Weber County. Additional agriculturally related products may consist of, but are not limited to, gift items,  
192 clothing and other items that directly promote the specific farm and/or the agriculture industry in Weber  
193 County.

**Commented [E33]:** The proposal steers away from this term, in favor of specifically stating that non-ag products can only be offered for sale if offered alongside product produced by the farm.

194 ~~Product, non-agriculturally related.~~ The term "non-agriculturally related product" means any item that is  
195 sold at a specific farm, approved for agri-tourism, which is not connected to farming nor derived from that  
196 farm's operation or other farm located in Weber County. Non-agriculturally related products may include,  
197 but are not limited to, novelty t-shirts or other clothing, crafts, knick-knacks and/or products imported from  
198 other counties, states or countries.

**Commented [E34]:** Proposed amendments eliminates the need for this definition.

199 ...

200 **Sec 101-2-20 Sp Definitions**

201 ...

202 ~~Recreational vehicle or travel trailer.~~ The term "recreational vehicle," also known herein as "travel  
203 trailer," means a vehicular unit, other than a mobile home, designed as a temporary dwelling for travel,  
204 recreational, and vacation use, which is either self-propelled or is mounted on or pulled by another vehicle  
205 including, but not limited to: travel trailer, camp trailer, folding tent trailer, truck camper, or motor home,  
206 but not including mobile or manufactured homes.

**Commented [E35]:** Using this instead of "motor coach/caravan" in lines 164-166.

207 ~~Recreational vehicle/travel trailer.~~ The term "recreational vehicle/travel trailer" means a vehicular unit,  
208 other than a mobile home, designed as a temporary dwelling for travel, recreational, and vacation use,

209 which is either self-propelled or is mounted on or pulled by another vehicle including, but not limited to:  
210 travel trailer, camp trailer, folding tent trailer, truck camper, or motor home.

211 ...

212 **Sec 101-2-20 S Definitions**

213 ...

214 ~~Special occasion, agri-tourism~~. The term "agri-tourism special occasion" means an agri-tourism use/ or  
215 activity that provides the opportunity for agri-tourists to rent an area that can act as a venue for events,  
216 including, but not limited to, birthdays, weddings, family reunions, small scale fundraisers, and/or corporate  
217 picnics/outings that do not constitute a special event as defined by title Title 38, special events

218 ...

219 **Sec 101-2-22 U Definitions**

220 ~~U-pick operation, agri-tourism~~. The term "agri-tourism u-pick operation" means an agri-tourism  
221 use/activity that provides the opportunity for customers to pick or harvest fruits and vegetables directly from  
222 the plant grown on a farm location.

223 ...

224

Commented [E36]: Replacing with "events facility"

Commented [E37]: Moving to lines 55-56.

225 **TITLE 104 ZONES**

226 ...

227 **CHAPTER 104-2 AGRICULTURAL ZONES**

228 ...

229 **Sec 104-2-3 Land Use Table**

230 The following tables display the uses permitted, conditionally permitted, or not permitted in the agricultural  
 231 zones. The letter "P" indicates a permitted use in the zone. The letter "C" indicates a use that requires a  
 232 conditional use permit, as governed by Title 108 Chapter 4, in the zone. The letter "N" indicates a use that  
 233 is prohibited in the zone. A use listed is a main use, unless listed in the "accessory uses" table.  
 234

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

	AV-3	A-1	A-2	A-3	Special Provisions
<b>Accessory building</b> , accessory and incidental to the use of a main building.	P	P	P	P	
<b>Accessory dwelling unit.</b>	P	P	P	P	See <u>Chapter 108-19</u> .
<b>Accessory use</b> , accessory and incidental to the main use.	P	P	P	P	
<b>Agricultural Produce Sales, Onsite.</b> <u>The sales of agricultural products produced onsite, accessory to an agricultural operation.</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>See Section 104-2-4. 5-acre use.</u>
<b>Custom exempt meat cutting</b> , accessory to a residential use.	C	N	N	N	See <u>Section 104-2-4. 5-acre use.</u>
<b>Family food production</b> , accessory to a residential use.	P	P	P	P	See <u>Section 104-2-4.</u>
<b>Home occupation</b> , accessory to a residential use.	P	P	P	P	See <u>Chapter 108-13.</u>
<b>Household pets</b> , accessory to a residential use.	P	P	P	P	
<b>Main building</b> , designed or used to accommodate the main use.	P	P	P	P	
<b>Parking lot</b> , accessory to a main use allowed in the zone.	P	P	P	P	
<b>Parking of large vehicle</b> , accessory to residential use.	C	C	C	C	See <u>Section 104-2-4. 5-acre use.</u>
<b>Parking of construction vehicle.</b>	C	C	C	C	See <u>Section 104-2-4. 5-acre use.</u>
<b>Sugar beet loading or collection station.</b>	C	N	P	P	
<b>Sugar beet dump site.</b>	N	N	P	P	

**Commented [E38]:** Adding this allowance to offset the stricter requirements of the agritourism revisions.

237

Temporary building or use, accessory and incidental to onsite construction work.	P	P	P	P	
	AV-3	A-1	A-2	A-3	Special Provisions
Agriculture.	P	P	P	P	
Agriculture, community-oriented. A crop production operation for use by the broader public, such as a community garden, rental row operation, or you-pick operation.	P	P	P	P	
Agricultural experiment station.	P	P	P	P	
Aquaculture.	P	P	P	P	
Fruit or vegetable stand, for produce grown on the premises only.	P	P	P	P	
Fruit and vegetable storage and packing plant, for produce grown on premises.	P	P	N	N	5-acre use.
Grain storage elevator.	N	N	N	P	5-acre use.
Greenhouse and nursery. Sales are limited to plants produced on the premises.	P	P	P	P	
Laboratory facility, for agricultural products and soils testing.	C	C	C	C	
Manure spreading, drying and sales.	N	N	N	C	

Commented [E39]: Adding this allowance to offset the stricter requirements of the agritourism revisions.

Commented [E40]: The addition of Agricultural Produce Sales, Onsite accomplishes this.

238 ...

239 **Sec 104-2-4 Special Regulations**

240 The uses listed below correspond with certain uses listed in the Land Use Table in Section 104-2-3. Due  
241 to the nature of the use, each shall be further regulated as follows:

- 242 (a) **Agricultural Produce Sales, Onsite.** The sales of onsite agricultural produce shall be governed as  
243 follows:
- 244 (1) **Onsite.** For the purposes of this use, "onsite" shall mean on the same lot or parcel, or on a parcel  
245 that is part of a larger group of contiguous parcels all under the same ownership, excluding  
246 contiguity interrupted by a street right-of-way.
- 247 (2) **Same owner/operator.** The sales shall only be operated by the owner or manager of the onsite  
248 agricultural operation.
- 249 (3) **Limitation on items sold.** Sales shall be limited to Agricultural Products, at least one of which  
250 must be produced onsite and shall be continuously offered for sale during all times that offsite  
251 produce is offered for sale.
- 252 (4) **Allowed footprint.** If sales occur within a building, the footprint of the building area used for sales  
253 shall be limited to no more than 0.025 percent of the total area of the agricultural operation. If sales  
254 occur outdoors, the footprint of the area used for sales shall be limited to no more than 1.0 percent  
255 of the total area of the agricultural operation.

Commented [E41]: Qualifying the new allowed use so it does not grow too large so as to create a nuisance to adjacent owners.

256 (5) **Setback requirement.** Except warehousing and storage, all sales activities shall be conducted at  
257 a minimum distance from an adjoining property. That distance shall be the greater of:

258 a. 10 feet, or

259 b. One foot for every 200 square feet of footprint used for the sales activities, up to 100 feet.

260 (a)(b) **Animal grazing.** This use shall not include the supplementary or full feeding of the animals, except  
261 when in compliance with the following:

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

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

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

268 (b)(c) **Animal feeding operation.** This use may include supplemental or full feeding. However, it is  
269 prohibited to feed animals any market refuse, house refuse, garbage, or offal that was not produced on  
270 the premises. The following additional standards apply for hog feeding:

271 (1) All pens and housing for hogs shall be concrete and maintained in a sanitary manner.

272 (2) Drainage structures and disposal of animal waste shall be provided and properly maintained as  
273 required by the local health department.

274 (e)(d) **Animal feeding operation, large concentrated.** A large concentrated animal feeding operation  
275 shall not be located within a half-mile of a zone boundary, unless the boundary is shared with another  
276 zone in which this use is allowed. Additionally, the area of confinement devoted to the feeding of the  
277 animals in any new large concentrated animal feeding operation shall be set back at least one quarter-  
278 mile from every property boundary.

279 (e)(e) **Corral, stable or building for keeping animals or fowl.** This use shall be located no less than  
280 100 feet from a public street and not less than 25 feet from any side or rear lot line.  
281 **Custom exempt meat cutting.** This use shall be limited to animals that are part of one or more  
282 livestock operation(s) in Weber County. This use shall only occur if it is accessory to a dwelling onsite,  
283 completely enclosed within a building with no outdoor storage, and located on and with access directly  
284 from a collector or arterial street.

285 (f) **Dog breeding, dog kennels, or dog training school.** This use shall not exceed ten dogs of more  
286 than ten weeks old, per acre, at any time. Any building or enclosure for animals shall be located not  
287 less than 100 feet from a public street and not less than 50 feet from any side or rear property line.  
288

289 (e)(g) **Family food production.**

290 (1) As used in this subsection, a Group A animal is either one pig, one sheep, one cow, or one goat,  
291 and Group B animals or fowl are either a set of ten rabbits, ten chickens, ten pheasants, five  
292 turkeys, five ducks, five geese, or five pigeons.

293 (2) No more than four sets of Group B animals or fowl may be kept on a lot or parcel that is less than  
294 40,000 square feet.

295 (3) No more than six combined sets of Group A animals and sets of Group B animals or fowl may be  
296 kept on a lot or parcel that is less than two acres. The same applies to a lot or parcel greater than  
297 two acres, except that an additional six combined sets of Group A and sets of Group B animals or  
298 fowl may be kept per each additional acre greater than two.

299 (f)(h) **Parking of construction vehicle.** The off-site for-profit nonagricultural use of the construction  
300 vehicle shall be restricted to the owner or operator of an actively operating agricultural use on the same  
301 lot or parcel on which it is parked, or the owner or operator's employee. This use shall:



- 302 (1) Be accessory to an actively-operating agricultural use on the lot or parcel;
- 303 (2) Be restricted to vehicles and related equipment that are used for the actively-operating agricultural
- 304 use;
- 305 (3) Include no more than one three-axle truck, and no pups.
- 306 ~~(g)~~(i) **Parking of large vehicle.** This use shall be restricted to one vehicle, no greater than 24,000 pound
- 307 GVW, which shall be parked at least 50 feet from a public street. Recreational vehicles are exempt
- 308 from these restrictions.
- 309 ~~(h)~~(i) **Temporary building or use.** The building or use shall be removed upon completion or
- 310 abandonment of the construction work.
- 311 ...
- 312

313 **CHAPTER 104-~~8~~13 FOREST RESIDENTIAL ZONES**  
 314 **Sec 104-13~~8~~-1 Zone Character And Objectives Purpose and Intent**

315 The purpose of the forest residential zone is to provide area for residential development in a forest setting.  
 316 (a) ~~The FR-1 zone is intended to provide at a~~ low density development, as well as to protect as much as  
 317 possible the naturalistic environment of the development.

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

324 **Sec 104-13-2 (Reserved) Permitted Uses**

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

- 326 (a) ~~Accessory building incidental to the use of a main building; main building designed or used to~~  
 327 ~~accommodate the main use to which the premises are devoted; and accessory uses customarily~~  
 328 ~~incidental to a main use.~~
- 329 (b) ~~Accessory dwelling unit, in compliance with Chapter 108-19.~~
- 330 (c) ~~Agriculture.~~
- 331 (d) ~~Animals and fowl kept for family food production.~~
- 332 (e) ~~Cluster subdivision, in accordance with title 108, chapter 3.~~
- 333 (f) ~~Corral, stable or building for keeping animals or fowl, provided such building shall be located not less~~  
 334 ~~than 100 feet from a public street, and not less than 25 feet from any side or rear lot line, 40 feet from~~  
 335 ~~the residence and 75 from the nearest adjacent residence.~~
- 336 (g) ~~Greenhouse, noncommercial only.~~
- 337 (h) ~~Home occupations.~~
- 338 (i) ~~Horses for private use only, and provided that not more than two horses may be kept for each one acre~~  
 339 ~~of land - exclusively devoted to the keeping of horses.~~
- 340 (j) ~~Household pets which do not constitute a kennel.~~
- 341 (k) ~~Single family dwelling.~~
- 342 (l) ~~Temporary building for use incidental to construction work. Such building shall be removed upon the~~  
 343 ~~completion or abandonment of the construction work.~~
- 344 (m) ~~Residential facilities for persons with a disability meeting the requirements of section 108-7-13.~~

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

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

- 348 (a) ~~Bed and breakfast dwelling, subject to the following standards:~~  
 349 ~~(1) Two parking spaces shall be provided for the host family plus one space for each guest room;~~  
 350 ~~(2) Proprietor or owner shall occupy the property;~~  
 351 ~~(3) Meals shall only be served to overnight guests;~~  
 352 ~~(4) Signs are limited to a nameplate identification sign not exceeding two square feet in area per~~  
 353 ~~dwelling;~~  
 354 ~~(5) Not more than two guests sleeping rooms per dwelling;~~  
 355 ~~(6) Allowed only in existing dwellings with no exterior additions nor change in residential character;~~  
 356 ~~and~~  
 357 ~~(7) Business license shall be obtained.~~
- 358 (b) ~~Bed and breakfast inn, subject to the following standards and criteria:~~  
 359 ~~(1) Proprietor or owner shall occupy the premises;~~  
 360 ~~(2) Not more than seven sleeping rooms per inn.~~

**Commented [E42]:**

This section reformats the FR zones to follow the same conventions as other zone sections. No substantive changes are intended. This change also does two things:

- Moves the FR-1 zone from Chapter 104-13 to Chapter 104-8
- Deletes the FR-3 zone from Chapter 104-17 and consolidates it into Chapter 104-8 alongside its FR-1 counterpart.

These changes are intended to be predominantly administrative in nature, with no or limit substantive changes to ensure all pieces fit together. The overall goal, as with many other reformattings, is to consolidate the fragmented ordinances back into one cohesive and well organized set of ordinances.

Changes to the FR-1 and FR-3 zone are inconsequential to the agritourism changes. If anything in this section is controversial, then these can be easily dropped from the proposal.

**Commented [E43]:** Being moved here from the FR-3 chapter.

- 361 (3) The lot must be at least 2½ acres in area with frontage on a public street of at least 250 feet in  
362 width;
- 363 (4) The lot shall have frontage on a major street as shown on the county general plan (state highway  
364 or county major street);
- 365 (5) The lot shall not be in a recorded subdivision unless the lot is specifically created for the purpose  
366 of a bed and breakfast inn;
- 367 (6) The inn shall be at least 300 feet from the nearest existing dwelling;
- 368 (7) Two parking spaces shall be provided for the host family plus one space for each guest sleeping  
369 room;
- 370 (8) The guest parking shall be in the rear of the inn;
- 371 (9) Meals shall be served to registered overnight guests only;
- 372 (10) Signs are limited to one nameplate or one identification sign of not more than eight square feet in  
373 area;
- 374 (11) The site shall be landscaped to provide a visual and noise buffer to adjoining property; a landscape  
375 plan shall be submitted with site plan;
- 376 (12) The inn shall be of a historic period or other distinguishable architectural style or design so as not  
377 to resemble the modern block motel appearance;
- 378 (13) A business license shall be obtained;
- 379 (14) All units to be in one building together with owner's residence.
- 380 (c) Church, synagogue or similar permanent building used for regular religious worship.
- 381 (d) Educational institution, with five-acre minimum lot size.
- 382 (e) Educational/institutional identification sign.
- 383 (f) Golf course, except miniature golf.
- 384 (g) Parking lot accessory to uses permitted in this zone.
- 385 (h) Private park, playground or recreation area, but not including privately owned commercial amusement  
386 business.
- 387 (i) Public building, public park, recreation grounds and associated buildings.
- 388 (j) Ski resorts, including summer skateboard activities as an accessory use.
- 389 (k) Water storage reservoir developed by a public agency.

390

391 **Sec 104-8-3 Land Use Table**

392 The following tables display the uses permitted, conditionally permitted, or not permitted in the agricultural  
 393 zones. The letter "P" indicates a permitted use in the zone. The letter "C" indicates a use that requires a  
 394 conditional use permit, as governed by Title 108 Chapter 4, in the zone. The letter "N" indicates a use that  
 395 is prohibited in the zone. A use listed is a main use, unless listed in the "accessory uses" table.

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

	FR-1	FR-3	Special Regulations
<b>Accessory building,</b> accessory and incidental to the use of a main building.	P	P	
<b>Accessory dwelling unit.</b>	P	P	See Title 108, <u>Chapter 19</u>
<b>Accessory use,</b> accessory and incidental to the main use.	P	P	
<b>Family food production,</b> accessory to a residential use.	P	N	<u>See Section 104-8-4</u>
<b>Home occupation,</b> accessory to a residential use.	P	P	<u>See Chapter 108-13</u>
<b>Household pets,</b> accessory to a residential use.	P	P	-
<b>Lockout sleeping room,</b> accessory to a dwelling unit.	N	C	No more than two per dwelling unit.
<b>Main building,</b> designed or used to accommodate the main use.	P	P	
<b>Parking lot,</b> accessory to a main use allowed in the zone.	C	<u>P</u>	
<b>Temporary building or use,</b> accessory and incidental to onsite construction work.	P	P	<u>See Section 104-8-4</u>

**Commented [E44]:** All of the blackline changes in the following tables are provisions that already exist in either the FR-1 or FR-3 zones.

398 (b) Agricultural uses, non-animal.

	<a href="#">FR-1</a>	<a href="#">FR-3</a>	<a href="#">Special Regulations</a>
<b>Agriculture.</b>	P	N	
<b>Greenhouse and nursery.</b>	P	N	Onsite sales are limited to plants produced on the premises.

399 (c) [Animal-related noncommercial uses.](#) The following are animal-related uses that do not and shall not  
400 typically generate customer-oriented traffic to the lot or parcel.

	<a href="#">FR-1</a>	<a href="#">FR-3</a>	<a href="#">Special Regulations</a>
<b>Animal grazing.</b> Animal grazing, as defined in Section 101-2.	P	N	<a href="#">See Section 104-8-4</a>
<b>Apiary.</b>	P	N	-
<b>Aviary.</b>	P	N	-
<b>Corral, stable or building for keeping animals or fowl.</b>	P	N	<a href="#">See Section 104-8-4</a>
<b>Stable for horses, noncommercial.</b>	P	N	<a href="#">Horses shall be for noncommercial use only.</a> No more than two horses shall be kept for each one acre of land used for the horses.

**Commented [E45]:** Corralling and stabling are currently allowed in the FR-1 zone, but for some reason grazing is not. Suggest adding.

**Commented [E46]:** Can't think of a reason why the FR-1 zone does not currently allow apiaries.

**Commented [E47]:** This use is currently combined into "Corral, stable or building for keeping animals or fowl..."

401 (d) [Commercial uses.](#) The following are uses that typically generate for-profit customer-oriented traffic to  
402 the lot or parcel.

	<a href="#">FR-1</a>	<a href="#">FR-3</a>	<a href="#">Special Regulations</a>
<b>Conference or education center.</b>	N	C	
<b>Golf course,</b> except miniature golf course.	C	N	
<b>Ski resort.</b>	C	N	-

403 (e) [Institutional uses.](#)

	<a href="#">FR-1</a>	<a href="#">FR-3</a>	<a href="#">Special Regulations</a>
--	----------------------	----------------------	-------------------------------------

<b>Church, synagogue, or similar building used for regular religious worship.</b>	C	N	
<b>Public building.</b>	C	C	
<b>Public school,</b> or private educational institution having a curriculum similar to that ordinarily given in public schools.	C	N	Five acre minimum use in FR-1 Zone.

404 (f) Residential uses.

	<a href="#">FR-1</a>	<a href="#">FR-3</a>	<a href="#">Special Regulations</a>
<b>Bed and breakfast dwelling.</b>	C	N	<a href="#">See Section 104-8-4</a>
<b>Bed and breakfast inn.</b>	C	C	<a href="#">See Section 104-8-4</a>
<b>Condominium</b> rental apartment (condo-tel), or timeshare building.	N	C	
<b>Dwelling, single-family.</b>	P	P	
<b>Dwelling, two-family.</b>	N	P	
<b>Dwelling, three-family.</b>	N	P	
<b>Dwelling, four-family.</b>	N	P	
<b>Dwelling, multi-family.</b>	N	C	
<b>Group dwelling.</b>	N	C	See Section 108-7-11
<b>Lodging house.</b>	N	C	<a href="#">See Section 104-8-4</a>
<b>Recreation lodge.</b>	N	C	
<b>Residential facility for disabled persons.</b>	P	P	See Section 108-7-13
<b>Short-term rental.</b>	N	P	See Title 108, Chapter 11

405 (g) Recreational noncommercial uses. The following are recreational uses that are typically owned or  
 406 operated by a nonprofit or governmental entity.

	<a href="#">FR-1</a>	<a href="#">FR-3</a>	<a href="#">Special Regulations</a>
<b>Private park, playground or recreation area.</b> No privately owned commercial amusement business.	C	C	
<b>Public park, recreation grounds</b> and associated buildings.	C	C	

407 (h) Utility uses.

	<a href="#">FR-1</a>	<a href="#">FR-3</a>	<a href="#">Special Regulations</a>
<b>Public utility substations.</b>	C	C	-
<b>Water storage reservoir,</b> when developed by a utility service provider.	C	N	See Title 108, Chapter 10

408

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

410 ~~Signs shall meet requirements of chapter 32B, Valley Commercial Signs if located within the Ogden Canyon~~  
 411 ~~or Ogden Valley area.~~

412 **Sec 104-8-4 Special Regulations**

413 The uses listed below correspond with certain uses listed in the Land Use Table in Section 104-8-3. Due  
 414 to the nature of the use, each shall be further regulated as follows:

415 (a) Animal grazing. This use shall not include the supplementary or full feeding of the animals, except  
 416 when in compliance with the following:

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

419 (2) It shall not exceed a density of 40 head per acre of used land.

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

422 (a)(b) Bed and breakfast dwelling. This use is subject to the following:

- 423 (1) Two parking spaces shall be provided for the owner plus one space for each guest room;
- 424 (2) Proprietor or owner shall occupy the property;
- 425 (3) Meals shall only be served to overnight guests;
- 426 (4) Signs are limited to a nameplate identification sign not exceeding two square feet in area per  
 427 dwelling;
- 428 (5) Not more than two guests sleeping rooms per dwelling;
- 429 (6) Allowed only in existing dwellings with no exterior additions nor change in residential character;  
 430 and

**Commented [E48]:** Pasting these regulations in from the corresponding section of the agricultural zones chapter. (For consistency)

**Commented [E49]:** A standard provision for this use in other zones that allow it.



431 (7) Business license shall be obtained.

432 ~~(b)~~(c) **Bed and breakfast inn or lodging house.** This use is subject to the following:

- 433 (1) Proprietor or owner shall occupy the premises.
- 434 (2) Two parking spaces shall be provided for the owner plus one space for each guest sleeping room.
- 435 (3) Meals shall be served to registered overnight guests only.
- 436 (4) Signs are limited to one nameplate or one identification sign.
- 437 (5) A business license shall be obtained.
- 438 (6) The following are additional standards applicable in the FR-1 zone:
  - 439 a. Not more than seven sleeping rooms allowed, with all located within the same building as the
  - 440 owner's residence.
  - 441 b. The lot must be at least 2½ acres in area with frontage on a public street of at least 250 feet in
  - 442 width.
  - 443 c. The lot shall have frontage on a major street as shown on the county general plan (Arterial
  - 444 Street or Collector Street).
  - 445 d. The lot shall not be in a recorded subdivision unless the lot is specifically created for the
  - 446 purpose of a bed and breakfast inn.
  - 447 e. The inn shall be at least 300 feet from the nearest existing dwelling.
  - 448 f. The guest parking shall be in the rear of the inn.
  - 449 g. Signs are limited to one nameplate or one identification sign of not more than eight square feet
  - 450 in area.
  - 451 h. The site shall be landscaped to provide a visual and noise buffer to adjoining property; a
  - 452 landscape plan shall be submitted with site plan.
  - 453 i. The inn shall be of a historic period or other distinguishable architectural style or design so as
  - 454 not to resemble the modern block motel appearance.

455 (d) Corral, stable or building for keeping animals or fowl. This use shall be located no less than 100  
456 feet from a public street and not less than 25 feet from any side or rear lot line.

457 (e) Family food production.

458 (1) As used in this subsection, a Group A animal is either one pig, one sheep, one cow, or one goat,  
459 and Group B animals or fowl are either a set of ten rabbits, ten chickens, ten pheasants, five  
460 turkeys, five ducks, five geese, or five pigeons.

461 (2) No more than four sets of Group B animals or fowl may be kept on a lot or parcel that is less than  
462 40,000 square feet.

463 (3) No more than six combined sets of Group A animals and sets of Group B animals or fowl may be  
464 kept on a lot or parcel that is less than two acres. The same applies to a lot or parcel greater than  
465 two acres, except that an additional six combined sets of Group A and sets of Group B animals or  
466 fowl may be kept per each additional acre greater than two.

467 ~~(e)~~(f) **Group dwelling.** Group dwellings shall be considered as one building for the purpose of setback  
468 requirements, with the entire group of dwellings as one unit requiring one front, one rear, and two side  
469 yards as specified for dwellings. No two separate dwelling structures shall be closer than 30 feet.

470 (g) Lodging house. See bed and breakfast inn.

471 ~~(d)~~(h) **Temporary building or use.** The building or use shall be removed upon completion or  
472 abandonment of the construction work.

473 **Sec 104-138-5 Site Development Standards**

474 The following site development standards apply to a lot or parcel in the Forest Residential Zones FR-1, and  
475 FR-3, unless specified otherwise in this Land Use Code.

476

**Commented [E50]:** A standard provision for this use in other zones that allow it.

**Commented [E51]:** A standard provision for this use in other zones that allow it.

477

478 (a) Lot area:

<u>LOT AREA</u>	<u>FR-1</u>	<u>FR-3</u>	
		<u>Septic<sup>1</sup></u>	<u>Sewer<sup>2</sup></u>
<b>Single-Family Dwelling.</b> The minimum Lot Area for a Single-Family Dwelling shall be:	1 acre	20,000 square feet <sup>5</sup>	6,000 square feet <sup>5</sup>
<b>Non-Single-Family Dwelling.</b> The minimum Lot Area for all Dwellings other than a Single-Family Dwelling:		20,000 square feet per building <sup>3,5</sup>	7,500 square feet per building <sup>4,5</sup>
<b>Other main building.</b> The minimum Lot Area for a main building other than a Dwelling:			

479

<sup>1</sup> For the purposes of this table, "septic" means an onsite individual wastewater system, such as a septic system.

480

<sup>2</sup> For the purposes of this table, "sewer" means an onsite community, group, or shared wastewater system, such as a community sewer system.

481

482

<sup>3</sup> An additional 8,000 square feet of Lot area is required for each Dwelling Unit in excess of one per building, and there shall not be more than 4 dwelling units per net developable acre.

483

484

<sup>4</sup> An additional 2,000 square feet of Lot area is required for each Dwelling Unit in excess of two per building, and there shall not be more than 20 dwelling units per net developable acre.

485

486

<sup>5</sup> An additional 500 square feet of Lot Area is required for each rental or Lockout Sleeping Room, and there shall not be more than 40 rental or Lockout Sleeping Rooms per net developable acre if on sewer, or eight if on septic.

487

488 (b) Lot width:

<u>LOT WIDTH</u>	<u>FR-1</u>	<u>FR-3</u>
Minimum for all uses:	150 feet <sup>1</sup>	60 feet

489

<sup>1</sup> The width of lots on the outside of the curved streets or on the ends of cul-de-sacs may be reduced by up to one-third as long as the required minimum lot width is provided when measured at a distance of 70 feet back from the front lot line in the FR-1 Zone.

490

491

492 (c) Yard setback:

493 (1) Front yard setback:

<u>YARD SETBACK</u>	<u>FR-1</u>	<u>FR-3</u>
Minimum front yard setback:	30 feet <sup>1</sup>	25 feet <sup>1</sup>

494

<sup>1</sup> See Section 108-7-10 if Lot abuts an Arterial Street or Collector Street.

495

(2) Side yard setback:

<u>SIDE YARD SETBACK</u>	<u>FR-1</u>	<u>FR-3</u>
Main building:	20 feet	8 feet <sup>1</sup>
Accessory building:		8 feet, except one foot if located at least six feet in rear of main building.
Corner lot, side facing street:		20 feet

496

<sup>1</sup> The combination of the two required side yards shall not be less than 18 feet, plus one additional foot on each side for each foot of building height greater than 35 feet.

497

498 (3) **Rear yard setback:**

<u>REAR YARD SETBACK</u>	<u>FR-1</u>	<u>FR-3</u>
Main building:	30 feet	30 feet
Accessory building:	10 feet	1 foot, except 8 feet when on a corner Lot and adjacent to the adjoining Lot's front-yard.

499 (e)(d) **Building height:**

<u>BUILDING HEIGHT</u>	<u>FR-1</u>	<u>FR-3</u>
Minimum main building height:	1 story	
Maximum main building height:	35 feet	
Maximum accessory building height:	25 feet <sup>1</sup>	

<sup>1</sup> Except when governed otherwise by Section 108-7-16 Large Accessory Buildings.

501 (e)(e) **Lot coverage:**

<u>LOT COVERAGE</u>	<u>FR-1</u>	<u>FR-3</u>
The maximum lot coverage of all buildings:	N/A	40 percent <sup>1</sup>

<sup>1</sup> At least 40 percent of the lot shall be left in open green space.

503 (e)(f) **Floor to area ratio:**

<u>FLOOR TO AREA RATIO</u>	<u>FR-1</u>	<u>FR-3</u>
The maximum ratio of total building floor-area to Lot area:	N/A	1:1

504  
505 The following site development standards shall apply to the Forest Residential Zone FR-1:

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

Main building	30 feet
Accessory building	40 feet
Main building height	
Minimum	1 story
Maximum	35 feet
Accessory building height	25 feet, unless meeting requirements of section 108-7-16, Large accessory buildings

506 ...  
507

508 **CHAPTER 104-9 FOREST ZONES F-5, F-10, AND F-40**

509 **Sec 104-9-1 Purpose**

- 510 (a) The intent of the forest zones is to protect and preserve the natural environment of those areas of the  
511 county that are characterized by mountainous, forest or naturalistic land, and to permit development  
512 compatible to the preservation of these areas.
- 513 (b) The objectives in establishing the forest zones are:
- 514 (1) To promote the use of the land for forest, fish and wildlife and to facilitate the conservation of the  
515 natural resources, vegetation and attractions;
- 516 (2) To reduce the hazards of flood and fire;
- 517 (3) To prevent sanitation and pollution problems and protect the watershed;
- 518 (4) To provide areas for private and public recreation and recreation resorts; and
- 519 (5) To provide areas for homes, summer homes, and summer camp sites.

520 **Sec 104-9-2 (Reserved) Permitted Uses**

521 ~~The following uses are permitted in Forest Zones F-5, F-10, and F-40:~~

- 522 ~~(a) Accessory building incidental to the use of a main building; main building designed or used to~~  
523 ~~accommodate the main use to which the premises are devoted; and accessory uses customarily~~  
524 ~~incidental to a main use.~~
- 525 ~~(b) Accessory dwelling unit, in compliance with Chapter 108-19.~~
- 526 ~~(c) Agriculture.~~
- 527 ~~(d) Cluster subdivisions, which comply with the requirements of title 108, chapter 3.~~
- 528 ~~(e) Grazing and pasturing of animals, limited to one horse or cow per acre of land exclusively dedicated to~~  
529 ~~the animal. The keeping of animals and fowl for family food production. Golf course, except miniature~~  
530 ~~golf courses.~~
- 531 ~~(f) Home occupations.~~
- 532 ~~(g) Household pets.~~
- 533 ~~(h) Private stables, not to exceed one horse per acre.~~
- 534 ~~(i) Public parks and recreation grounds. Public campgrounds and picnic areas meeting the requirements~~  
535 ~~of the Forest Campground Ordinance of Weber County; public buildings.~~
- 536 ~~(j) One recreational vehicle, temporarily parked on a lot or parcel for periodic short term intervals of less~~  
537 ~~than 180 days for recreational use only and not for longer term placement nor for full time living. The~~  
538 ~~following additional conditions shall apply:~~
- 539 ~~(1) The lot has a minimum area of five acres in the F-5, ten acres in the F-10, and 40 acres in the F-~~  
540 ~~40 Zone or is determined to be a legally approved or legal nonconforming lot or parcel or cluster~~  
541 ~~subdivision and meet the minimum lot size, frontage, and setback requirements for all zones in this~~  
542 ~~chapter.~~
- 543 ~~(2) County environmental health department approval as to waste disposal by an approved septic tank~~  
544 ~~and drain field with approved connection to the R.V., and a land use permit from the county planning~~  
545 ~~commission for each unit, which shall expire after 180 days from date of issue, and including only~~  
546 ~~the following accessory uses: not more than one storage shed of not more than 200 square feet~~  
547 ~~per lot, not to include electrical or plumbing connections; prepared R.V. parking pad; raised deck~~  
548 ~~of not more than two feet in height adjacent to the R.V. parking pad; one outdoor camp fireplace;~~  
549 ~~picnic table and chairs and tent type screens.~~

**Commented [E52]:** This section reformats the F zones to follow the same conventions as other zone sections. No substantive changes are intended except to add agritourism as an allowed use in all forest zones.

550 ~~(3) A second recreation vehicle may be placed on any lot, parcel, legal nonconforming lot or parcel as~~  
551 ~~qualified in subsection (f)(2) of this section containing a minimum area of two acres excluding land~~  
552 ~~known as common land and/or open space.~~

553 ~~(4) The following state and local division of health codes and requirements are complied with:~~

- 554 ~~a. International Utah Plumbing Code.~~
- 555 ~~b. Rules and regulations relating to public water supplies.~~
- 556 ~~c. Code of Waste Disposal Regulations.~~
- 557 ~~d. Code of Solid Waste Disposal Regulations.~~
- 558 ~~e. Recreation regulations.~~

559 ~~(k) Signs shall comply with title 110, chapter 2, Ogden Valley signs, if located within the Ogden Valley~~  
560 ~~area.~~

561 ~~(l) Single-family residences.~~

562 **Sec 104-9-3 Land Use Table Conditional Uses**

563 The following tables display the uses permitted, conditionally permitted, or not permitted in the agricultural  
564 zones. The letter "P" indicates a permitted use in the zone. The letter "C" indicates a use that requires a  
565 conditional use permit, as governed by Title 108 Chapter 4, in the zone. The letter "N" indicates a use that  
566 is prohibited in the zone. A use listed is a main use, unless listed in the "accessory uses" table.

567 (i) Accessory uses. An accessory use is prohibited unless located on the same lot or parcel as the  
568 main use to which it is accessory.

	<u>F-5</u>	<u>F-10</u>	<u>F-40</u>	<u>Special Regulations</u>
<b>Accessory building,</b> accessory and incidental to the use of a main building.	P	P	P	
<b>Accessory dwelling unit.</b>	P	P	P	See Title 108, <u>Chapter 19.</u>
<b>Accessory use,</b> accessory and incidental to the main use.	P	P	P	
<b>Family food production,</b> accessory to a residential use.	P	P	P	<u>See Section 104-9-4</u>
<b>Home occupation,</b> accessory to a residential use.	P	P	P	See <u>Chapter 108-13.</u>
<b>Household pets,</b> accessory to a residential use.	P	P	P	
<b>Main building,</b> designed or used to accommodate the main use.	P	P	P	

<b>Skeet or trap shooting</b> , when accessory to a public or private camp.	C	C	C	
---	---	---	---	--

569 (j) [Agricultural uses, non-animal.](#)

	<u><a href="#">F-5</a></u>	<u><a href="#">F-10</a></u>	<u><a href="#">F-40</a></u>	<u><a href="#">Special Regulations</a></u>
<b>Agriculture.</b>	P	P	P	
<u><a href="#">Aquaculture.</a></u>	<u><a href="#">P</a></u>	<u><a href="#">P</a></u>	<u><a href="#">P</a></u>	

**Commented [E53]:** Not specifically listed in the F zones, but presumed to be allowed under the “agriculture” use per other chapters.

570 (k) [Animal-related noncommercial uses.](#) The following are animal-related uses that do not and shall not typically generate customer-oriented traffic to the lot or parcel.

571

	<u><a href="#">F-5</a></u>	<u><a href="#">F-10</a></u>	<u><a href="#">F-40</a></u>	<u><a href="#">Special Regulations</a></u>
<b>Animal grazing.</b> Animal grazing, as defined in Section 101-2.	P	P	P	<u><a href="#">See Section 104-9-4.</a></u>
<u><a href="#">Apiary.</a></u>	<u><a href="#">P</a></u>	<u><a href="#">P</a></u>	<u><a href="#">P</a></u>	
<u><a href="#">Aquaculture, animal related.</a></u>	<u><a href="#">P</a></u>	<u><a href="#">P</a></u>	<u><a href="#">P</a></u>	
<u><a href="#">Aviary.</a></u>	<u><a href="#">P</a></u>	<u><a href="#">P</a></u>	<u><a href="#">P</a></u>	
<b>Corral, stable or building for keeping animals or fowl.</b>	P	P	P	<u><a href="#">See Section 104-9-4.</a></u>

**Commented [E54]:** Not specifically listed in the F zones, but presumed to be allowed under the “agriculture” use.

**Commented [E55]:** Not specifically listed in the F zones, but presumed to be allowed under the “agriculture” use.

**Commented [E56]:** Not specifically listed in the F zones, but presumed to be allowed under the “agriculture” use.

572 (l) [Commercial uses.](#) The following are uses that typically generate for-profit customer-oriented traffic to the lot or parcel.

573

	<u><a href="#">F-5</a></u>	<u><a href="#">F-10</a></u>	<u><a href="#">F-40</a></u>	<u><a href="#">Special Regulations</a></u>
<b>Agritourism.</b>	C	<b>C</b>	<b>C</b>	<u><a href="#">See Chapter 108-21.</a></u>
<b>Campground and picnic area.</b>	C	C	C	<u><a href="#">See Title 108, Chapter 20.</a></u>
<b>Conference/education center.</b>	C	C	C	

**Commented [E57]:** Adding the use to the F-10 and F-40 zones.



<b>Forest industries.</b> Production of forest products.	C	C	C	
<b>Dude ranch.</b>	C	C	C	
<b>Golf course,</b> except miniature golf course.	P	P	P	
<b>Skeet or trap shooting range</b>	N	N	C	
<b>Ski resort.</b>	C	C	C	

574 (m) Institutional uses.

	<a href="#">F-5</a>	<a href="#">F-10</a>	<a href="#">F-40</a>	<a href="#">Special Regulations</a>
<b>Cemetery.</b>	C	C	C	
<b>Church, synagogue or similar building used for regular religious worship.</b>	C	C	C	

575 (n) Residential uses.

	<a href="#">F-5</a>	<a href="#">F-10</a>	<a href="#">F-40</a>	<a href="#">Special Regulations</a>
<b>Recreation lodge</b>	C	C	C	
<b>Single-family dwelling.</b>	P	P	P	

576 (o) Recreational noncommercial uses. The following are recreational uses that are typically owned or operated by a nonprofit or governmental entity.

	<a href="#">F-5</a>	<a href="#">F-10</a>	<a href="#">F-40</a>	<a href="#">Special Regulations</a>
<b>Recreational vehicle parking.</b>	P	P	P	<a href="#">See Section 104-9-4</a>
<b>Private park, playground or recreation area.</b> No privately owned commercial amusement business.	C	C	C	-
<b>Public campground and picnic area.</b>	P	P	P	See <a href="#">Title 108, Chapter 20</a> .

<b>Public park, recreation grounds and associated buildings.</b>	P	P	P	
--	---	---	---	--

578 (p) Utility uses.

	<u>F-5</u>	<u>F-10</u>	<u>F-40</u>	<u>Special Regulations</u>
<b>Hydro-electric dam.</b>	C	C	C	
<b>Public utility substations.</b>	C	C	C	
<b>Radio or television station or tower.</b>	C	C	C	
<b>Wastewater treatment or disposal facilities</b>	C	C	C	
<b>Water storage reservoir, when developed by a utility service provider.</b>	C	C	C	<a href="#">See Title 108, Chapter 10.</a>

579 (q) Other uses.

	<u>F-5</u>	<u>F-10</u>	<u>F-40</u>	<u>Special Regulations</u>
<b>Heliport.</b>	N	N	C	<a href="#">See Section 104-9-4</a>
<b>Mines, quarries, gravel pits.</b>	C	C	C	Compliance with the Weber County Excavation and Clean Fill Ordinance required.

580  
581 ~~The following uses shall be permitted only when authorized by a conditional use permit obtained as~~  
582 ~~provided in this Land Use Code:~~

583 ~~(a) Agri-tourism, in the Forest-5 Zone, subject to the requirements of the Weber County Agri-Tourism~~  
584 ~~Ordinance.~~

585 ~~(b) Cemeteries, Churches.~~

586 ~~(c) Forest industries; production of forest products.~~

587 ~~(d) Dams.~~

588 ~~(e) Educational/Institutional identification sign.~~

589 ~~(f) Mines, quarries and gravel pits, sand and gravel operations subject to the provisions of the Weber~~  
590 ~~County Excavation Ordinance.~~

591 ~~(g) Private parks and recreation grounds, Private campgrounds and picnic areas meeting the requirements~~  
592 ~~of the Forest Campground Ordinance of Weber County. Dude ranches.~~

- 593 ~~(h) Public utility substations and transmission lines.~~
- 594 ~~(i) Radio and television towers.~~
- 595 ~~(j) Ski resorts.~~
- 596 ~~(k) Skeet and trap shooting ranges as an accessory use to public and/or private camps in the F-5 and F-~~
- 597 ~~40 Zones.~~
- 598 ~~(l) Skeet and trap shooting ranges in the F-40 Zones.~~
- 599 ~~(m) Water pumping plants and reservoirs.~~
- 600 ~~(n) Wastewater treatment or disposal facilities meeting the requirements of the Utah State Department of~~
- 601 ~~Environmental Quality Division of Water Quality but not including individual water disposal systems.~~
- 602 ~~(o) Recreation lodge.~~
- 603 ~~(p) Conference/education center.~~
- 604 ~~(q) Heliport in the F-40 Zone subject to the following standards:~~
- 605 ~~(1) A heliport must be located on a single parcel of record which is not less than 40 acres in area.~~
- 606 ~~(2) A heliport must be located at an elevation of at least 6,200 feet above sea level.~~
- 607 ~~(3) A heliport must be located at least 200 feet from any property line. The planning commission may~~
- 608 ~~grant exceptions to the setback requirement if it can be demonstrated that locating the heliport~~
- 609 ~~closer than 200 feet to the property line provides a more beneficial situation for purposes of safety,~~
- 610 ~~noise abatement, access, or other valid reasons as determined by the planning commission.~~
- 611 ~~(4) The heliport landing surface must be dust-proof and free from obstructions.~~
- 612 ~~(5) Prior to issuance of a conditional use permit for a heliport, written approval from the Federal Aviation~~
- 613 ~~Administration (FAA) is required, if necessary.~~
- 614 **Sec 104-9-4 Special Regulations**
- 615 The uses listed below correspond with certain uses listed in the Land Use Table in Section 104-9-3. Due
- 616 to the nature of the use, each shall be further regulated as follows:
- 617 (i) **Animal grazing.** No more than one horse or cow per acre of land exclusively devoted to the animal.
- 618 This use shall not include the supplementary or full feeding of the animals, except when in compliance
- 619 with the following:
- 620 (1) It may only be carried on during times that are reasonable and necessary due to lack of natural
- 621 growing feed as a result of seasonal changes or extreme and temporary meteorological events.
- 622 (2) It shall not exceed a density of 40 head per acre of used land.
- 623 (3) It shall not be closer than 75 feet to any dwelling, public or semi-public building on an adjoining
- 624 parcel of land.
- 625 (j) **Corral, stable or building for keeping animals or fowl.** This use shall be located no less than 100
- 626 feet from a public street and not less than 25 feet from any side or rear lot line.
- 627 (k) **Family food production.**
- 628 (1) As used in this subsection, a Group A animal is either one pig, one sheep, one cow, or one goat,
- 629 and Group B animals or fowl are either a set of ten rabbits, ten chickens, ten pheasants, five
- 630 turkeys, five ducks, five geese, or five pigeons.
- 631 (2) No more than four sets of Group B animals or fowl may be kept on a lot or parcel that is less than
- 632 40,000 square feet.
- 633 ~~(1)(3)~~ No more than six combined sets of Group A animals and sets of Group B animals or fowl
- 634 may be kept on a lot or parcel that is less than two acres. The same applies to a lot or parcel greater

**Commented [E58]:** Pasting these regulations in from the corresponding section of the agricultural zone chapter. (For consistency)

**Commented [E59]:** A standard provision for this use in other zones that allow it.

**Commented [E60]:** A standard provision for this use in other zones that allow it.

**Commented [E61]:** A standard provision for this use in other zones that allow it.

635 than two acres, except that an additional six combined sets of Group A and sets of Group B animals  
636 or fowl may be kept per each additional acre greater than two.

637 (l) **Heliport.** This use shall comply with the following minimum standards:

- 638 (1) It shall be located on a single parcel of record which is not less than 40 acres in area.
- 639 (2) It shall be located at an elevation at least 6,200 feet above sea level.
- 640 (3) It shall be located at least 200 feet from any property line. The Land Use Authority may grant  
641 exceptions to this setback if it can be demonstrated that locating the heliport closer than 200 feet  
642 to the property line provides a more beneficial situation for purposes of safety, noise abatement,  
643 access, or other valid reasons as determined by the Land Use Authority.
- 644 (4) The landing surface shall be dust proof and free from obstructions.
- 645 (5) Prior to the issuance of a permit, written approval from the Federal Aviation Administration (FAA)  
646 is required, if necessary.

**Commented [E62]:** Already in current code. Just reformatting and moving here.

647 (m) **Recreational vehicle use.** One recreational vehicle shall be temporarily parked on a lot or parcel for  
648 periodic short-term intervals of 180 days or less and shall be limited to recreational use only and not  
649 for longer term placement or for full-time living. The use may be accompanied by no more than one  
650 storage shed no greater than 200 square feet and shall not include electrical or plumbing, one prepared  
651 recreational vehicle pad, one raised deck of no more than two feet in height adjacent to the recreational  
652 vehicle, one outdoor camp fireplace, and picnic table, chairs, tent-type screen. The following additional  
653 conditions shall apply:

**Commented [E63]:** Already in current code. Just reformatting and moving here.

- 654 (1) The lot shall meet minimum lot requirements as specified in this Land Use Code, or be a  
655 nonconforming lot as specified in Title 108, Chapter 12.
- 656 (2) Health department approval is required for waste disposal by an approved septic tank and drain  
657 field with approved connection to the recreation vehicle.

658  
659 **Sec 104-9-4.5 Site Development Standards Minimum Lot Area, Width And Yard Regulations**

660 The following minimum lot areas, widths, and yard regulations apply to the Forest Zones F-5, F-10, and F-  
661 40:

662 The following site development standards apply to a lot or parcel in the Forest Zone F-5, F-10, and F-40,  
663 unless specified otherwise in this Land Use Code.

664 (f)(g) **Lot area:**

<b>LOT AREA</b>	<b>F-5</b>	<b>F-10</b>	<b>F-40</b>
Minimum for all uses:	5 acres	10 acres	40 acres

665 (g)(h) **Lot width:**

<b>LOT WIDTH</b>	<b>F-5</b>	<b>F-10</b>	<b>F-40</b>
Minimum for all uses:	300 feet <sup>1</sup>	400 feet <sup>1</sup>	660 feet <sup>1</sup>

666 <sup>1</sup>The width of lots on the outside of the curved streets or on the ends of cul-de-sacs may be reduced by up to one-third,  
667 provided the required minimum lot width is provided when measured at a distance of 100 feet back from the front lot line in  
668 the F-5 Zone; 140 feet in the F-10 Zone.

669 (i) **Yard setback:**

670 (1) **Front yard setback:**

<b>LOT WIDTH</b>	<b>F-5</b>	<b>F-10</b>	<b>F-40</b>
------------------	------------	-------------	-------------

Minimum front yard setback:	30 feet <sup>1</sup>	50 feet <sup>1</sup>	75 feet <sup>1</sup>
-----------------------------	----------------------	----------------------	----------------------

<sup>1</sup>See Section 108-7-10 if Lot abuts an Arterial Street or Collector Street.

(2) Side yard setback:

<u>LOT WIDTH</u>	<u>F-5</u>	<u>F-10</u>	<u>F-40</u>
Minimum for all uses:	20 feet	20 feet	40 feet

(3) Rear yard setback:

<u>LOT WIDTH</u>	<u>F-5</u>	<u>F-10</u>	<u>F-40</u>
Main building:	30 feet		
Accessory building:	10 feet		

~~(h)~~(j) Building height:

<u>LOT WIDTH</u>	<u>F-5</u>	<u>F-10</u>	<u>F-40</u>
Minimum main building height:	1 story		
Maximum main building height:	35 feet		
Maximum accessory building height:	25 feet <sup>1</sup>		

<sup>1</sup>Except when governed otherwise by Section 108-7-16 Large Accessory Buildings.

	<b>F-5 Zone</b>	<b>F-10 Zone</b>	<b>F-40 Zone</b>
Area	5 acres	10 acres	40 acres
Width	300 ft.*	400 ft.*	660 ft.*
**			
Yard, front	30 ft.+	50 ft.	75 ft.
Yard, side	20 ft.	20 ft.	40 ft.
Yard, rear	30 ft.	30 ft.	30 ft.

1)\*The width of lots on the outside of the curved streets or on the ends of cul-de-sacs may be reduced by up to one-third, provided the required minimum lot width is provided back from the front lot line at a distance of 100 feet in the F-5 Zone; 140 feet in the F-10 Zone.

2)\*\*In the F-40 Zone where property lot lines follow a basic rectangular pattern based upon section lines or regular divisions of section lines, road frontage requirements may be reduced to a minimum of 100 feet for each lot, but this in no way permits a reduction in the minimum required lot width which must be maintained.

3) + In the F-5 Zone, front yard setbacks will be 50 feet on right-of-way of 80 feet or more.

4) Main building maximum height

35 ft.

35 ft.

35 ft.

5) Accessory building height

25 feet, unless meeting requirements of section 108-7-16, Large accessory buildings.

678 ...

679

680 **CHAPTER 104-10 SHORELINE ZONE S-1**

681 **Sec 104-10-1 Purpose and Intent**

- 682 (a) The shoreline zone has been established as a district in which the primary use of the land is for farming  
683 and for recreational purposes. In general, this zone covers the portion of the unincorporated area of  
684 the county ~~which that~~ is occupied by Pineview Reservoir and shores adjacent thereto.
- 685 (b) This zone is characterized by farms and pasture lands situated adjacent to the shore of the Pineview  
686 Reservoir and interspersed by dwellings, recreational camps, resorts and outdoor recreation facilities.
- 687 (c) The ~~purposes of objectives in establishing~~ the Shoreline Zone S-1 are:
- 688 (1) To promote the use of the land for agriculture and for fish, wildlife and recreational purposes both  
689 public and private;
- 690 (2) To facilitate the conservation of water and other natural resources;
- 691 (3) To reduce hazards from floods and fires;
- 692 (4) To preserve open space, natural scenic attractions, natural vegetation, and other natural features  
693 within the zone;
- 694 (5) To ensure adequate provision for water supply, domestic sewage disposal and sanitation.
- 695 (d) In order to accomplish these objectives and purposes and to protect the essential characteristics of the  
696 zone, the following regulations shall apply in the Shoreline Zone S-1.

697 **Sec 104-10-2 (Reserved) Permitted Uses**

698 ~~The following uses are permitted in the Shoreline Zone S-1:~~

- 699 ~~(a) Accessory building incidental to the use of a main building; main building designed or used to  
700 accommodate the main use to which the premises are devoted; and accessory uses customarily  
701 incidental to a main use.~~
- 702 ~~(b) Accessory dwelling unit, in compliance with Chapter 108-19.~~
- 703 ~~(c) Agriculture, grazing and pasturing of animals.~~
- 704 ~~(d) Boating.~~
- 705 ~~(e) Cemeteries.~~
- 706 ~~(f) Fishing.~~
- 707 ~~(g) Golf courses, excluding miniature golf courses.~~
- 708 ~~(h) Home occupations.~~
- 709 ~~(i) Keeping of animals and fowl for family food production.~~
- 710 ~~(j) Public parks and recreation grounds. Public campgrounds and picnic areas meeting the requirements  
711 of the Forest Campground Ordinance of Weber County. Public buildings~~
- 712 ~~(k) Single-family dwelling. Signs.~~
- 713 ~~(l) Water skiing and other water recreation activities.~~

714 **Sec 104-10-3 Land Use Table Conditional Uses**

715 The following tables display the uses permitted, conditionally permitted, or not permitted in the agricultural  
716 zones. The letter "P" indicates a permitted use in the zone. The letter "C" indicates a use that requires a  
717 conditional use permit, as governed by Title 108 Chapter 4, in the zone. The letter "N" indicates a use that  
718 is prohibited in the zone. A use listed is a main use, unless listed in the "accessory uses" table.

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

Commented [E64]: Consolidating into Land Use Tables.



	<a href="#">S-1</a>	<a href="#">Special Regulations</a>
<b>Accessory building</b> , accessory and incidental to the use of a main building.	P	-
<b>Accessory dwelling unit.</b>	P	<a href="#">See Chapter 108-19.</a>
<b>Accessory use</b> , accessory and incidental to the main use.	P	-
<b>Family food production</b> , accessory to a residential use.	P	<a href="#">See Section 104-10-4</a>
<b>Home occupation</b> , accessory to a residential use.	P	<a href="#">See Chapter 108-13.</a>
<b>Household pets</b> , accessory to a residential use.	P	-
<b>Main building</b> , designed or used to accommodate the main use.	P	-

**Commented [E65]:** Other zones specifically list this as an accessory use. Omitting it here but specifically listing it elsewhere makes it not allowed in this zone by inference.

721 (b) [Agricultural uses, non-animal.](#)

	<a href="#">S-1</a>	<a href="#">Special Regulations</a>
<b>Agriculture.</b>	P	-
<a href="#">Aquaculture.</a>	P	-

**Commented [E66]:** Not specifically listed in the S-1 zone, but presumed to be allowed under the "agriculture" use.

722 (c) [Animal-related noncommercial uses.](#) The following are animal-related uses that do not and shall not  
723 typically generate customer-oriented traffic to the lot or parcel.

	<a href="#">S-1</a>	<a href="#">Special Regulations</a>
<b>Animal grazing.</b> Animal grazing, as defined in Section 101-2.	P	<a href="#">See Section 104-10-4.</a>
<a href="#">Apiary.</a>	P	-
<a href="#">Aquaculture, animal related.</a>	P	-
<b>Aviary.</b>	P	-
<a href="#">Corral, stable or building for keeping animals or fowl.</a>	P	<a href="#">See Section 104-10-4.</a>

**Commented [E67]:** Not specifically listed in the S-1 zone, but presumed to be allowed under the "agriculture" use.

**Commented [E68]:** Not specifically listed in the S-1 zone, but presumed to be allowed under the "agriculture" use.

**Commented [E69]:** Not specifically listed in the S-1 zone, but presumed to be allowed under the "agriculture" use.

724 (d) Commercial uses. The following are uses that typically generate for-profit customer-oriented traffic to  
 725 the lot or parcel.

	<u>S-1</u>	<u>Special Regulations</u>
<u>Agritourism.</u>	C	See Chapter 108-21.
<b>Golf course</b> , except miniature golf course.	P	-

Commented [E70]: Applicant's request

726 (e) Institutional uses.

	<u>S-1</u>	<u>Special Regulations</u>
<b>Cemetery.</b>	P	-
<u>Church, synagogue or similar building used for regular religious worship.</u>	P	-

727 (f) Residential uses.

	<u>S-1</u>	<u>Special Regulations</u>
<b>Single-family dwelling.</b>	P	-

728 (g) Recreational noncommercial uses. The following are recreational uses that are typically owned or  
 729 operated by a nonprofit or governmental entity.

	<u>S-1</u>	<u>Special Regulations</u>
<b>Private park, playground or recreation area.</b> No privately owned commercial amusement business.	C	-
<b>Public campground and picnic area.</b>	P	See Chapter 108-20.
<b>Public park, recreation grounds</b> and associated buildings.	P	-

730 (h) Utility uses.

	<u>S-1</u>	<u>Special Regulations</u>
<b>Hydro-electric dam.</b>	C	-
<b>Public utility substations.</b>	C	-
<b>Radio or television station or tower.</b>	C	-

731 The following uses shall be permitted only when authorized by a conditional use permit as provided in title  
732 108, chapter 4 of this Land Use Code:

- 733 (1) ~~Hydro electric dams.~~
- 734 (2) ~~Private parks and recreation grounds. Private campgrounds and picnic areas meeting the~~  
735 ~~requirements of the Forest Campground Ordinance of Weber County. Public utility substations and~~  
736 ~~transmission lines.~~
- 737 (3) ~~Public utility substations.~~
- 738 (4) ~~Radio and television towers.~~

739 **Sec 104-10-74 Special Regulations Provisions**

740 ~~(b)~~(a) General use regulations. The above specified uses shall be permitted only under the following  
741 conditions:

- 742 (1) Public health requirements concerning domestic water supply and sewage disposal shall comply  
743 with provisions of section 108-7-9.
- 744 (2) No building or structure shall be constructed within the boundaries of any public reservoir as  
745 determined by the public agency having jurisdiction or within the boundaries of any natural  
746 waterway or watercourse as determined by the county engineer wherein no buildings or structures  
747 shall be constructed or land subdivided. Where buildings are to be constructed within 50 feet of the  
748 exterior boundaries of a flood channel existing at the effective date of the ordinance from which this  
749 chapter is derived, adequate measures must be taken as determined by the Weber County  
750 Engineer so as to protect the building or structure from damage due to floods and so as not to  
751 increase the hazard to surrounding lands and buildings.
- 752 (3) The required yard space shall be kept free of debris, refuse or other inflammable material which  
753 may constitute a fire hazard.

754 ~~(4) Maximum height: 35 feet.~~

755 (b) Specific use regulations. The uses listed below correspond with certain uses listed in the Land Use  
756 Table in Section 104-10-3. Due to the nature of the use, each shall be further regulated as follows:

757 (1) Animal grazing. This use shall not include the supplementary or full feeding of the animals, except  
758 when in compliance with the following:

- 759 a. It may only be carried on during times that are reasonable and necessary due to lack of natural  
760 growing feed as a result of seasonal changes or extreme and temporary meteorological events.
- 761 b. It shall not exceed a density of 25 head per acre of used land.
- 762 c. It shall not be closer than 75 feet to any dwelling, public or semi-public building on an adjoining  
763 parcel of land.

764 (2) Corral, stable or building for keeping animals or fowl. This use shall be located no less than  
765 100 feet from a public street and not less than 25 feet from any side or rear lot line.

766 (3) Family food production.

767 a. As used in this subsection, a Group A animal is either one pig, one sheep, one cow, or one  
768 goat, and Group B animals or fowl are either a set of ten rabbits, ten chickens, ten pheasants,  
769 five turkeys, five ducks, five geese, or five pigeons.

770 b. No more than four sets of Group B animals or fowl may be kept on a lot or parcel that is less  
771 than 40,000 square feet.

772 c. No more than six combined sets of Group A animals and sets of Group B animals or fowl may  
773 be kept on a lot or parcel that is less than two acres. The same applies to a lot or parcel greater  
774 than two acres, except that an additional six combined sets of Group A and sets of Group B  
775 animals or fowl may be kept per each additional acre greater than two.

**Commented [E71]:** Redundant.

**Commented [E72]:** Pasting these regulations in from the corresponding section of the agricultural zones chapter. (For consistency)

**Commented [E73]:** A standard provision for this use in other zones that allow it.

**Commented [E74]:** A standard provision for this use in other zones that allow it.

**Commented [E75]:** A standard provision for this use in other zones that allow it.

776 **Sec 104-10-5 Site Development Standards ~~Front Yard Regulations~~**

777 [The following site development standards apply to a lot or parcel in the Shoreline zone, unless specified](#)  
 778 [otherwise in this Land Use Code.](#)

779 ~~(k)~~ **Lot area:**

	<a href="#">S-1</a>
Minimum for all uses:	5 acres

780 ~~(l)~~ **Lot width:**

	<a href="#">S-1</a>
Minimum for all uses:	300 feet

781 **(m) Yard setback:**

782 (1) **Front yard setback:**

	<a href="#">S-1</a>
Minimum front yard setback:	30 feet <sup>1</sup>

783 <sup>1</sup>See Section 108-7-10 if Lot abuts an Arterial Street or Collector Street.

784 (2) **Side yard setback:**

	<a href="#">S-1</a>
Minimum for all uses:	20 feet

785 (3) **Rear yard setback:**

	<a href="#">S-1</a>
Main building:	30 feet
Accessory building:	10 feet

786 ~~(n)~~ **Building height:**

	<a href="#">S-1</a>
Minimum main building height:	1 story
Maximum main building height:	35 feet
Maximum accessory building height:	25 feet <sup>1</sup>

787 <sup>1</sup>Except when governed otherwise by Section 108-7-16 Large Accessory Buildings.

788 **Sec 104-10-4 Area Regulations Building Site Area Required**

789 The minimum lot and building site area shall be one recorded lot or parcel of land not less than five acres  
790 and a minimum width of 300 feet for each dwelling or use.

791 **Sec 104-10-5 Front Yard Regulations**

792 The following front yard regulations shall apply in the Shoreline Zone S-1:

793 (a) 30 feet on streets of less than 80 feet in width;

794 (b) 100 feet on streets and highways of 80 feet or more in width.

795 **Sec 104-10-6 Side And Rear Yard Regulations**

796 Side and rear yard regulations shall be the same as for Forest Residential Zone FR-1.

797 ...

798 **CHAPTER 104-13 (RESERVED) FOREST RESIDENTIAL ZONES**

799 ...

800 **CHAPTER 104-17 (RESERVED) FOREST RESIDENTIAL ZONE FR-3**

801 ...

802 **TITLE 108 STANDARDS**

803 ...

804 **CHAPTER 108-21 AGRITOURISM**

805 **Sec 108-21-1 Purpose And Intent**

806 The County desires to create a culture that supports and celebrates its agrarian heritage and open spaces  
807 in the unincorporated areas. This chapter's purpose is to do this by providing owners of agricultural  
808 operations the ability to generate additional income from land uses that are not otherwise allowed in the  
809 zone, provided those uses are accessory, incidental, and inextricably related to the an onsite agricultural  
810 operation. The intent of this chapter is to create allowances and regulations that govern agriculture-oriented  
811 land uses that cater to tourists and other visitors coming to the site for recreational, educational,  
812 gastronomical, or similar agriculture-oriented attraction.

813 ~~The purpose of this chapter is to provide support and economically feasible land use alternatives to local~~  
814 ~~and enterprising farm owners who are devoted to their land and are committed to providing authentic,~~  
815 ~~agriculturally related products and experiences to the public. Agriculture is a very important contributor to~~  
816 ~~Utah's economy and, observably, an integral and indispensable part of Weber County's rich cultural~~  
817 ~~heritage; therefore, it is the county's desire to create an environment in which agriculture is not only~~  
818 ~~encouraged but can thrive. It is intended to benefit farm owners and the residents of Weber County through~~  
819 ~~its ability to generate supplementary farm income while promoting the preservation of agricultural open~~  
820 ~~space and significantly enhance leisure, recreational, educational, and gastronomic opportunities for those~~  
821 ~~in pursuit of such experiences in a rural farmland setting.~~

822 **Sec 108-21-2 Applicability and Qualifications**

823 (a) Applicability. The standards found in this chapter shall apply to all agritourism operations. Application  
824 and review provisions for an agritourism conditional use permit are set forth in Title 108, Chapter 4 of  
825 this Land Use Code. Any additional detail required by this chapter shall supplement the conditional use  
826 permit application. An agritourism event or activity that operates outside of expected hours of operation,  
827 or that involves crowds in a number greater than that which can be served by existing facilities, shall  
828 obtain a Special Event Permit pursuant to Title 38 of the Weber County Code.

**Commented [E76]:** Proposal moves the entire FR-3 Zone into Chapter 104-8.

**Commented [E77]:** This paragraph is intended to do the same thing while also eliminating fluff and subjective language.

829 agri-tourism applications/operations. Also, all agri-tourism operations are subject to title 108, chapter 4 of  
830 this Land Use Code (conditional uses) which regulates the conditional use permit application and review  
831 process. This process may include, but is not limited to, a review by the Weber County Planning Division,  
832 Building Inspection Division, Engineering Division, and Sheriff's Office. Other review agencies may include  
833 the Weber-Morgan Health Department, Weber Fire District, Utah State University Cooperative Extension,  
834 and/or other various agencies. Agri-tourism events that operate outside of normal day-to-day hours and/or  
835 involve spectators in a number greater than that which can be served by existing facilities shall be subject  
836 to title 38, special events. Other ordinances, codes and/or regulations may apply; therefore, it shall be the  
837 responsibility of the applicant to know and understand all applicable standards and agency requirements.

838 (b) **Primary use.** All agritourism operations shall clearly be accessory and incidental to a primary  
839 agricultural use of the property. To this end, at no time shall the activity area of an agritourism operation  
840 be greater than 20 percent of the agricultural operation's gross acreage, as described in Subsection (c)  
841 of this Section 108-21-2. Agriculture is the preferred use in agricultural zones; therefore, all agri-tourism  
842 uses/activities shall be complementary and clearly accessory to the primary agricultural use. To  
843 guarantee legitimacy and viability, an agri-tourism operation shall demonstrate that the subject property  
844 has been qualified under the Farmland Assessment Act or that the subject property is currently, or will  
845 be within the next growing season, producing an agricultural product in an amount that meets or  
846 exceeds the production requirement as established by the Farmland Assessment Act. A farmer, whose  
847 primary agricultural use is that of an apiary, shall be required to maintain two hives per acre with a ten-  
848 hive minimum. No more than 20 hives shall be necessary when a farm exceeds ten acres.

849 (c) **Qualifications.** An agricultural operator seeking an agritourism permit shall demonstrate at the time of  
850 application, as well as throughout the duration of the agritourism use, the following:

851 (1) **Ownership.** Demonstrate that the agricultural operator has owned the subject property for the last  
852 two years.

853 (2) **Actively devoted to Agriculture.** Demonstrate that the agricultural operation's gross acreage has  
854 been actively devoted to an agricultural use for at least the last two years. An agricultural  
855 operation's gross acreage shall be determined to be the area actively devoted to an agricultural  
856 use that is routinely maintained in an agriculturally productive manner, including barns and similar  
857 buildings or structures intended to serve the agricultural operation.

858 (3) **Minimum acreage.** Demonstrate that the agricultural operation's gross acreage is equal to or  
859 greater than is required for the specific agritourism use or uses being pursued, as specified in  
860 Section 108-21-4 and Section 108-21-5. However if an apiary is the primary agricultural operation:

861 a. The subject property shall be at least three acres; and

862 b. The agritourism use associated to the apiary shall be limited to only that which is listed as  
863 allowed for a Garden Operation, as specified in the Table in Section 108-21-5 herein.

864 (4) **Proof of production, if necessary.** If not already obvious to the Land Use Authority, demonstrate  
865 that the agricultural operation's gross acreage being claimed to be actively devoted to an  
866 agricultural use produces enough to meet or exceed either the production levels reported in the  
867 current publication of the Utah Agricultural Statistics, or the current crop budgets developed and  
868 published by Utah State University.

869 The agricultural operator has owned the subject property for the last two years.;

870 The agricultural operator has commercially sold an agricultural product that was produced on the  
871 subject property for greater than one year

**Commented [E78]:** Most of these entities are already expected to be a part of the conditional use permit review process. Stating them here is redundant and may create conflict as codes evolve over time.

**Commented [E79]:** It is not advisable to have a non-county entity as a reviewing entity. Rather, the planner will solicit comment from other experts if necessary during the review process.

**Commented [E80]:** This section removes reliance on the state's Agricultural Assessment Act to qualify an agricultural operation for agritourism, and places objective qualifications directly into the county's Land Use Code instead.

**Commented [E81]:** This is the phrase the Agricultural Assessment Act uses.

872 ~~— The subject property Qualified under the Farmland Assessment Act is currently, or will be within~~  
873 ~~the next growing season, producing an agricultural product in an amount that meets or exceeds~~  
874 ~~the production requirement as established by the Farmland Assessment Act; or~~

875 (d) **Permit enforcement.** An agritourism permit includes all conditions of approval as may be applied by  
876 the Land Use Authority. At no time shall an agritourism operation be conducted in a manner that  
877 conflicts with the details of the agritourism permit application or the conditions of approval. If a condition  
878 or finding of approval conflicts with any detail provided in the application, the condition or finding shall  
879 prevail.

880 (e) **Supplemental application Narrative.** In addition to the application requirements listed in ~~title-Title~~  
881 108, ~~chapter-Chapter~~ 4 of this Land Use Code ~~(conditional uses)~~, all agritourism applications shall be  
882 accompanied by a ~~detailed~~concise narrative describing the ~~farm-agricultural operation~~ and the overall  
883 vision for the proposed agritourism operation. The narrative shall also include the following:

884 (1) **History.** ~~farm-~~The history of the agricultural operation along with evidence that demonstrates the  
885 operation meets the minimum qualifications herein.;

886 ~~— A description of the agricultural operation, its general functions, maintenance, product(s), and~~  
887 ~~customer base; a description or plan for the general maintenance of its agricultural product(s);~~

888 (2) **Description of anticipated changes.** A description of any plans for changes to the agricultural  
889 operation, its general functions, maintenance, product(s), and customer base.

890 (3) **Description of use's incidental and accessory nature.** A description of how the agritourism  
891 operation is incidental and accessory to the agricultural operation, and a plan for how the owner  
892 will ensure the agritourism operation remains incidental and accessory in perpetuity.

893 (4) **Description of new infrastructure and buildings.** A description of all intended new infrastructure,  
894 including streets, driveways, parking lots, buildings, and utilities.

895 (5) **Description of operation.** An explanation or description of the agritourism operation including ~~and~~  
896 ~~proposals for the following~~

897 Offerings for agriculturally related and non-agriculturally related p

898 a. **Products.** Products that will be sold onsite.

899 b. **Activities.** ~~and uses/a~~Activities offered onsite.

900 c. **Intended customer base and typical anticipated behavior.** The type of customer or clientele  
901 base that is expected to patronize the operation, categorized based on the intensity of their  
902 visitation and the specific product or activity for which they are or will be visiting. For example,  
903 the customer-base for onsite produce sales may be the general public with customers coming  
904 and going many hours throughout the day; the clientele for a barn dance might be a private  
905 party of a specified number of people that come and go once on the day of the party; and the  
906 customers or clientele for a lodging house might be pre-registered or reserved individuals or  
907 small groups.

908 d. **Facilities and equipment.** Agriculturally related and non-agriculturally related types of facilities  
909 and equipment to be used and their maintenance plan(s).

910 e. **Vehicle accommodations.** Traffic, circulation, and parking plan that accommodates the  
911 parking needs of both employees and patrons.

912 f. **Hours and visitor volume.** Hours of operation and number of patrons; ~~Time(s) of normal day-~~  
913 ~~to-day o~~

- 914 1. Normal and routine hours of operation, and anticipated events, dates, and times, or  
915 examples of anticipated events, dates, and times, that operations may go beyond those  
916 normal and routine hours. ~~as referenced in title 38, special events~~
- 917 2. Anticipated number of normal and routine daily patrons and employees, and vehicles, and  
918 anticipated number of patrons, employees, and vehicles at times or for events that go  
919 beyond what is normal and routine.
- 920 3. For the purpose of this paragraph, the phrase “normal and routine” means the time or  
921 amount specified in the application, or if different, the approval. If the application or  
922 approval does not specify:
- 923 i. As it relates to time, this shall mean the hours of operation specified in Section 108-  
924 21-3
- 925 ii. As it relates to patrons or employees, this phrase means 25 people or less, or ten  
926 typical passenger vehicles onsite at any one time.

927 **Sec 108-21-3 General Development and Operational Standards**

928 The development standards imposed by this section do not alter, supersede or nullify any codes,  
929 ordinances, statutes, or other applicable standards which may also regulate these same land  
930 uses/activities.

931 ~~(b) **Lot of record (lawfully created lot).** Notwithstanding title 106, subdivisions, a landowner who meets~~  
932 ~~the standards, as set forth by this chapter, may develop an agri-tourism operation and its associated~~  
933 ~~uses (excluding a single family dwelling, B&B farm dwelling, and B&B farm retreat) as a lot of record.~~  
934 ~~The parcel(s) shall be subject to the following:~~

935 ~~(1) The agri-tourism operation shall remain in compliance with approvals granted through further~~  
936 ~~review and subsequent issuance of a conditional use permit.~~

937 ~~(2) The parcel and/or combination of all individual parcels shall consist of an area that is not less than~~  
938 ~~twice the minimum lot area that is required by the zone in which the agri-tourism operation is~~  
939 ~~located. For example an agri-tourism operation that lies in a zone that requires three acres as a~~  
940 ~~minimum lot area shall be required to have at least a six-acre farm size. Parcels that are unable to~~  
941 ~~meet this area requirement may pursue a legal (lot of record) status by demonstrating that the~~  
942 ~~subject parcel(s) qualifies as lot of record through any other available means provided by the~~  
943 ~~definition of a lot of record or by meeting the requirements of the Weber County Subdivision~~  
944 ~~Ordinance.~~

945 (a) **Access and frontage.** ~~Notwithstanding section 108-7-31 (access to a lot/parcel using a private right-~~  
946 ~~of-way/easement), an An~~ agritourism operation shall provide customers access from an Arterial Street  
947 or Collector Street. It is not required to have actual frontage on a street, but the access from the Arterial  
948 Street or Collector Street to the operation shall either by owned in fee or recorded easement by the  
949 agricultural operation. The access from the public right-of-way to the operation shall meet the  
950 requirements of Section 108-7-29 unless specified otherwise by the local fire authority. ~~or access~~  
951 ~~directly off of a public or privately dedicated roadway. The Land Use Authority may allow access from~~  
952 ~~a Major Neighborhood Street or Minor Neighborhood Street as long as the street is public and as long~~  
953 ~~as the agritourism operation does not increase traffic beyond that which is typical for the type of street.~~  
954 Evidence of this shall be submitted with the application.

955 (b) **General site and building design/layout.** An agritourism operation shall have a general design and  
956 layout that concentrates all tourism uses and activities into distinct activity center(s). ~~The area within~~



957 an\_ developed activity center\_ or combined area of multiple activity centers, excluding productive agri-  
958 tourism acreage, trail corridors, and/or a half-acre for a farmer's residence and any uses confined  
959 thereto (i.e., home office, B&B, etc.), may consist of a total area that does shall not exceed 20 percent  
960 of an farm's agricultural operation's overall gross acreage. The agricultural operation's gross acreage  
961 shall be determined by the area that is routinely maintained in an agriculturally productive manner,  
962 including barns and similar buildings or structures intended to serve the agricultural operation. The  
963 remaining acreage, shown outside of all activity centers, shall be maintained in an agriculturally  
964 productive manner that is consistent with the farm's main agricultural use(s). Acreage that is incapable  
965 of being agriculturally productive due to a topographic condition, physical constraint, and/or  
966 circumstance (i.e., wetlands, drainages, steep slopes, occupation by barn and/or farm equipment  
967 storage structure(s) etc.) that physically interferes with farm production may be kept in its natural,  
968 historic, or constructed state. Newly constructed buildings and facilities intended for agri-tourism  
969 purposes and/or to serve the agritourism needs operation shall reflect an architectural vernacular that  
970 is consistent with the area's rural character. Temporary sanitary facilities are discouraged; however, if  
971 found necessary, they shall be discretely incorporated into the agritourism operation and completely  
972 screened from street and adjacent property view.

973 (c) **Ownership.** An agricultural operation to which an agritourism operation is accessory may consist of  
974 multiple properties; however, all All properties shall have identical and common ownership and shall  
975 be contiguous except where contiguity is interrupted by a public street right-of-way.

976 (d) **Production.** An agri-tourism operation shall, with exception of the winter season, actively and  
977 continuously produce an agricultural product for sale and purchase. In the event that the agri-tourism  
978 operation's agricultural operation's productivity ceases or becomes improperly maintained, as  
979 determined by the planning commission Land Use Authority, the right to operate an agri-tourism  
980 business operation's under a conditional use permit may be revoked.

981 **Agri-tourism uses/activities.** To ensure an appropriate balance and mixture of agriculturally related  
982 and non-agriculturally related uses/activities, it shall be required that a minimum of one-half of all  
983 uses/activities be agriculturally related as defined in section 401-1-7 of this Land Use Code. The  
984 method, by which measurements are made, shall be based on one agriculturally related use/activity  
985 being equal to one non-agriculturally related use/activity. Uses/activities involving the sale of any  
986 products or goods shall be prohibited from selling motorized vehicles and/or equipment. Exceptions to  
987 this standard are made for the occasional sale of farm equipment personally owned by the farm owner  
988 and/or other farm equipment sales events approved through title 38, special events.

989 (e)(d) **Hours of operation.** Agri-tourism uses/activities, not Not including residential overnight lodging  
990 accommodations, and unless specified otherwise in an approved application or other conditions of  
991 approval, and/or those conducted within a completely enclosed building, the hours of operation shall  
992 be limited to between operating during the daily hours of 8:00 a.m. and 8:00 p.m., except if the use or  
993 activity is restricted to an area of the property that is at least 500 feet from an existing dwelling unit  
994 located on another property. 10:00 p.m. The planning commission The Land Use Authority may, but is  
995 not obligated to, consider a variation to this allow other hours of operation if the applicant can  
996 demonstrate mitigation of detrimental effects. standard upon finding that a proposed use/activity is  
997 reliant on and/or based on making observations that can only occur during hours otherwise not  
998 permitted.

999 (f) **Development agreement.** An agri-tourism operation shall, prior to the construction of any structure  
1000 intended for the purpose of accommodating non-agricultural uses, record a farm stay and commercial  
1001 development agreement, provided by Weber County, on all parcels utilized as part of an approved agri-  
1002 tourism operation. One single-family dwelling or farm house (per parcel) and/or any number of

1003 structures that qualify for an agricultural exemption are excepted from this standard when developed in  
1004 accordance with the requirements found in the Weber County Land Use Code.

1005 **Sec 108-21-4 Agricultural Operation Designation**

1006 The following establishes a categorical designation for agricultural operations based on acreage. In all  
1007 cases, the minimum area of the affected Lot or Parcel shall meet the minimum area requirements of this  
1008 Land Use Code:

- 1009 (a) ~~Market-g~~ Garden agricultural operation includes an is when an agricultural operation's gross acreage,  
1010 as described in Section 108-21-3(b), agriculturally productive property consisting of is between three  
1011 two acres or more, but fewer than five and nine acres.
- 1012 (b) ~~Family farm~~ includes an agriculturally productive property consisting of five acres or more, but fewer  
1013 than ten acres.
- 1014 (e)(b) ~~Small farm~~ agricultural operation is when an agricultural operation's gross acreage, as described  
1015 in Section 108-21-3(b), includes an agriculturally productive property consisting of ten is between nine  
1016 acres or more, but fewer than and 20 acres.
- 1017 (e)(c) ~~Medium agricultural operation~~ farm is when an agricultural operation's gross acreage, as  
1018 described in Section 108-21-3(b), includes an agriculturally productive property area consisting of is  
1019 between 20 acres or more, but fewer than and 40 acres.
- 1020 (e)(d) ~~Large agricultural operation~~ farm is when an agricultural operation's gross acreage, as described  
1021 in Section 108-21-3(b), includes an agriculturally productive property area consisting of is between 40  
1022 acres or more, but fewer than and 80 acres.
- 1023 (f)(e) ~~Ranch~~ is when an agricultural operation's gross acreage, as described in Section 108-21-  
1024 3(b), includes an agriculturally productive property area consisting of is 80 acres or more.

1025 **Sec 108-21-5 Permitted Uses and /Activities Table**

1026 If an applicant can demonstrate appropriate mitigation of detrimental effects, as specified in Chapter 108-  
1027 4, the following uses and /activities have been determined desirable when thoughtfully incorporated into  
1028 an approved shall be allowed for an agritourism operation when marked with an "A" under their  
1029 corresponding agricultural operation designation. The use or activity is not allowed if marked with an "N."

1030 As stated above, these uses/activities may be subject to other requirements beyond those imposed by this  
 1031 chapter; therefore, it shall not be construed to mean that this chapter alters or nullifies any requirements  
 1032 contained in other codes, ordinances, statutes, or applicable standards. Those uses/activities marked with  
 1033 an asterisk (\*) have additional design and/or limitation standards beyond any provided within other specific  
 1034 codes, ordinances, statutes, or other applicable standards. See section 108-21-7 for these specific design  
 1035 and/or limitation standards associated with each use/activity marked with an asterisk (\*).

USES OR ACTIVITIES	AGRICULTURAL OPERATION DESIGNATION					SPECIAL REGULATIONS
	Garden	Small	Medium	Large	Ranch	
<u><a href="#">Agricultural arts center:</a></u>	N	A	A	A	A	
<u><a href="#">Agricultural Product Processing and Packaging:</a></u>	N	A	A	A	A	<u><a href="#">Onsite retail sales of processed and packaged products is only allowed as otherwise specified herein.</a></u>
<u><a href="#">Agritourism Events Facility:</a></u>	N	A	A	A	A	
<u><a href="#">Agritourism Farm Tour:</a></u>	A	A	A	A	A	
<u><a href="#">Agritourism Fee Fishing:</a></u>	A	A	A	A	A	
<u><a href="#">Agritourism Health Farm:</a></u>	N	A	A	A	A	<u><a href="#">Limited to wellness, nutrition, and cooking education, and exercise and yoga classes, and meditation, and massage therapy. A health farm may serve meals only when served to participating clientele.</a></u>
<u><a href="#">Agritourism Hunting Preserve</a></u>	N	N	N	N	A	<u><a href="#">See Section 108-21-7</a></u>
<u><a href="#">Agritourism You-Pick Operation:</a></u>	A	A	A	A	A	
<u><a href="#">Agro-ecology research and education center :</a></u>	N	A	A	A	A	<u><a href="#">Lodging, if any, is limited to accommodations for faculty, staff, and students.</a></u>
<u><a href="#">Barn dance:</a></u>	N	A	A	A	A	
<u><a href="#">Camping</a></u>	<u><a href="#">Glamorous camping area:</a></u>	N	N	A	A	<u><a href="#">No more than two tents, cabins, recreational vehicles, or combination thereof, per each five acres of gross agricultural operation, and no more than six people per tent or cabin. Tent and cabin area shall be completely screened from the view of adjoining properties.</a></u>
	<u><a href="#">Recreational Vehicle area:</a></u>	N	N	N	A	

Commented [E82]: Term changing from "special occasion"

<u>Conference or Education Center:</u>		N	A	A	A	A	<u>Conferences and educational topics shall relate to agriculture, agritourism, vegetation management, or similar.</u>
<u>Day Camp</u>		A	A	A	A	A	<u>The camp shall be based on an agricultural theme and provide agriculturally related activities.</u>
<u>Dude Ranch</u>		N	N	N	A	A	
<u>Educational classes:</u>		A	A	A	A	A	<u>All courses of study or subject matter shall incorporate and consist of an agricultural or ecological component related to an Agricultural Product produced onsite.</u>
<u>Farm museum:</u>		N	A	A	A	A	
<u>Farmers Market.</u> A farmer's market where multiple agricultural operators may sell their products:		N	N	A	A	A	
<u>Food Prep:</u>	<u>Bakery or café:</u>	N	A	A	A	A	<u>At least one type of the onsite agricultural operation's products shall be continuously offered for sale. It may be combined into another product.</u>
	<u>Food concessions stand:</u>	N	A	A	A	A	
	<u>Restaurant:</u>	N	N	A	A	A	<u>At least one type of the onsite agricultural operation's products shall be continuously offered for sale.</u>
<u>Greenhouse or Nursery:</u>		N	A	A	A	A	<u>Sales are limited to plants produced on the premises.</u>
<u>Lodging House:</u>	<u>with up to 2 guest rooms:</u>	N	N	A	A	A	<u>No more than two guest rooms per each acre of the agricultural operation.</u>  <u>See Section 108-21-7</u>
	<u>with 3 to 7 guest rooms:</u>	N	N	A	A	A	
	<u>with 8 to 16 guest rooms:</u>	N	N	N	A	A	
<u>Petting zoo:</u>		N	A	A	A	A	
<u>Rental garden or garden row(s).</u>		A	A	A	A	A	
<u>Seasonal amusement</u> such as haunted house, corn maze, hay stack slide or climbing area, and similar seasonal amusement uses:		N	A	A	A	A	
<u>Sleigh or hay ride:</u>		N	A	A	A	A	

Commented [E83]: Adding this qualifier

Commented [E84]: Standard taken from agroecology research and education center and applied to all lodging houses. Seems generally applicable for all lodging.

<b>Store:</b>	<u>Agricultural Produce Sales, Onsite:</u>	A	A	A	A	A	<u>The sales shall only be operated by the owner or manager of the onsite agricultural operation, and is limited to Agricultural Products, at least one of which must be produced onsite.</u>
	<u>Gift shop:</u>	A	A	A	A	A	
	<u>Market:</u>	N	N	N	A	A	<u>At least one type of the onsite agricultural operation's products shall be continuously offered for sale. It may be combined into another product. Products shall be limited to those commonly offered by a small grocer.</u>

1036

Uses/Activities	Farm Designations					
	Market Garden (3—<5 acres)	Family Farm (5—<10 acres)	Small Farm (10—<20 acres)	Medium Farm (20—<40 acres)	Large Farm (40—<80 acres)	Ranch (=80 acres)
<b>Farm Stay (Residential and Overnight Lodging Accommodation) Uses/Activities</b>						
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*	*	*	*	*	*	*
<b>Agriculturally Related Uses/Activities</b>						
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	*	*	*	*	*	*
<b>Non-Agriculturally Related Uses/Activities</b>						

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*						*
<del>On-farm store/retail market, agri-tourism*</del>					*	*
Play area, agri-tourism		*	*	*	*	*
Restaurant featuring farm products*				*	*	*
Special event; as defined by title 38, special events	*	*	*	*	*	*
Health farm*				*	*	*
<del>Motor coach/caravan area, agri-tourism*</del>				*	*	*
Value-added product processing*	*	*	*	*	*	*

1037 **Sec 108-21-6 Use/Activity Site Development Standards And Limitations Regulations**

1038 The following table contains certain uses listed in the Use or Activity Table in Section 108-21-5. Each use  
 1039 shall comply with the development standards provided in the table.

1040 ~~To ensure considerate integration of agri-tourism operations into established rural neighborhoods, the uses~~  
 1041 ~~listed below shall be subject to additional standards beyond any provided within other, expressed and/or~~  
 1042 ~~unexpressed, codes, ordinances, statutes, rules, or requirements. The uses listed below correspond with~~  
 1043 ~~certain uses listed in the Use or Activity Table in Section 108-21-5. Due to their nature, each shall be further~~  
 1044 ~~regulated as follows. One or more of these additional standards and/or limitations, restrictions may be~~  
 1045 ~~waived by the Planning Commission Land Use Authority upon finding that either: a proposed use poses no~~  
 1046 ~~detrimental effects to neighboring properties due to unique circumstances, or that a proposed use can be~~

1047 mitigated to an acceptable level due to the imposition of other more appropriate, site specific conditions  
1048 that justify the use's or activity's approval.



	<u>SETBACK STANDARDS</u>		<u>MAXIMUM ALLOWED BUILDING FOOTPRINT</u>
	<u>From agricultural operation's exterior boundary</u>	<u>From existing dwelling on an adjacent lot</u>	
<u>Agroecology Research and Education Center:</u>	<u>100 feet<sup>1</sup></u>	<u>200 feet<sup>1</sup></u>	<u>Not applicable</u>
<u>Agricultural Product processing and packaging:</u>	<u>100 feet<sup>1</sup></u>	<u>200 feet<sup>1</sup></u>	<u>200 square feet<sup>2</sup></u>
<u>Camping:</u>	<u>Glamorous camping area:</u>	<u>300 feet<sup>1</sup></u>	<u>Not applicable</u>
	<u>Recreational Vehicle area:</u>	<u>500 feet<sup>1</sup></u>	
<u>Conference or education center:</u>	<u>300 feet<sup>1</sup></u>	<u>500 feet<sup>1</sup></u>	<u>Not applicable</u>
<u>Educational classes:</u>	<u>100 feet<sup>1</sup></u>	<u>200 feet<sup>1</sup></u>	<u>Not applicable</u>
<u>Food Prep:</u>	<u>Bakery or café:</u>	<u>200 feet<sup>1</sup></u>	<u>Not applicable</u>
	<u>Restaurant</u>		
<u>Market, farmers:</u>	<u>200 feet<sup>1</sup></u>	<u>400 feet<sup>1</sup></u>	<u>Not applicable</u>
<u>Lodging House:</u>	<u>2 guest rooms</u>	<u>100 feet<sup>1</sup></u>	<u>Not applicable</u>
	<u>3 to 7 guest rooms</u>	<u>200 feet<sup>1</sup></u>	
	<u>8 to 16 guest rooms</u>	<u>400 feet<sup>1</sup></u>	
<u>Petting farm/zoo.</u>	<u>400 feet<sup>1</sup></u>	<u>600 feet<sup>1</sup></u>	<u>Not applicable</u>
<u>Store:</u>	<u>Agricultural Produce Sales, Onsite:</u>	<u>100 feet<sup>1</sup></u>	<u>0.025 Percent of the agricultural operation's gross acreage.</u>
	<u>Gift shop:</u>	<u>100 feet<sup>1</sup></u>	
	<u>Market:</u>	<u>150 feet<sup>1</sup></u>	

**Commented [E85]:** Current code terms this "motor coach/caravan area."

<sup>1</sup> The setback distances listed in this table may be reduced by up to one-half when a six-foot high landscape berm is installed that screens the potential visual or audible impacts to neighboring properties.

**Sec 108-21-7 Special Regulations.**

The uses listed below correspond with certain uses listed in the Use or Activity Table in Section 108-21-5. Due to their nature, each shall be further regulated as follows.

Commented [E86]: Check ref.

**(a) Agricultural product processing and packaging.**

a. Agricultural Product processing and packaging shall be limited to fowl, livestock, dairy, apiculture, aquaculture, and botanical products produced by the onsite agricultural operation.

b. Agricultural Product processing and packaging shall be limited to and agricultural operation with a gross area, as provided herein, of five acres or greater. The planning commission may allow up to a two-acre reduction to this limitation if it is found that the Agricultural Product processing and packaging will take place in a completely enclosed building and will emit no perceivable smoke, dust, vibration, noise, and/or objectionable smell at the agricultural operation's property boundary.

**(b) Agritourism Hunting & Preserve.**

a. Limited to the Western Weber County Planning Area.

b. Limited to upland game and waterfowl hunting only.

c. Subject to Utah Division of Wildlife Resource standards.

**(c) Lodging House.** For an agritourism operation, a Lodging House is governed as follows:

(1) The Lodging House shall be owned and managed by the same owner or manager as the agritourism operation.

(2) The agritourism operator or manager shall be onsite at all times that Lodging House guests are onsite.

(3) Despite the definition of "Lodging House" in Title 101, Chapter 2, a Lodging House that is part of an Agritourism operation may have as little as one guest room or suite.

(4) In addition to providing lodging to customers and clients of the agritourism operation in general, a Lodging House may provide lodging for an Agroecology Research and Education Center, a Conference or Education Center, ~~or~~ a Health Farm, or a Dude Ranch conducted as part of the agritourism operation.

(5) No more than one Lodging House shall be operated on an agritourism operation.

**~~Farm stay (residential and overnight lodging accommodation) uses/activities.~~**

~~Agro-ecology research and education center (AREC).~~

~~An AREC shall be limited to providing overnight lodging accommodations for faculty, staff, and/or students/apprentices only.~~

~~An AREC, approved as part of an agri-tourism operation, shall be limited to a number of lodging rooms that does not exceed two rooms per one gross acre.~~

1088 ~~A lodging room may provide basic needs for up to a maximum of two persons; however, each room shall~~  
1089 ~~be limited to facilities that do not comprise or otherwise permit a lodging room to meet the definition of a~~  
1090 ~~single family dwelling.~~

1091 ~~An AREC shall not be located closer than 50 feet to any agri-tourism operation's perimeter boundary line~~  
1092 ~~and in no case located closer than 100 feet to an existing dwelling on an adjacent lot/parcel. These~~  
1093 ~~standards may be reduced by up to one-half when a substantial natural landscape screen, standing at a~~  
1094 ~~minimum of six feet in height for a majority of its length, is used to mitigate potential visual and/or audible~~  
1095 ~~impacts to neighboring property.~~

1096 ~~B&B farm dwelling (two guest rooms).~~

1097

1098 ~~An agri-tourism operation shall be limited to one B&B facility (i.e., one B&B dwelling, retreat, or inn)~~  
1099 ~~conference/education center, or health farm.~~

1100 ~~A B&B farm dwelling shall be limited to a maximum of two guest units/rooms.~~

1101 ~~A B&B farm dwelling shall be subject to the Weber County zoning and platting requirements of the title~~  
1102 ~~106, subdivision.~~

1103 ~~B&B farm retreat (seven guest rooms).~~

1104 ~~An agri-tourism operation shall be limited to one B&B facility (i.e., one B&B dwelling, retreat, or inn)~~  
1105 ~~conference/education center, or health farm.~~

1106 ~~A B&B farm retreat shall be limited to a maximum of seven guest units/rooms.~~

1107 ~~A B&B farm retreat shall not be located closer than 100 feet to any agri-tourism operation's perimeter~~  
1108 ~~boundary line and in no case located closer than 300 feet to an existing dwelling on an adjacent~~  
1109 ~~lot/parcel. These standards may be reduced by up to one-half when a substantial natural landscape~~  
1110 ~~screen, standing at a minimum of six feet in height for a majority of its length, is used to mitigate potential~~  
1111 ~~visual and/or audible impacts to neighboring property.~~

1112 ~~A B&B farm retreat shall be subject to the Weber County zoning and platting requirements of title 106,~~  
1113 ~~subdivision.~~

1114 ~~B&B farm inn (16 guest rooms).~~

1115 ~~An agri-tourism operation shall be limited to one B&B facility (i.e., one B&B dwelling, retreat, or inn)~~  
1116 ~~conference/education center, or health farm.~~

1117 ~~A B&B farm inn shall be limited to a maximum of 16 guest units/rooms.~~

1118 ~~The B&B farm inn shall not be located closer than 300 feet to any agri-tourism operation's perimeter~~  
1119 ~~boundary line and in no case located closer than 500 feet to an existing dwelling on an adjacent~~  
1120 ~~lot/parcel. These standards may be reduced by up to one-half when a substantial natural landscape~~  
1121 ~~screen, standing at a minimum of six feet in height for a majority of its length, is used to mitigate potential~~  
1122 ~~visual and/or audible impacts to neighboring property.~~

1123 ~~Luxury camping (glamping).~~

1124 ~~Glamping, approved as part of an agri-tourism operation, shall be limited to a number of tents that does~~  
1125 ~~not exceed two tents or cabins per five gross acres.~~

1126 ~~Occupancy shall not exceed six persons per tent or cabin.~~

1127 ~~Meals shall only be served to overnight guests.~~

1128 ~~Glamping area(s) shall be completely screened from street view.~~

1129 ~~Glamping areas shall not be located closer than 300 feet to any agri-tourism operation's perimeter~~  
1130 ~~boundary line and in no case located closer than 500 feet to an existing dwelling on an adjacent~~  
1131 ~~lot/parcel. These standards may be reduced by up to one-half when a substantial natural landscape~~  
1132 ~~screen, standing at a minimum of six feet in height for a majority of its length, is used to mitigate potential~~  
1133 ~~visual and/or audible impacts to neighboring property.~~

1134 ~~Accessory dwelling unit.~~

1135 ~~An agritourism operation may have one or more accessory dwelling units onsite. The number of~~  
1136 ~~accessory dwelling units shall not exceed the following calculation: net developable acreage of the parcel~~  
1137 ~~upon which an accessory dwelling unit is located, divided by the minimum lot area required by the zone in~~  
1138 ~~which the lot or parcel(s) is located, all multiplied by 20 percent (net developable acreage / minimum lot~~  
1139 ~~area) x 20 percent = Maximum number of accessory dwelling units at an approved agri-tourism operation.~~

1140 ~~Meals shall only be served to overnight guests.~~

1141 ~~An accessory dwelling unit shall not be located closer than 150 feet to the agri-tourism operation's~~  
1142 ~~exterior boundary, and in no case located closer than 300 feet from an existing dwelling on an adjacent~~  
1143 ~~lot/parcel. These standards may be reduced by up to one-half when a substantial natural landscape~~  
1144 ~~screen, standing at a minimum of six feet in height for a majority of its length, is used to mitigate potential~~  
1145 ~~visual and/or audible impacts to neighboring property.~~

1146 ~~Conference/education center.~~

1147 ~~An agri-tourism operation shall be limited to one conference/education center.~~

1148 ~~A conference/education center shall be limited to a maximum of 20 guest units/rooms.~~

1149 ~~Conference/education centers shall not be located closer than 300 feet to any agri-tourism operation's~~  
1150 ~~perimeter boundary line and in no case located closer than 500 feet to an existing dwelling on an adjacent~~  
1151 ~~lot/parcel. These standards may be reduced by up to one-half when a substantial natural landscape~~  
1152 ~~screen, standing at a minimum of six feet in height for a majority of its length, is used to mitigate potential~~  
1153 ~~visual and/or audible impacts to neighboring property.~~

1154 ~~Health farm.~~

1155 ~~An agri-tourism operation shall be limited to one health farm or B&B facility (i.e., one B&B dwelling, inn, or~~  
1156 ~~hotel).~~

1157 ~~A health farm shall be limited to a maximum of ten guest units/rooms.~~

1158 ~~A health farm shall not be located closer than 150 feet to any agri-tourism operation's perimeter boundary~~  
1159 ~~line and in no case located closer than 300 feet to an existing dwelling on an adjacent lot/parcel. These~~  
1160 ~~standards may be reduced by up to one-half when a substantial natural landscape screen, standing at a~~  
1161 ~~minimum of six feet in height for a majority of its length, is used to mitigate potential visual and/or audible~~  
1162 ~~impacts to neighboring property.~~

1163 ~~Motor coach/caravan area.~~

1164 ~~A motor coach/caravan area, approved as part of an agri-tourism operation, shall be limited to a number~~  
1165 ~~of individual sites that does not exceed one site per five gross acres. In no case shall a motor~~  
1166 ~~coach/caravan area or combination of areas exceed 20 sites.~~

1167 ~~A motor coach/caravan area shall not be located closer than 300 feet to any agri-tourism operation's~~  
1168 ~~perimeter boundary line and in no case located closer than 500 feet to an existing dwelling on an adjacent~~

1169 lot/parcel. These standards may be reduced by up to one-half when a substantial natural landscape  
1170 screen, standing at a minimum of six feet in height for a majority of its length, is used to mitigate potential  
1171 visual and/or audible impacts to neighboring property.

1172 Single-family dwelling; a.k.a. farm house.

1173 An agri-tourism operation shall be limited to one single-family dwelling/farm house and is subject to the  
1174 Weber County zoning and platting requirements of title 106, subdivision.

1175 Agriculturally-related uses/activities.

1176 Argo-ecology research and education center (AREC).

1177 See section 108-21-6(a)(1).

1178 Educational classes. All courses of study or subject matter shall incorporate and consist of an agricultural  
1179 and/or ecological component.

1180 Harvest market. Limited to agricultural products as defined in section 101-1-7 of this Land Use Code.

1181 Multi-farmer open air (farmer's) market.

1182 The operation of a multi-farmer open air (farmer's) market shall be limited to the months of June through  
1183 December.

1184 A multi-farmer open air (farmer's) market shall not be located closer than 200 feet to any agri-tourism  
1185 operation's perimeter boundary line, excepting the front property line, and in no case located closer than  
1186 300 feet to an existing dwelling on an adjacent lot/parcel. These standards may be reduced by up to one-  
1187 half when a substantial natural landscape screen, standing at a minimum of six feet in height for a  
1188 majority of its length, is used to mitigate potential visual and/or audible impacts to neighboring property.

1189 Petting farm/zoo. Limited to parcels with access provided by a collector or arterial road when located  
1190 within the Ogden Valley. See the Ogden Valley Transportation Element Map for road designation  
1191 information.

1192 Non-Agriculturally Related Uses/Activities.

1193 Bakery/cafe featuring farm product(s).

1194 Not less than one agricultural product, offered at a bakery/cafe featuring farm product(s), shall be  
1195 raised/cultivated and/or produced by the farm on which the bakery/cafe featuring farm product(s) is  
1196 operated.

1197 A bakery/cafe shall not be located closer than 150 feet to any agri-tourism operation's perimeter boundary  
1198 line, excepting the front property line, and in no case located closer than 300 feet to an existing dwelling  
1199 on an adjacent lot/parcel. These standards may be reduced by up to one-half when a substantial natural  
1200 landscape screen, standing at a minimum of six feet in height for a majority of its length, is used to  
1201 mitigate potential visual and/or audible impacts to neighboring property.

1202 Farm stay.

1203 See section 108-21-6(a).

1204 Gift shop (retail).

1205 A gift shop and its outdoor display area or gift shop area within a multi-use building shall be limited to the  
1206 following size standards:

1.	Market garden (3<5 ac)	200 square feet maximum.
2.	Family farm (5<10 ac)	200 square feet maximum.
3.	Small farm (10<20 ac)	200 square feet maximum.
4.	Medium farm (20<40 ac)	400 square feet maximum.
5.	Large farm (40<80 ac)	600 square feet maximum.
6.	Ranch (>80 ac)	800 square feet maximum.

1207

**a. — Hunting preserve.**

1208

~~(a) — Hunting preserve.~~

1209

~~b. a. Limited to the Western Weber County Planning Area.~~

1210

~~c. a. Limited to upland game and waterfowl hunting only.~~

1211

~~(b) — Subject to Utah Division of Wildlife Resource standards.~~

1212

~~(1) — Motor coach/caravan area.~~

1213

~~a. — See section 108-21-6(a)(1).~~

1214

~~(2) — On farm store/retail market.~~

1215

~~a. — Not less than one agricultural product, offered at an on farm store/retail market, shall be raised/cultivated and/or produced by the farm on which the on farm store/retail market is operated.~~

1216

1217

1218

~~b. — An on farm store/retail market and its outdoor display area or on farm store/retail market area within a multi-use building shall be limited to the following size standards:~~

1219

1220

1.	Large farm (40<80 ac)	600 square feet maximum.
2.	Ranch (>80 ac)	800 square feet maximum.

1221

~~c. — Products made available at an on farm store/retail market shall be limited to those commonly offered by a small-scale neighborhood grocer.~~

1222

1223

~~d. — An on farm store/retail market shall not be located closer than 150 feet to any agri-tourism operation's perimeter boundary line, excepting the front property line, and in no case located closer than 300 feet to an existing dwelling on an adjacent lot/parcel. These standards may be reduced by up to one-half when a substantial natural landscape screen, standing at a minimum of six feet in height for a majority of its length, is used to mitigate potential visual and/or audible impacts to neighboring property.~~

1224

1225

1226

1227

1228

1229

(3) ~~Restaurant featuring farm product(s).~~

1230

~~a. Not less than one agricultural product, offered at a restaurant featuring farm product(s), shall be raised/cultivated and/or produced by the farm upon which the restaurant featuring farm product(s) is operated.~~

1231

1232

~~b. A restaurant shall not be located closer than 150 feet to any agri-tourism operation's perimeter boundary line, excepting the front property line, and in no case located closer than 300 feet to an existing dwelling on an adjacent lot/parcel. These standards may be reduced by up to one-half when a substantial natural landscape screen, standing at a minimum of six feet in height for a majority of its length, is used to mitigate potential visual and/or audible impacts to neighboring property.~~

1233

1234

1235

1236

1237

1238

~~c. Value added Agricultural product processing and packaging (VAPPP).~~

1239

~~d. VAPPP Agricultural Product processing and packaging shall be limited to fowl, livestock, dairy, apiculture, aquaculture, and botanical products that have been raised, produced, and/or cultivated by the farm produced by the onsite agricultural operation, upon which the processing and packaging is taking place.~~

1240

1241

1242

1243

~~e. VAPPP, related to the products listed immediately above, Agricultural Product processing and packaging shall be limited to and agricultural operation with a gross area, as provided herein, of five acres or greater, agri-tourism operations and parcels consisting of five acres or more. The planning commission may allow up to a two-acre reduction to this limitation if it is found that the Agricultural Product processing and packaging VAPPP will take place in a completely enclosed building and will omit no perceivable smoke, dust, vibration, noise, and/or objectionable smell at the agricultural operation's subject farm's property boundary.~~

1244

1245

1246

1247

1248

1249

1250

~~f. An Agricultural Product processing and packaging VAPPP building and any outdoor work area or VAPPP area within a multi-use building shall be limited to the following size standards:~~

1251

1252

1.	Market garden (3<5 ac)	200 square feet maximum.
2.	Family farm (5<10 ac)	200 square feet maximum.
3.	<del>Small farm (10&lt;20 ac)</del>	200 square feet maximum.
4.	Medium farm (20<40 ac)	400 square feet maximum.
5.	Large farm (40<80 ac)	600 square feet maximum.
6.	Ranch (>80 ac)	800 square feet maximum.

1253

~~g. Consumer direct (retail) sales of processed and packaged products shall only be made from an approved concession or other retail outlet.~~

1254

1255

~~h. The structure building in which VAPPP takes place shall in no case be located closer than 200 feet to an existing single family dwelling on an adjacent lot/parcel.~~

1256

**PASSED AND ADOPTED BY THE WEBER COUNTY BOARD OF COUNTY COMMISSIONERS ON THIS 16<sup>TH</sup> DAY OF MAY, 2023.**

**AYE                      NAY                      ABSENT                      ABSTAIN**

Gage Froerer  
Jim "H" Harvery  
Sharon Arrington Bolos

**Presiding Officer**

**Attest**

\_\_\_\_\_  
Gage Froerer, Chair

\_\_\_\_\_  
Ricky D. Hatch, CPA, Clerk/Auditor



**WEBER COUNTY**

**ORDINANCE NUMBER 2023-**

**AN AMENDMENT TO VARIOUS SECTIONS OF THE COUNTY'S LAND USE CODE TO THE SHORELINE (S-1) ZONE TO ENABLE AGRITOURISM AS A CONDITIONAL USE.**

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

**WHEREAS**, those land use ordinances contain various zones, each with a specific purpose and intent, and each with a variety of uses; and

**WHEREAS**, Agritourism is a listed use, permitted by conditional use permit in certain zones, and regulated by specific regulations in the land use regulations; and

**WHEREAS**, Agritourism is not currently listed as allowed in the Shoreline (S-1) Zone; and

**WHEREAS**, The Board of Weber County Commissioners has received an application to amend the land use regulations to also allow agritourism to occur in the Shoreline (S-1) Zone; and

**WHEREAS**, After thorough consideration, the Ogden Valley Planning Commission desires specific changes to the agritourism regulations to avoid potential abuse and unintended consequences; and

**WHEREAS**, After thorough consideration, the Western Weber Planning Commission desires specific changes to the Agricultural Zones (A-1, A-2, A-3, and AV-3) to make certain types of agricultural sales permissible without the need for an Agritourism permit; and

**WHEREAS**, As part of a longstanding effort to reorganize the land use regulations to enhance efficiencies and application, both planning commissions are recommending approval of other land use regulation amendments as proposed herein; and

**WHEREAS**, on October 14, 2023, 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 October 7, 2023, 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 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 advance goals and objectives of the Ogden Valley General Plan; and

**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 **TITLE 101 GENERAL PROVISIONS**

2 ...

3 **CHAPTER 101-2 DEFINITIONS**

4 **Sec 101-2-2 A Definitions**

5 ***Acreage, gross.*** The term "gross acreage" means a total of all acreage that lies within a project boundary.

6 ***Acreage, net developable.*** The phrase "net developable acreage" means the total acreage within a project  
7 boundary, subtracting acreage unsuitable for development, as defined by this section or as otherwise  
8 provided in this Land Use Code. When calculating net developable acreage, the area encumbered or  
9 proposed to be encumbered by a street right-of-way or other required right-of-way providing primary access  
10 to a lot is considered area unsuitable for development. The term "net developable area" shall have the  
11 same meaning, unless the context clearly indicates otherwise.

12 ...

13 ***Agritourism.*** The term "agritourism" means a use, accessory to an agricultural use, which can provide a  
14 means of diversifying agricultural income through broadening an agricultural operation's offerings with an  
15 agriculture-oriented tourism attraction. An agritourism use provides product, activities, and other uses that  
16 are clearly related and incidental to the agricultural operation to which it is accessory.

17 ***Agritourism Events Facility.*** The term "agritourism events facility" means an agritourism use or activity  
18 that provides the opportunity for agritourists to rent an area that can act as a venue for events, including,  
19 but not limited to, birthdays, weddings, family reunions, small scale fundraisers, or corporate picnics or  
20 outings that do not constitute a special event as defined by Title 38.

21 ***Agritourism Farm Tour.*** The term "agritourism farm tour" means an agritourism use or activity that offers  
22 opportunities for the public to learn how a farm functions and where and how food, fiber, fuel, and other  
23 agricultural products are produced. Farm tours frequently highlight the history of the subject farm and, in  
24 general, educate the public about agricultural practices and technology.

25 ***Agritourism Fee Fishing.*** The term "agritourism fee fishing" means an agritourism use or activity,  
26 approved by the appropriate local, state and federal agency, which provides the opportunity for anglers to  
27 pay a fee for the right to fish on a farm.

28 ***Agritourism Glamorous Camping.*** The term "agritourism glamorous camping" means an agritourism use  
29 or activity that provides the opportunity for agritourists to rent, on a nightly basis, fully furnished tents or  
30 rustic cabin sites that are characterized by furnishings, amenities, and comforts offered by that of a luxury  
31 hotel room. Furnishings, amenities, and comforts may include but are not limited to luxurious decor, beds,  
32 linens, baths, veranda, spa services, concierge, dining, and chef.

33 ***Agritourism Health Farm.*** The term "agritourism health farm" means a farm building designed for the  
34 purpose of providing proactive health and wellness education or physical exercise and diet regimens that  
35 can improve one's quality of life in a rural or spa-like environment. Health and wellness opportunities may  
36 consist of, but are not limited to, general and specialized exercise, wellness, and nutritional classes and  
37 consultations, organic cooking classes or workshops, yoga, meditation, and massage therapy.

38 ***Agritourism Hunting Preserve.*** The term "agritourism hunting preserve" means an agritourism use or  
39 activity, approved by the appropriate local, state and federal agency, which provides the opportunity for an  
40 individual or group to pay a fee for the right to hunt on a farm.

41

42 ***Agritourism You-Pick Operation.*** The term "agritourism you-pick operation" means an agritourism use  
43 or activity that provides the opportunity for customers to pick or harvest fruits and vegetables directly from  
44 the plant grown on a farm location.

45 ...

46 ***Agricultural Arts Center.*** The term "agricultural arts center" means a facility designed for the purpose of  
47 offering public education, enjoyment, and enlightenment through artistic expression and/or a translation of  
48 concepts related to art, art history, and art theory. In a conducive agricultural setting, it acts as a venue for  
49 the community to experience, appreciate, and consume art in a variety of forms, including, but not limited  
50 to, visual or media art, literature, music, theatre, film, or dance.

51 ...

52 ***Agricultural Produce Sales, Onsite.*** The phrase "Onsite Agricultural Produce Sales" means farm-produce  
53 sales that are part of an onsite agricultural operation. Offerings for sale include agricultural products and  
54 goods derived from the agricultural operation on which the store is located, and may include other farm-  
55 produce derived from other agricultural operations in Weber County. An Onsite Agricultural Produce Sales  
56 operation does not consist of multiple vendors.

57 ...

58 ***Agroecology Research and Education Center.*** The term "agroecology research and education center"  
59 means a facility designed for the purpose of providing academic training in the techniques of agroecology  
60 and sustainable agricultural systems. An Agroecology Research and Education Center conducts theoretical  
61 and applied research and community outreach while offering academic education, practical experience,  
62 training, and public service and instructional opportunities for audiences ranging from school children to  
63 international agencies.

64 ...

65 **Sec 101-2-3 B Definitions**

66 ...

67 **Sec 101-2-5 D Definitions**

68 ***Dude ranch.*** The term "dude ranch" means a commercial vacation ranch operation that provides  
69 activities related to a ranch lifestyle, which may include camping, horseback riding, and wrangling, and  
70 which may also offer a lodging house for guests engaged in these activities.

71 ...

72 **Sec 101-2-7 F Definitions**

73 ...

74 **Sec 101-2-8 G Definitions**

75 ...

76 **Sec 101-2-9 H Definitions**

77 ...

78 **Sec 101-2-13 Loc - Lod Definitions**

79 ...

80 ***Lodging House.*** The term "Lodging House," also referred herein as "Boardinghouse," means a building  
81 designed for temporary lodging for compensation, in which no provision is made for cooking in any  
82 individual guest room or suite. Unless otherwise more specifically provided in this Land Use Code, a  
83 Lodging House has between one and 15 guest rooms.

84 ...

85 **Sec 101-2-17 P Definitions**

86 ...

87 ***Product, Agricultural.*** The term "Agricultural Product" means any raw product which is derived from  
88 agriculture, including fruits, vegetables, crops, floriculture, herbs, forestry, animal husbandry, livestock,  
89 aquaculture, water plants, horticulture, and other similar products that can be broadly classified as a food,  
90 fiber, fuel, or a raw material group. Specific foods may include cereals, fruits, vegetables, and meat. Fibers  
91 may include cotton, wool, hemp, silk and flax. Raw materials may include lumber and other plant products.

92 ...

93 **Sec 101-2-20 Sp Definitions**

94 ...

95 ***Recreational vehicle or travel trailer.*** The term "recreational vehicle," also known herein as "travel  
96 trailer," means a vehicular unit, other than a mobile home, designed as a temporary dwelling for travel,  
97 recreational, and vacation use, which is either self-propelled or is mounted on or pulled by another vehicle  
98 including, but not limited to: travel trailer, camp trailer, folding tent trailer, truck camper, or motor home,  
99 but not including mobile or manufactured homes.

100 **TITLE 104 ZONES**

101 ...

102 **CHAPTER 104-2 AGRICULTURAL ZONES**

103 ...

104 **Sec 104-2-3 Land Use Table**

105 The following tables display the uses permitted, conditionally permitted, or not permitted in the agricultural  
 106 zones. The letter "P" indicates a permitted use in the zone. The letter "C" indicates a use that requires a  
 107 conditional use permit, as governed by Title 108 Chapter 4, in the zone. The letter "N" indicates a use that  
 108 is prohibited in the zone. A use listed is a main use, unless listed in the "accessory uses" table.

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

	AV-3	A-1	A-2	A-3	Special Provisions
<b>Accessory building</b> , accessory and incidental to the use of a main building.	P	P	P	P	
<b>Accessory dwelling unit.</b>	P	P	P	P	See <u>Chapter 108-19</u> .
<b>Accessory use</b> , accessory and incidental to the main use.	P	P	P	P	
<b>Agricultural Produce Sales, Onsite.</b> The sales of agricultural products produced onsite, accessory to an agricultural operation.	P	P	P	P	See <u>Section 104-2-4. 5-acre use.</u>
<b>Custom exempt meat cutting</b> , accessory to a residential use.	C	N	N	N	See <u>Section 104-2-4. 5-acre use.</u>
<b>Family food production</b> , accessory to a residential use.	P	P	P	P	See <u>Section 104-2-4.</u>
<b>Home occupation</b> , accessory to a residential use.	P	P	P	P	See <u>Chapter 108-13.</u>
<b>Household pets</b> , accessory to a residential use.	P	P	P	P	
<b>Main building</b> , designed or used to accommodate the main use.	P	P	P	P	
<b>Parking lot</b> , accessory to a main use allowed in the zone.	P	P	P	P	
<b>Parking of large vehicle</b> , accessory to residential use.	C	C	C	C	See <u>Section 104-2-4. 5-acre use.</u>
<b>Parking of construction vehicle.</b>	C	C	C	C	See <u>Section 104-2-4. 5-acre use.</u>
<b>Sugar beet loading or collection station.</b>	C	N	P	P	
<b>Sugar beet dump site.</b>	N	N	P	P	

111	<b>Temporary building or use</b> , accessory and incidental to onsite construction work.	P	P	P	P	
-----	--	---	---	---	---	--

	AV-3	A-1	A-2	A-3	Special Provisions
<b>Agriculture.</b>	P	P	P	P	
<b>Agriculture, community-oriented.</b> A crop production operation for use by the broader public, such as a community garden, rental row operation, or you-pick operation.	P	P	P	P	
<b>Agricultural experiment station.</b>	P	P	P	P	
<b>Aquaculture.</b>	P	P	P	P	
<b>Fruit and vegetable storage and packing plant</b> , for produce grown on premises.	P	P	N	N	5-acre use.
<b>Grain storage elevator.</b>	N	N	N	P	5-acre use.
<b>Greenhouse and nursery.</b> Sales are limited to plants produced on the premises.	P	P	P	P	
<b>Laboratory facility</b> , for agricultural products and soils testing.	C	C	C	C	
<b>Manure spreading, drying and sales.</b>	N	N	N	C	

112 ...

113 **Sec 104-2-4 Special Regulations**

114 The uses listed below correspond with certain uses listed in the Land Use Table in Section 104-2-3. Due  
115 to the nature of the use, each shall be further regulated as follows:

116 (a) **Agricultural Produce Sales, Onsite.** The sales of onsite agricultural produce shall be governed as  
117 follows:

118 (1) **Onsite.** For the purposes of this use, "onsite" shall mean on the same lot or parcel, or on a parcel  
119 that is part of a larger group of contiguous parcels all under the same ownership, excluding  
120 contiguity interrupted by a street right-of-way.

121 (2) **Same owner/operator.** The sales shall only be operated by the owner or manager of the onsite  
122 agricultural operation.

123 (3) **Limitation on items sold.** Sales shall be limited to Agricultural Products, at least one of which  
124 must be produced onsite and shall be continuously offered for sale during all times that onsite  
125 produce is offered for sale.

126 (4) **Allowed footprint.** If sales occur within a building, the footprint of the building area used for sales  
127 shall be limited to no more than 0.025 percent of the total area of the agricultural operation. If sales  
128 occur outdoors, the footprint of the area used for sales shall be limited to no more than 1.0 percent  
129 of the total area of the agricultural operation.

- 130 (5) **Setback requirement.** Except warehousing and storage, all sales activities shall be conducted at  
131 a minimum distance from an adjoining property. That distance shall be the greater of:
- 132 a. 10 feet; or
- 133 b. One foot for every 200 square feet of footprint used for the sales activities, up to 100 feet.
- 134 (b) **Animal grazing.** This use shall not include the supplementary or full feeding of the animals, except  
135 when in compliance with the following:
- 136 (1) It may only be carried on during times that are reasonable and necessary due to lack of natural  
137 growing feed as a result of seasonal changes or extreme and temporary meteorological events.
- 138 (2) It shall not exceed a density of 25 head per acre of used land in the AV-3 and A-1 zones, and 40  
139 head per acre of used land in the A-2 and A-3 zones.
- 140 (3) It shall not be closer than 75 feet to any dwelling, public or semi-public building on an adjoining  
141 parcel of land.
- 142 (c) **Animal feeding operation.** This use may include supplemental or full feeding. However, it is prohibited  
143 to feed animals any market refuse, house refuse, garbage, or offal that was not produced on the  
144 premises. The following additional standards apply for hog feeding:
- 145 (1) All pens and housing for hogs shall be concrete and maintained in a sanitary manner.
- 146 (2) Drainage structures and disposal of animal waste shall be provided and properly maintained as  
147 required by the local health department.
- 148 (d) **Animal feeding operation, large concentrated.** A large concentrated animal feeding operation shall  
149 not be located within a half-mile of a zone boundary, unless the boundary is shared with another zone  
150 in which this use is allowed. Additionally, the area of confinement devoted to the feeding of the animals  
151 in any new large concentrated animal feeding operation shall be set back at least one quarter-mile from  
152 every property boundary.
- 153 (e) **Corral, stable or building for keeping animals or fowl.** This use shall be located no less than 100  
154 feet from a public street and not less than 25 feet from any side or rear lot line.  
155 **Custom exempt meat cutting.** This use shall be limited to animals that are part of one or more  
156 livestock operation(s) in Weber County. This use shall only occur if it is accessory to a dwelling onsite,  
157 completely enclosed within a building with no outdoor storage, and located on and with access directly  
158 from a collector or arterial street.
- 159 (f) **Dog breeding, dog kennels, or dog training school.** This use shall not exceed ten dogs of more  
160 than ten weeks old, per acre, at any time. Any building or enclosure for animals shall be located not  
161 less than 100 feet from a public street and not less than 50 feet from any side or rear property line.  
162
- 163 (g) **Family food production.**
- 164 (1) As used in this subsection, a Group A animal is either one pig, one sheep, one cow, or one goat,  
165 and Group B animals or fowl are either a set of ten rabbits, ten chickens, ten pheasants, five  
166 turkeys, five ducks, five geese, or five pigeons.
- 167 (2) No more than four sets of Group B animals or fowl may be kept on a lot or parcel that is less than  
168 40,000 square feet.
- 169 (3) No more than six combined sets of Group A animals and sets of Group B animals or fowl may be  
170 kept on a lot or parcel that is less than two acres. The same applies to a lot or parcel greater than  
171 two acres, except that an additional six combined sets of Group A and sets of Group B animals or  
172 fowl may be kept per each additional acre greater than two.
- 173 (h) **Parking of construction vehicle.** The off-site for-profit nonagricultural use of the construction vehicle  
174 shall be restricted to the owner or operator of an actively operating agricultural use on the same lot or  
175 parcel on which it is parked, or the owner or operator's employee. This use shall:

- 176 (1) Be accessory to an actively-operating agricultural use on the lot or parcel;
- 177 (2) Be restricted to vehicles and related equipment that are used for the actively-operating agricultural
- 178 use;
- 179 (3) Include no more than one three-axle truck, and no pups.
- 180 (i) **Parking of large vehicle.** This use shall be restricted to one vehicle, no greater than 24,000 pound
- 181 GVW, which shall be parked at least 50 feet from a public street. Recreational vehicles are exempt
- 182 from these restrictions.
- 183 (j) **Temporary building or use.** The building or use shall be removed upon completion or abandonment
- 184 of the construction work.
- 185 ...
- 186



187 **CHAPTER 104-8 FOREST RESIDENTIAL ZONES**

188 **Sec 104-8-1 Purpose and Intent**

189 The purpose of the forest residential zone is to provide area for residential development in a forest setting.

190 (a) The FR-1 zone is intended to provide low density development, as well as to protect as much as  
191 possible the naturalistic environment of the development.

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

198 **Sec 104-13-2 (Reserved)**

199 **Sec 104-8-3 Land Use Table**

200 The following tables display the uses permitted, conditionally permitted, or not permitted in the agricultural  
201 zones. The letter "P" indicates a permitted use in the zone. The letter "C" indicates a use that requires a  
202 conditional use permit, as governed by Title 108 Chapter 4, in the zone. The letter "N" indicates a use that  
203 is prohibited in the zone. A use listed is a main use, unless listed in the "accessory uses" table.

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

	FR-1	FR-3	Special Regulations
<b>Accessory building,</b> accessory and incidental to the use of a main building.	P	P	
<b>Accessory dwelling unit.</b>	P	P	See Title 108, <u>Chapter 19</u>
<b>Accessory use,</b> accessory and incidental to the main use.	P	P	
<b>Family food production,</b> accessory to a residential use.	P	N	See Section 104-8-4
<b>Home occupation,</b> accessory to a residential use.	P	P	See <u>Chapter 108-13</u>
<b>Household pets,</b> accessory to a residential use.	P	P	
<b>Lockout sleeping room,</b> accessory to a dwelling unit.	N	C	No more than two per dwelling unit.

<b>Main building</b> , designed or used to accommodate the main use.	P	P	
<b>Parking lot</b> , accessory to a main use allowed in the zone.	C	P	
<b>Temporary building or use</b> , accessory and incidental to onsite construction work.	P	P	See Section 104-8-4

206 (b) **Agricultural uses, non-animal.**

	FR-1	FR-3	Special Regulations
<b>Agriculture.</b>	P	N	
<b>Greenhouse and nursery.</b>	P	N	Onsite sales are limited to plants produced on the premises.

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

	FR-1	FR-3	Special Regulations
<b>Animal grazing.</b> Animal grazing, as defined in Section 101-2.	P	N	See Section 104-8-4
<b>Apiary.</b>	P	N	
<b>Aviary.</b>	P	N	
<b>Corral, stable or building for keeping animals or fowl.</b>	P	N	See <u>Section 104-8-4</u>
<b>Stable for horses, noncommercial.</b>	P	N	Horses shall be for noncommercial use only. No more than two horses shall be kept for each one acre of land used for the horses.

209 (d) **Commercial uses.** The following are uses that typically generate for-profit customer-oriented traffic to  
 210 the lot or parcel.

	FR-1	FR-3	Special Regulations
--	------	------	---------------------

<b>Conference or education center.</b>	N	C	
<b>Golf course</b> , except miniature golf course.	C	N	
<b>Ski resort.</b>	C	N	

211 (e) **Institutional uses.**

	FR-1	FR-3	Special Regulations
<b>Church, synagogue, or similar building used for regular religious worship.</b>	C	N	
<b>Public building.</b>	C	C	
<b>Public school</b> , or private educational institution having a curriculum similar to that ordinarily given in public schools.	C	N	Five acre minimum use in FR-1 Zone.

212 (f) **Residential uses.**

	FR-1	FR-3	Special Regulations
<b>Bed and breakfast dwelling.</b>	C	N	See Section 104-8-4
<b>Bed and breakfast inn.</b>	C	C	See Section 104-8-4
<b>Condominium</b> rental apartment (condo-tel), or timeshare building.	N	C	
<b>Dwelling, single-family.</b>	P	P	
<b>Dwelling, two-family.</b>	N	P	
<b>Dwelling, three-family.</b>	N	P	
<b>Dwelling, four-family.</b>	N	P	
<b>Dwelling, multi-family.</b>	N	C	

<b>Group dwelling.</b>	N	C	See Section 108-7-11
<b>Lodging house.</b>	N	C	See Section 104-8-4
<b>Recreation lodge.</b>	N	C	
<b>Residential facility for disabled persons.</b>	P	P	See Section 108-7-13
<b>Short-term rental.</b>	N	P	See Title 108, Chapter 11

213 (g) **Recreational noncommercial uses.** The following are recreational uses that are typically owned or  
 214 operated by a nonprofit or governmental entity.

	FR-1	FR-3	Special Regulations
<b>Private park, playground or recreation area.</b> No privately owned commercial amusement business.	C	C	
<b>Public park, recreation grounds</b> and associated buildings.	C	C	

215 (h) **Utility uses.**

	FR-1	FR-3	Special Regulations
<b>Public utility substations.</b>	C	C	
<b>Water storage reservoir,</b> when developed by a utility service provider.	C	N	See Title 108, Chapter 10

216 **Sec 104-8-4 Special Regulations**

217 The uses listed below correspond with certain uses listed in the Land Use Table in Section 104-8-3. Due  
 218 to the nature of the use, each shall be further regulated as follows:

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

- 221 (1) It may only be carried on during times that are reasonable and necessary due to lack of natural  
 222 growing feed as a result of seasonal changes or extreme and temporary meteorological events.
- 223 (2) It shall not exceed a density of 40 head per acre of used land.
- 224 (3) It shall not be closer than 75 feet to any dwelling, public or semi-public building on an adjoining  
 225 parcel of land.

- 226 (b) **Bed and breakfast dwelling.** This use is subject to the following:
- 227 (1) Two parking spaces shall be provided for the owner plus one space for each guest room;
- 228 (2) Proprietor or owner shall occupy the property;
- 229 (3) Meals shall only be served to overnight guests;
- 230 (4) Signs are limited to a nameplate identification sign not exceeding two square feet in area per
- 231 dwelling;
- 232 (5) Not more than two guests sleeping rooms per dwelling;
- 233 (6) Allowed only in existing dwellings with no exterior additions nor change in residential character;
- 234 and
- 235 (7) Business license shall be obtained.
- 236 (c) **Bed and breakfast inn or lodging house.** This use is subject to the following:
- 237 (1) Proprietor or owner shall occupy the premises.
- 238 (2) Two parking spaces shall be provided for the owner plus one space for each guest sleeping room.
- 239 (3) Meals shall be served to registered overnight guests only.
- 240 (4) Signs are limited to one nameplate or one identification sign.
- 241 (5) A business license shall be obtained.
- 242 (6) The following are additional standards applicable in the FR-1 zone:
- 243 a. Not more than seven sleeping rooms allowed, with all located within the same building as the
- 244 owner's residence.
- 245 b. The lot must be at least 2½ acres in area with frontage on a public street of at least 250 feet in
- 246 width.
- 247 c. The lot shall have frontage on a major street as shown on the county general plan (Arterial
- 248 Street or Collector Street).
- 249 d. The lot shall not be in a recorded subdivision unless the lot is specifically created for the
- 250 purpose of a bed and breakfast inn.
- 251 e. The inn shall be at least 300 feet from the nearest existing dwelling.
- 252 f. The guest parking shall be in the rear of the inn.
- 253 g. Signs are limited to one nameplate or one identification sign of not more than eight square feet
- 254 in area.
- 255 h. The site shall be landscaped to provide a visual and noise buffer to adjoining property; a
- 256 landscape plan shall be submitted with site plan.
- 257 i. The inn shall be of a historic period or other distinguishable architectural style or design so as
- 258 not to resemble the modern block motel appearance.
- 259 (d) **Corral, stable or building for keeping animals or fowl.** This use shall be located no less than 100
- 260 feet from a public street and not less than 25 feet from any side or rear lot line.
- 261 (e) **Family food production.**
- 262 (1) As used in this subsection, a Group A animal is either one pig, one sheep, one cow, or one goat,
- 263 and Group B animals or fowl are either a set of ten rabbits, ten chickens, ten pheasants, five
- 264 turkeys, five ducks, five geese, or five pigeons.
- 265 (2) No more than four sets of Group B animals or fowl may be kept on a lot or parcel that is less than
- 266 40,000 square feet.
- 267 (3) No more than six combined sets of Group A animals and sets of Group B animals or fowl may be
- 268 kept on a lot or parcel that is less than two acres. The same applies to a lot or parcel greater than
- 269 two acres, except that an additional six combined sets of Group A and sets of Group B animals or
- 270 fowl may be kept per each additional acre greater than two.
- 271 (f) **Group dwelling.** Group dwellings shall be considered as one building for the purpose of setback
- 272 requirements, with the entire group of dwellings as one unit requiring one front, one rear, and two side
- 273 yards as specified for dwellings. No two separate dwelling structures shall be closer than 30 feet.
- 274 (g) **Lodging house.** See bed and breakfast inn.

275 (h) **Temporary building or use.** The building or use shall be removed upon completion or abandonment  
276 of the construction work.

277 **Sec 104-8-5 Site Development Standards**

278 The following site development standards apply to a lot or parcel in the Forest Residential Zones FR-1, and  
279 FR-3, unless specified otherwise in this Land Use Code.

280 (a) **Lot area:**

LOT AREA	FR-1	FR-3	
		Septic <sup>1</sup>	Sewer <sup>2</sup>
<b>Single-Family Dwelling.</b> The minimum Lot Area for a Single-Family Dwelling shall be:	1 acre	20,000 square feet <sup>5</sup>	6,000 square feet <sup>5</sup>
<b>Non-Single-Family Dwelling.</b> The minimum Lot Area for all Dwellings other than a Single-Family Dwelling:		20,000 square feet per building <sup>3,5</sup>	7,500 square feet per building <sup>4,5</sup>
<b>Other main building.</b> The minimum Lot Area for a main building other than a Dwelling:			

- 281 <sup>1</sup> For the purposes of this table, "septic" means an onsite individual wastewater system, such as a septic system.
- 282 <sup>2</sup> For the purposes of this table, "sewer" means an offsite community, group, or shared wastewater system, such as a
- 283 community sewer system.
- 284 <sup>3</sup> An additional 8,000 square feet of Lot area is required for each Dwelling Unit in excess of one per building, and there shall
- 285 not be more than 4 dwelling units per net developable acre.
- 286 <sup>4</sup> An additional 2,000 square feet of Lot area is required for each Dwelling Unit in excess of two per building, and there shall
- 287 not be more than 20 dwelling units per net developable acre.
- 288 <sup>5</sup> An additional 500 square feet of Lot Area is required for each rental or Lockout Sleeping Room, and there shall not be
- 289 more than 40 rental or Lockout Sleeping Rooms per net developable acre if on sewer, or eight if on septic.

290 (b) **Lot width:**

LOT WIDTH	FR-1	FR-3
Minimum for all uses:	150 feet <sup>1</sup>	60 feet

- 291 <sup>1</sup> The width of lots on the outside of the curved streets or on the ends of cul-de-sacs may be reduced by up to one-third as
- 292 long as the required minimum lot width is provided when measured at a distance of 70 feet back from the front lot line in the
- 293 FR-1 Zone.

294 (c) **Yard setback:**

295 (1) **Front yard setback:**

YARD SETBACK	FR-1	FR-3
Minimum front yard setback:	30 feet <sup>1</sup>	25 feet <sup>1</sup>

- 296 <sup>1</sup> See Section 108-7-10 if Lot abuts an Arterial Street or Collector Street.

297 (2) **Side yard setback:**

SIDE YARD SETBACK	FR-1	FR-3
Main building:	20 feet	8 feet <sup>1</sup>
Accessory building:		8 feet, except one foot if located at least six feet in rear of main building.
Corner lot, side facing street:		20 feet

- 298 <sup>1</sup> The combination of the two required side yards shall not be less than 18 feet, plus one additional foot on each
- 299 side for each foot of building height greater than 35 feet.

300 (3) **Rear yard setback:**

REAR YARD SETBACK	FR-1	FR-3
Main building:	30 feet	30 feet
Accessory building:	10 feet	1 foot, except 8 feet when on a corner Lot and adjacent to the adjoining Lot's front-yard.

301 (d) **Building height:**

BUILDING HEIGHT	FR-1	FR-3
Minimum main building height:	1 story	
Maximum main building height:	35 feet	
Maximum accessory building height:	25 feet <sup>1</sup>	

302 <sup>1</sup>Except when governed otherwise by Section 108-7-16 Large Accessory Buildings.

303 (e) **Lot coverage:**

LOT COVERAGE	FR-1	FR-3
The maximum lot coverage of all buildings:	N/A	40 percent <sup>1</sup>

304 <sup>1</sup> At least 40 percent of the lot shall be left in open green space.

305 (f) **Floor to area ratio:**

FLOOR TO AREA RATIO	FR-1	FR-3
The maximum ratio of total building floor-area to Lot area:	N/A	1:1

306 ...



307 **CHAPTER 104-9 FOREST ZONES**

308 **Sec 104-9-1 Purpose**

309 (a) The intent of the forest zones is to protect and preserve the natural environment of those areas of the  
 310 county that are characterized by mountainous, forest or naturalistic land, and to permit development  
 311 compatible to the preservation of these areas.

312 (b) The objectives in establishing the forest zones are:

313 (1) To promote the use of the land for forest, fish and wildlife and to facilitate the conservation of the  
 314 natural resources, vegetation and attractions;

315 (2) To reduce the hazards of flood and fire;

316 (3) To prevent sanitation and pollution problems and protect the watershed;

317 (4) To provide areas for private and public recreation and recreation resorts; and

318 (5) To provide areas for homes, summer homes, and summer camp sites.

319 **Sec 104-9-2 (Reserved)**

320 **Sec 104-9-3 Land Use Table**

321 The following tables display the uses permitted, conditionally permitted, or not permitted in the agricultural  
 322 zones. The letter "P" indicates a permitted use in the zone. The letter "C" indicates a use that requires a  
 323 conditional use permit, as governed by Title 108 Chapter 4, in the zone. The letter "N" indicates a use that  
 324 is prohibited in the zone. A use listed is a main use, unless listed in the "accessory uses" table.

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

	F-5	F-10	F-40	Special Regulations
<b>Accessory building,</b> accessory and incidental to the use of a main building.	P	P	P	
<b>Accessory dwelling unit.</b>	P	P	P	See Title 108, <u>Chapter 19.</u>
<b>Accessory use,</b> accessory and incidental to the main use.	P	P	P	
<b>Family food production,</b> accessory to a residential use.	P	P	P	See Section 104-9-4
<b>Home occupation,</b> accessory to a residential use.	P	P	P	See <u>Chapter 108-13.</u>
<b>Household pets,</b> accessory to a residential use.	P	P	P	

<b>Main building</b> , designed or used to accommodate the main use.	P	P	P	
<b>Skeet or trap shooting</b> , when accessory to a public or private camp.	C	C	C	

327 (j) **Agricultural uses, non-animal.**

	F-5	F-10	F-40	Special Regulations
<b>Agriculture.</b>	P	P	P	
<b>Aquaculture.</b>	P	P	P	

328 (k) **Animal-related noncommercial uses.** The following are animal-related uses that do not and shall not  
329 typically generate customer-oriented traffic to the lot or parcel.

	F-5	F-10	F-40	Special Regulations
<b>Animal grazing.</b> Animal grazing, as defined in Section 101-2.	P	P	P	See Section 104-9-4.
<b>Apiary.</b>	P	P	P	
<b>Aquaculture, animal related.</b>	P	P	P	
<b>Aviary.</b>	P	P	P	
<b>Corral, stable or building for keeping animals or fowl.</b>	P	P	P	See <u>Section 104-9-4.</u>

330 (l) **Commercial uses.** The following are uses that typically generate for-profit customer-oriented traffic to  
331 the lot or parcel.

	F-5	F-10	F-40	Special Regulations
<b>Agritourism.</b>	C	C	C	See <u>Chapter 108-21.</u>
<b>Campground and picnic area.</b>	C	C	C	See Title 108, <u>Chapter 20.</u>

<b>Conference/education center.</b>	C	C	C	
<b>Forest industries.</b> Production of forest products.	C	C	C	
<b>Dude ranch.</b>	C	C	C	
<b>Golf course,</b> except miniature golf course.	P	P	P	
<b>Skeet or trap shooting range</b>	N	N	C	
<b>Ski resort.</b>	C	C	C	

332 (m) **Institutional uses.**

	F-5	F-10	F-40	Special Regulations
<b>Cemetery.</b>	C	C	C	
<b>Church, synagogue or similar building used for regular religious worship.</b>	C	C	C	

333 (n) **Residential uses.**

	F-5	F-10	F-40	Special Regulations
<b>Recreation lodge</b>	C	C	C	
<b>Single-family dwelling.</b>	P	P	P	

334 (o) **Recreational noncommercial uses.** The following are recreational uses that are typically owned or  
 335 operated by a nonprofit or governmental entity.

	F-5	F-10	F-40	Special Regulations
<b>Recreational vehicle parking.</b>	P	P	P	See Section 104-9-4
<b>Private park, playground or recreation area.</b> No privately owned commercial amusement business.	C	C	C	

<b>Public campground and picnic area.</b>	P	P	P	See <u>Title 108, Chapter 20.</u>
<b>Public park, recreation grounds</b> and associated buildings.	P	P	P	

336 (p) **Utility uses.**

	F-5	F-10	F-40	Special Regulations
<b>Hydro-electric dam.</b>	C	C	C	
<b>Public utility substations.</b>	C	C	C	
<b>Radio or television station or tower.</b>	C	C	C	
<b>Wastewater treatment or disposal facilities</b>	C	C	C	
<b>Water storage reservoir,</b> when developed by a utility service provider.	C	C	C	See Title 108, Chapter 10.

337 (q) **Other uses.**

	F-5	F-10	F-40	Special Regulations
<b>Heliport.</b>	N	N	C	See Section 104-9-4
<b>Mines, quarries, gravel pits.</b>	C	C	C	Compliance with the Weber County Excavation and Clean Fill Ordinance required.

338 **Sec 104-9-4 Special Regulations**

339 The uses listed below correspond with certain uses listed in the Land Use Table in Section 104-9-3. Due  
340 to the nature of the use, each shall be further regulated as follows:

- 341 (i) **Animal grazing.** No more than one horse or cow per acre of land exclusively devoted to the animal.  
342 This use shall not include the supplementary or full feeding of the animals, except when in compliance  
343 with the following:
- 344 (1) It may only be carried on during times that are reasonable and necessary due to lack of natural  
345 growing feed as a result of seasonal changes or extreme and temporary meteorological events.
  - 346 (2) It shall not exceed a density of 40 head per acre of used land.
  - 347 (3) It shall not be closer than 75 feet to any dwelling, public or semi-public building on an adjoining  
348 parcel of land.

349 (j) **Corral, stable or building for keeping animals or fowl.** This use shall be located no less than 100  
 350 feet from a public street and not less than 25 feet from any side or rear lot line.

351 (k) **Family food production.**

352 (1) As used in this subsection, a Group A animal is either one pig, one sheep, one cow, or one goat,  
 353 and Group B animals or fowl are either a set of ten rabbits, ten chickens, ten pheasants, five  
 354 turkeys, five ducks, five geese, or five pigeons.

355 (2) No more than four sets of Group B animals or fowl may be kept on a lot or parcel that is less than  
 356 40,000 square feet.

357 (3) No more than six combined sets of Group A animals and sets of Group B animals or fowl may be  
 358 kept on a lot or parcel that is less than two acres. The same applies to a lot or parcel greater than  
 359 two acres, except that an additional six combined sets of Group A and sets of Group B animals or  
 360 fowl may be kept per each additional acre greater than two.

361 (l) **Heliport.** This use shall comply with the following minimum standards:

362 (1) It shall be located on a single parcel of record which is not less than 40 acres in area.

363 (2) It shall be located at an elevation at least 6,200 feet above sea level.

364 (3) It shall be located at least 200 feet from any property line. The Land Use Authority may grant  
 365 exceptions to this setback if it can be demonstrated that locating the heliport closer than 200 feet  
 366 to the property line provides a more beneficial situation for purposes of safety, noise abatement,  
 367 access, or other valid reasons as determined by the Land Use Authority.

368 (4) The landing surface shall be dust proof and free from obstructions.

369 (5) Prior to the issuance of a permit, written approval from the Federal Aviation Administration (FAA)  
 370 is required, if necessary.

371 (m) **Recreational vehicle use.** One recreational vehicle shall be temporarily parked on a lot or parcel for  
 372 periodic short-term intervals of 180 days or less and shall be limited to recreational use only and not  
 373 for longer term placement or for full-time living. The use may be accompanied by no more than one  
 374 storage shed no greater than 200 square feet and shall not include electrical or plumbing, one prepared  
 375 recreational vehicle pad, one raised deck of no more than two feet in height adjacent to the recreational  
 376 vehicle, one outdoor camp fireplace, and picnic table, chairs, tent-type screen. The following additional  
 377 conditions shall apply:

378 (1) The lot shall meet minimum lot requirements as specified in this Land Use Code, or be a  
 379 nonconforming lot as specified in Title 108, Chapter 12.

380 (2) Health department approval is required for waste disposal by an approved septic tank and drain  
 381 field with approved connection to the recreation vehicle.

382 **Sec 104-9-5 Site Development Standards**

383 The following site development standards apply to a lot or parcel in the Forest Zone F-5, F-10, and F-40,  
 384 unless specified otherwise in this Land Use Code.

385 (g) **Lot area:**

LOT AREA	F-5	F-10	F-40
Minimum for all uses:	5 acres	10 acres	40 acres

386 (h) **Lot width:**

LOT WIDTH	F-5	F-10	F-40
Minimum for all uses:	300 feet <sup>1</sup>	400 feet <sup>1</sup>	660 feet <sup>1</sup>

387 <sup>1</sup>The width of lots on the outside of the curved streets or on the ends of cul-de-sacs may be reduced by up to one-third,  
 388 provided the required minimum lot width is provided when measured at a distance of 100 feet back from the front lot line in  
 389 the F-5 Zone; 140 feet in the F-10 Zone.

390 (i) **Yard setback:**

391 (1) Front yard setback:

LOT WIDTH	F-5	F-10	F-40
Minimum front yard setback:	30 feet <sup>1</sup>	50 feet <sup>1</sup>	75 feet <sup>1</sup>

392 <sup>1</sup>See Section 108-7-10 if Lot abuts an Arterial Street or Collector Street.

393 (2) Side yard setback:

LOT WIDTH	F-5	F-10	F-40
Minimum for all uses:	20 feet	20 feet	40 feet

394 (3) Rear yard setback:

LOT WIDTH	F-5	F-10	F-40
Main building:	30 feet		
Accessory building:	10 feet		

395 (j) **Building height:**

LOT WIDTH	F-5	F-10	F-40
Minimum main building height:	1 story		
Maximum main building height:	35 feet		
Maximum accessory building height:	25 feet <sup>1</sup>		

396 <sup>1</sup>Except when governed otherwise by Section 108-7-16 Large Accessory Buildings.

398 ...

399 **CHAPTER 104-10 SHORELINE ZONE S-1**

400 **Sec 104-10-1 Purpose and Intent**

- 401 (a) The shoreline zone has been established as a district in which the primary use of the land is for farming  
 402 and for recreational purposes. In general, this zone covers the portion of the unincorporated area of  
 403 the county that is occupied by Pineview Reservoir and shores adjacent thereto.
- 404 (b) This zone is characterized by farms and pasture lands situated adjacent to the shore of the Pineview  
 405 Reservoir and interspersed by dwellings, recreational camps, resorts and outdoor recreation facilities.
- 406 (c) The purposes of the Shoreline Zone S-1 are:
- 407 (1) To promote the use of the land for agriculture and for fish, wildlife and recreational purposes both  
 408 public and private;
- 409 (2) To facilitate the conservation of water and other natural resources;
- 410 (3) To reduce hazards from floods and fires;
- 411 (4) To preserve open space, natural scenic attractions, natural vegetation, and other natural features  
 412 within the zone;
- 413 (5) To ensure adequate provision for water supply, domestic sewage disposal and sanitation.
- 414 (d) In order to accomplish these objectives and purposes and to protect the essential characteristics of the  
 415 zone, the following regulations shall apply in the Shoreline Zone S-1.

416 **Sec 104-10-2 (Reserved)**

417 **Sec 104-10-3 Land Use Table**

418 The following tables display the uses permitted, conditionally permitted, or not permitted in the agricultural  
 419 zones. The letter "P" indicates a permitted use in the zone. The letter "C" indicates a use that requires a  
 420 conditional use permit, as governed by Title 108 Chapter 4, in the zone. The letter "N" indicates a use that  
 421 is prohibited in the zone. A use listed is a main use, unless listed in the "accessory uses" table.

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

	<b>S-1</b>	<b>Special Regulations</b>
<b>Accessory building</b> , accessory and incidental to the use of a main building.	P	
<b>Accessory dwelling unit.</b>	P	See <u>Chapter 108-19</u> .
<b>Accessory use</b> , accessory and incidental to the main use.	P	
<b>Family food production</b> , accessory to a residential use.	P	See Section 104-10-4
<b>Home occupation</b> , accessory to a residential use.	P	See <u>Chapter 108-13</u> .
<b>Household pets</b> , accessory to a residential use.	P	

<b>Main building</b> , designed or used to accommodate the main use.	P	
--	---	--

424 (b) **Agricultural uses, non-animal.**

	S-1	Special Regulations
<b>Agriculture.</b>	P	
<b>Aquaculture.</b>	P	

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

	S-1	Special Regulations
<b>Animal grazing.</b> Animal grazing, as defined in Section 101-2.	P	See Section 104-10-4.
<b>Apiary.</b>	P	
<b>Aquaculture, animal related.</b>	P	
<b>Aviary.</b>	P	
<b>Corral, stable or building for keeping animals or fowl.</b>	P	See <u>Section 104-10-4.</u>

427 (d) **Commercial uses.** The following are uses that typically generate for-profit customer-oriented traffic to  
428 the lot or parcel.

	S-1	Special Regulations
<b>Agritourism.</b>	C	See <u>Chapter 108-21.</u>
<b>Golf course</b> , except miniature golf course.	P	

429 (e) **Institutional uses.**

	S-1	Special Regulations
<b>Cemetery.</b>	P	
<b>Church, synagogue or similar building used for regular religious worship.</b>	P	

430 (f) **Residential uses.**



	S-1	Special Regulations
<b>Single-family dwelling.</b>	P	

431 (g) **Recreational noncommercial uses.** The following are recreational uses that are typically owned or  
432 operated by a nonprofit or governmental entity.

	S-1	Special Regulations
<b>Private park, playground or recreation area.</b> No privately owned commercial amusement business.	C	
<b>Public campground and picnic area.</b>	P	See <u>Chapter 108-20</u> .
<b>Public park, recreation grounds</b> and associated buildings.	P	

433 (h) **Utility uses.**

	S-1	Special Regulations
<b>Hydro-electric dam.</b>	C	
<b>Public utility substations.</b>	C	
<b>Radio or television station or tower.</b>	C	

434 **Sec 104-10-4 Special Regulations**

435 (a) **General use regulations.** The above specified uses shall be permitted only under the following  
436 conditions:

437 (1) Public health requirements concerning domestic water supply and sewage disposal shall comply  
438 with provisions of section 108-7-9.

439 (2) No building or structure shall be constructed within the boundaries of any public reservoir as  
440 determined by the public agency having jurisdiction or within the boundaries of any natural  
441 waterway or watercourse as determined by the county engineer wherein no buildings or structures  
442 shall be constructed or land subdivided. Where buildings are to be constructed within 50 feet of the  
443 exterior boundaries of a flood channel existing at the effective date of the ordinance from which this  
444 chapter is derived, adequate measures must be taken as determined by the Weber County  
445 Engineer so as to protect the building or structure from damage due to floods and so as not to  
446 increase the hazard to surrounding lands and buildings.

447 (3) The required yard space shall be kept free of debris, refuse or other inflammable material which  
448 may constitute a fire hazard.

449 (b) **Specific use regulations.** The uses listed below correspond with certain uses listed in the Land Use  
450 Table in Section 104-10-3. Due to the nature of the use, each shall be further regulated as follows:

451 (1) **Animal grazing.** This use shall not include the supplementary or full feeding of the animals, except  
452 when in compliance with the following:

- 453 a. It may only be carried on during times that are reasonable and necessary due to lack of natural  
 454 growing feed as a result of seasonal changes or extreme and temporary meteorological events.
- 455 b. It shall not exceed a density of 25 head per acre of used land.
- 456 c. It shall not be closer than 75 feet to any dwelling, public or semi-public building on an adjoining  
 457 parcel of land.
- 458 (2) **Corral, stable or building for keeping animals or fowl.** This use shall be located no less than  
 459 100 feet from a public street and not less than 25 feet from any side or rear lot line.
- 460 (3) **Family food production.**
- 461 a. As used in this subsection, a Group A animal is either one pig, one sheep, one cow, or one  
 462 goat, and Group B animals or fowl are either a set of ten rabbits, ten chickens, ten pheasants,  
 463 five turkeys, five ducks, five geese, or five pigeons.
- 464 b. No more than four sets of Group B animals or fowl may be kept on a lot or parcel that is less  
 465 than 40,000 square feet.
- 466 c. No more than six combined sets of Group A animals and sets of Group B animals or fowl may  
 467 be kept on a lot or parcel that is less than two acres. The same applies to a lot or parcel greater  
 468 than two acres, except that an additional six combined sets of Group A and sets of Group B  
 469 animals or fowl may be kept per each additional acre greater than two.

470 **Sec 104-10-5 Site Development Standards**

471 The following site development standards apply to a lot or parcel in the Shoreline zone, unless specified  
 472 otherwise in this Land Use Code.

473 (k) **Lot area:**

	<b>S-1</b>
Minimum for all uses:	5 acres

474 (l) **Lot width:**

	<b>S-1</b>
Minimum for all uses:	300 feet

475 (m) **Yard setback:**

476 (1) **Front yard setback:**

	<b>S-1</b>
Minimum front yard setback:	30 feet <sup>1</sup>

477 <sup>1</sup>See Section 108-7-10 if Lot abuts an Arterial Street or Collector Street.

478 (2) **Side yard setback:**

	<b>S-1</b>
Minimum for all uses:	20 feet

479 (3) **Rear yard setback:**

	<b>S-1</b>
Main building:	30 feet
Accessory building:	10 feet

480 (n) **Building height:**

	<b>S-1</b>
Minimum main building height:	1 story
Maximum main building height:	35 feet
Maximum accessory building height:	25 feet <sup>1</sup>

<sup>1</sup>Except when governed otherwise by Section 108-7-16 Large Accessory Buildings.

481

482

483 ...

484 **CHAPTER 104-13 (RESERVED)**

485 ...

486 Chapter 104-17 (Reserved)...

487 **TITLE 108 STANDARDS**

488 ...

489 **CHAPTER 108-21 AGRITOURISM**

490 **Sec 108-21-1 Purpose And Intent**

491 The County desires to create a culture that supports and celebrates its agrarian heritage and open spaces  
 492 in the unincorporated areas. This chapter's purpose is to do this by providing owners of agricultural  
 493 operations the ability to generate additional income from land uses that are not otherwise allowed in the  
 494 zone, provided those uses are accessory, incidental, and inextricably related to the an onsite agricultural  
 495 operation. The intent of this chapter is to create allowances and regulations that govern agriculture-oriented  
 496 land uses that cater to tourists and other visitors coming to the site for recreational, educational,  
 497 gastronomical, or similar agriculture-oriented attraction.

498 **Sec 108-21-2 Applicability and Qualifications**

499 (a) **Applicability.** The standards found in this chapter shall apply to all agritourism operations. Application  
 500 and review provisions for an agritourism conditional use permit are set forth in Title 108, Chapter 4 of  
 501 this Land Use Code. Any additional detail required by this chapter shall supplement the conditional use  
 502 permit application. An agritourism event or activity that operates outside of expected hours of operation,  
 503 or that involves crowds in a number greater than that which can be served by existing facilities, shall  
 504 obtain a Special Event Permit pursuant to Title 38 of the Weber County Code.

505

- 506 (b) **Primary use.** All agritourism operations shall clearly be accessory and incidental to a primary  
507 agricultural use of the property. To this end, at no time shall the activity area of an agritourism operation  
508 be greater than 20 percent of the agricultural operation's gross acreage, as described in Subsection (c)  
509 of this Section 108-21-2.
- 510 (c) **Qualifications.** An agricultural operator seeking an agritourism permit shall demonstrate at the time of  
511 application, as well as throughout the duration of the agritourism use, the following:
- 512 (1) **Ownership.** Demonstrate that the agricultural operator has owned the subject property for the last  
513 two years.
- 514 (2) **Actively devoted to Agriculture.** Demonstrate that the agricultural operation's gross acreage has  
515 been actively devoted to an agricultural use for at least the last two years. An agricultural  
516 operation's gross acreage shall be determined to be the area actively devoted to an agricultural  
517 use that is routinely maintained in an agriculturally productive manner, including barns and similar  
518 buildings or structures intended to serve the agricultural operation.
- 519 (3) **Minimum acreage.** Demonstrate that the agricultural operation's gross acreage is equal to or  
520 greater than is required for the specific agritourism use or uses being pursued, as specified in  
521 Section 108-21-4 and Section 108-21-5. However if an apiary is the primary agricultural operation:
- 522 a. The subject property shall be at least three acres; and
- 523 b. The agritourism use associated to the apiary shall be limited to only that which is listed as  
524 allowed for a Garden Operation, as specified in the Table in Section 108-21-5 herein.
- 525 (4) **Proof of production, if necessary.** If not already obvious to the Land Use Authority, demonstrate  
526 that the agricultural operation's gross acreage being claimed to be actively devoted to an  
527 agricultural use produces enough to meet or exceed either the production levels reported in the  
528 current publication of the Utah Agricultural Statistics, or the current crop budgets developed and  
529 published by Utah State University.
- 530 (d) **Permit enforcement.** An agritourism permit includes all conditions of approval as may be applied by  
531 the Land Use Authority. At no time shall an agritourism operation be conducted in a manner that  
532 conflicts with the details of the agritourism permit application or the conditions of approval. If a condition  
533 or finding of approval conflicts with any detail provided in the application, the condition or finding shall  
534 prevail.
- 535 (e) **Supplemental application narrative.** In addition to the application requirements listed in Title 108,  
536 Chapter 4 of this Land Use Code, all agritourism applications shall be accompanied by a detailed  
537 narrative describing the agricultural operation and the overall vision for the proposed agritourism  
538 operation. The narrative shall also include the following:
- 539 (1) **History.** The history of the agricultural operation along with evidence that demonstrates the  
540 operation meets the minimum qualifications herein.
- 541 (2) **Description of anticipated changes.** A description of any plans for changes to the agricultural  
542 operation, its general functions, maintenance, product(s), and customer base.
- 543 (3) **Description of use's incidental and accessory nature.** A description of how the agritourism  
544 operation is incidental and accessory to the agricultural operation, and a plan for how the owner  
545 will ensure the agritourism operation remains incidental and accessory in perpetuity.
- 546 (4) **Description of new infrastructure and buildings.** A description of all intended new infrastructure,  
547 including streets, driveways, parking lots, buildings, and utilities.

- 548 (5) **Description of operation.** An explanation or description of the agritourism operation including:
- 549 a. **Products.** Products that will be sold onsite.
- 550 b. **Activites.** Activities offered onsite.
- 551 c. **Intended customer base and typical anticipated behavior.** The type of customer or clientele
- 552 base that is expected to patronize the operation, categorized based on the intensity of their
- 553 visitation and the specific product or activity for which they are or will be visiting. For example,
- 554 the customer-base for onsite produce sales may be the general public with customers coming
- 555 and going many hours throughout the day; the clientele for a barn dance might be a private
- 556 party of a specified number of people that come and go once on the day of the party; and the
- 557 customers or clientele for a lodging house might be pre-registered or reserved individuals or
- 558 small groups.
- 559 d. **Facilities and equipment.** Agriculturally related and non-agriculturally related types of facilities
- 560 and equipment to be used and their maintenance plan(s).
- 561 e. **Vehicle accommodations.** Traffic, circulation, and parking plan that accommodates the
- 562 parking needs of both employees and patrons.
- 563 f. **Hours and visitor volume.** Hours of operation and number of patrons:
- 564 1. Normal and routine hours of operation, and anticipated events, dates, and times, or
- 565 examples of anticipated events, dates, and times, that operations may go beyond those
- 566 normal and routine hours.
- 567 2. Anticipated number of normal and routine daily patrons, employees, and vehicles, and
- 568 anticipated number of patrons, employees, and vehicles at times or for events that go
- 569 beyond what is normal and routine.
- 570 3. For the purpose of this paragraph, the phrase “normal and routine” means the time or
- 571 amount specified in the application, or if different, the approval. If the application or
- 572 approval does not specify;
- 573 i. As it relates to time, this shall mean the hours of operation specified in Section 108-
- 574 21-3
- 575 ii. As it relates to patrons or employees, this phrase means 25 people or less, or ten
- 576 typical passenger vehicles onsite at any one time.

577 **Sec 108-21-3 General Development and Operational Standards**

- 578 (a) The development standards imposed by this section do not alter, supersede or nullify any codes,
- 579 ordinances, statutes, or other applicable standards which may also regulate these same land uses.
- 580 **Access and frontage.** An agritourism operation shall provide customers access from an Arterial Street
- 581 or Collector Street. It is not required to have actual frontage on a street, but the access from the Arterial
- 582 Street or Collector Street to the operation shall either by owned in fee or recorded easement by the
- 583 agricultural operation. The access from the public right-of-way to the operation shall meet the
- 584 requirements of Section 108-7-29 unless specified otherwise by the local fire authority. The Land Use
- 585 Authority may allow access from a Major Neighborhood Street or Minor Neighborhood Street as long
- 586 as the street is public and as long as the agritourism operation does not increase traffic beyond that
- 587 which is typical for the type of street. Evidence of this shall be submitted with the application.
- 588 (b) **General site and building design/layout.** An agritourism operation shall have a general design and
- 589 layout that concentrates all tourism uses and activities into distinct activity center(s). Newly constructed

590 buildings and facilities intended to serve the agritourism operation shall reflect an architectural  
591 vernacular that is consistent with the area's rural character. Temporary sanitary facilities are  
592 discouraged; however, if found necessary, they shall be discretely incorporated into the agritourism  
593 operation and completely screened from street and adjacent property view.

594 (c) **Ownership.** An agricultural operation to which an agritourism operation is accessory may consist of  
595 multiple properties. All properties shall have identical and common ownership and shall be contiguous  
596 except where contiguity is interrupted by a public street right-of-way.

597 (d) **Hours of operation.** Not including residential overnight lodging accommodations, and unless specified  
598 otherwise in an approved application or other conditions of approval, the hours of operation shall be  
599 limited to between 8:00 a.m. and 8:00 p.m., except if the use or activity is restricted to an area of the  
600 property that is at least 500 feet from an existing dwelling unit located on another property. The Land  
601 Use Authority may, but is not obligated to, allow other hours of operation if the applicant can  
602 demonstrate mitigation of detrimental effects.

#### 603 **Sec 108-21-4 Agricultural Operation Designation**

604 The following establishes a categorical designation for agricultural operations based on acreage. In all  
605 cases, the minimum area of the affected Lot or Parcel shall meet the minimum area requirements of this  
606 Land Use Code:

607 (a) **Garden agricultural operation** is when an agricultural operation's gross acreage, as described in  
608 Section 108-21-3(b), is between two and nine acres.

609 (b) **Small agricultural operation** is when an agricultural operation's gross acreage, as described in  
610 Section 108-21-3(b), is between nine and 20 acres.

611 (c) **Medium agricultural operation** is when an agricultural operation's gross acreage, as described in  
612 Section 108-21-3(b), is between 20 and 40 acres.

613 (d) **Large agricultural operation** is when an agricultural operation's gross acreage, as described in  
614 Section 108-21-3(b), is between 40 and 80 acres.

615 (e) **Ranch** is when an agricultural operation's gross acreage, as described in Section 108-21-3(b), is 80  
616 acres or more.

#### 617 **Sec 108-21-5 Use and Activity Table**

618 If an applicant can demonstrate appropriate mitigation of detrimental effects, as specified in Chapter 108-  
619 4, the following uses and activities shall be allowed for an agritourism operation when marked with an "A"  
620 under their corresponding agricultural operation designation. The use or activity is not allowed if marked  
621 with an "N."

USES OR ACTIVITIES		AGRICULTURAL OPERATION DESIGNATION					SPECIAL REGULATIONS
		Garden	Small	Medium	Large	Ranch	
<b>Agricultural arts center:</b>		N	A	A	A	A	
<b>Agricultural Product Processing and Packaging:</b>		N	A	A	A	A	Onsite retail sales of processed and packaged products is only allowed as otherwise specified herein.
<b>Agritourism Events Facility:</b>		N	A	A	A	A	
<b>Agritourism Farm Tour:</b>		A	A	A	A	A	
<b>Agritourism Fee Fishing:</b>		A	A	A	A	A	
<b>Agritourism Health Farm:</b>		N	A	A	A	A	Limited to wellness, nutrition, and cooking education, and exercise and yoga classes, and meditation, and massage therapy. A health farm may serve meals only when served to participating clientele.
<b>Agritourism Hunting Preserve</b>		N	N	N	N	A	See Section 108-21-7
<b>Agritourism You-Pick Operation:</b>		A	A	A	A	A	
<b>Agro-ecology research and education center :</b>		N	A	A	A	A	Lodging, if any, is limited to accommodations for faculty, staff, and students.
<b>Barn dance:</b>		N	A	A	A	A	
<b>Camping</b>	<i>Glamorous camping area:</i>	N	N	A	A	A	No more than two tents, cabins, recreational vehicles, or combination thereof, per each five acres of gross agricultural operation, and no more than six people per tent or cabin. Tent and cabin area shall be completely screened from the view of adjoining properties.
	<i>Recreational Vehicle area:</i>	N	N	N	A	A	
<b>Conference or Education Center:</b>		N	A	A	A	A	Conferences and educational topics shall relate to agriculture, agritourism, vegetation management, or similar.

<b>Day Camp</b>		A	A	A	A	A	The camp shall be based on an agricultural theme and provide agriculturally related activities.
<b>Dude Ranch</b>		N	N	N	A	A	
<b>Educational classes:</b>		A	A	A	A	A	All courses of study or subject matter shall incorporate and consist of an agricultural or ecological component related to an Agricultural Product produced onsite.
<b>Farm museum:</b>		N	A	A	A	A	
<b>Farmers Market.</b> A farmer's market where multiple agricultural operators may sell their products:		N	N	A	A	A	
<b>Food Prep:</b>	<i>Bakery or café:</i>	N	A	A	A	A	At least one type of the onsite agricultural operation's products shall be continuously offered for sale. It may be combined into another product.
	<i>Food concessions stand:</i>	N	A	A	A	A	
	<i>Restaurant:</i>	N	N	A	A	A	At least one type of the onsite agricultural operation's products shall be continuously offered for sale.
<b>Greenhouse or Nursery:</b>		N	A	A	A	A	Sales are limited to plants produced on the premises.
<b>Lodging House:</b>	<i>with up to 2 guest rooms:</i>	N	N	A	A	A	No more than two guest rooms per each acre of the agricultural operation. See Section 108-21-7
	<i>with 3 to 7 guest rooms:</i>	N	N	A	A	A	
	<i>with 8 to 16 guest rooms:</i>	N	N	N	A	A	
<b>Petting zoo:</b>		N	A	A	A	A	
<b>Rental garden or garden row(s).</b>		A	A	A	A	A	
<b>Seasonal amusement</b> such as haunted house, corn maze, hay stack slide or climbing area, and similar seasonal amusement uses:		N	A	A	A	A	
<b>Sleigh or hay ride:</b>		N	A	A	A	A	
<b>Store:</b>	<i>Agricultural Produce Sales, Onsite:</i>	A	A	A	A	A	The sales shall only be operated by the owner or manager of the onsite agricultural operation, and is limited to Agricultural Products, at least one of which must be produced onsite.



	<i>Gift shop:</i>	A	A	A	A	A	
	<i>Market:</i>	N	N	N	A	A	At least one type of the onsite agricultural operation's products shall be continuously offered for sale. It may be combined into another product. Products shall be limited to those commonly offered by a small grocer.

623 **Sec 108-21-6 Site Development Standards**

624 The following table contains certain uses listed in the Use or Activity Table in Section 108-21-5. Each use  
625 shall comply with the development standards provided in the table.

		SETBACK STANDARDS		MAXIMUM ALLOWED BUILDING FOOTPRINT
		From agricultural operation's exterior boundary	From existing dwelling on an adjacent lot	
<b><i>Agroecology Research and Education Center:</i></b>		100 feet <sup>1</sup>	200 feet <sup>1</sup>	Not applicable
<b><i>Agricultural Product processing and packaging:</i></b>		100 feet <sup>1</sup>	200 feet <sup>1</sup>	200 square feet <sup>2</sup>
<b><i>Camping:</i></b>	<i>Glamorous camping area:</i>	300 feet <sup>1</sup>	500 feet <sup>1</sup>	Not applicable
	<i>Recreational Vehicle area:</i>			
<b><i>Conference or education center:</i></b>		300 feet <sup>1</sup>	500 feet <sup>1</sup>	Not applicable
<b><i>Educational classes:</i></b>		100 feet <sup>1</sup>	200 feet <sup>1</sup>	Not applicable
<b><i>Food Prep:</i></b>	<i>Bakery or café:</i>	200 feet <sup>1</sup>	400 feet <sup>1</sup>	Not applicable
	<i>Restaurant</i>			
<b><i>Market, farmers:</i></b>		200 feet <sup>1</sup>	400 feet <sup>1</sup>	Not applicable
<b><i>Lodging House:</i></b>	<i>2 guest rooms</i>	100 feet <sup>1</sup>	200 feet <sup>1</sup>	Not applicable
	<i>3 to 7 guest rooms</i>	200 feet <sup>1</sup>	400 feet <sup>1</sup>	

	8 to 16 guest rooms	400 feet <sup>1</sup>	600 feet <sup>1</sup>	
<b>Petting zoo.</b>		400 feet <sup>1</sup>	600 feet <sup>1</sup>	Not applicable
<b>Store:</b>	<i>Agricultural Produce Sales, Onsite:</i>	100 feet <sup>1</sup>	200 feet <sup>1</sup>	0.025 Percent of the agricultural operation's gross acreage.
	<i>Gift shop:</i>	100 feet <sup>1</sup>	200 feet <sup>1</sup>	
	<i>Market:</i>	150 feet <sup>1</sup>	300 feet <sup>1</sup>	

627 <sup>1</sup> The setback distances listed in this table may be reduced by up to one-half when a six-foot high landscape  
628 berm is installed that screens the potential visual or audible impacts to neighboring properties.

629 **Sec 108-21-7 Special Regulations.**

630 The uses listed below correspond with certain uses listed in the Use or Activity Table in Section 108-21-5.  
631 Due to their nature, each shall be further regulated as follows.

632 (a) ***Agricultural product processing and packaging.***

- 633 a. Agricultural Product processing and packaging shall be limited to fowl, livestock, dairy,  
634 apiculture, aquaculture, and botanical products produced by the onsite agricultural operation.
- 635 b. Agricultural Product processing and packaging shall be limited to and agricultural operation  
636 with a gross area, as provided herein, of five acres or greater. The planning commission may  
637 allow up to a two-acre reduction to this limitation if it is found that the Agricultural Product  
638 processing and packaging will take place in a completely enclosed building and will emit no  
639 perceivable smoke, dust, vibration, noise, or objectionable smell at the agricultural operation's  
640 property boundary.

641 (b) ***Agritourism Hunting Preserve.***

- 642 a. Limited to the Western Weber County Planning Area.
- 643 b. Limited to upland game and waterfowl hunting only.
- 644 c. Subject to Utah Division of Wildlife Resource standards.

645 (c) ***Lodging House.*** For an agritourism operation, a Lodging House is governed as follows:

- 646 (1) The Lodging House shall be owned and managed by the same owner or manager as the  
647 agritourism operation.
- 648 (2) The agritourism operator or manager shall be onsite at all times that Lodging House guests are  
649 onsite.
- 650 (3) Despite the definition of "Lodging House" in Title 101, Chapter 2, a Lodging House that is part of  
651 an Agritourism operation may have as little as one guest room or suite.
- 652 (4) In addition to providing lodging to customers and clients of the agritourism operation in general, a  
653 Lodging House may provide lodging for an Agroecology Research and Education Center, a  
654 Conference or Education Center, a Health Farm, or a Dude Ranch conducted as part of the  
655 agritourism operation.
- 656 (5) No more than one Lodging House shall be operated on an agritourism operation.

