



# Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

## Synopsis

### Application Information

**Application Request:** A public hearing and consideration of File ZTA2023-03, an applicant-initiated request to amend the Form-Based Zone ordinance to adjust provide alternative architectural design allowances.

**Applicant:** Eric Langvardt

**Agenda Date:** Tuesday, November 07, 2023

**File Number:** ZTA 2023-03

### Staff Information

**Report Presenter:** Charlie Ewert  
cewert@co.weber.ut.us  
(801) 399-8763

**Report Reviewer:** RG

## Applicable Ordinances

§104-22: Form-Based Zone (FB)

## Legislative Decisions

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

## Summary and Background

The county adopted a Form Based zone in January 2022. The applicant is requesting to amend the zone to allow architectural standards that are different than was adopted. The text amendment and proposed example images are provided herein.

The Planning Commission considered this item in work session on May 2, 2023. After due consideration, the Planning Commission desired to make larger amendments to the architectural standards of the FB zone. The amendments include allowance for the applicant's theme, but also extends additional design flexibility for others developing in the FB zone.

The Planning Commission then heard the item in a public hearing on May 23, 2023. At the time, this item was combined with a proposed amendment to New Town Eden's street regulating plan. The Planning Commission recommended denial of the proposal primarily based on the street regulating plan proposal.

On June 12, 2023, the County Commission considered the Planning Commission's negative recommendation. At that time, the County Commission requested the two components of the proposal be divided into two separate amendments. The County Commission then remanded the proposed architectural standards back to the Planning Commission for further consideration.

On August 22, 2023, the Planning Commission considered the architectural amendments again. In that meeting the Planning Commission desired to table it until after the street regulating plan amendments are made, if ever.

On October 8, 2023, the applicant, through a representative, requested a final decision on the proposed architectural standards.

Under State law,<sup>1</sup> if a reasonable amount of time has lapsed since the submittal of an application, then the applicant may request a final decision be made within 45 days of the request for the decision. The County has received a request for final decision from this applicant. This request was received on October 28, 2023. This text amendment application was initially received by the County on April 5, 2023 and the application fee was received on the same day. In other words, this application was received approximately seven months ago, which should be a reasonable amount of time to make a final decision.

As a result, the final decision on this rezone from the County Commission must be given by December 12, 2023. Given the Planning Commission's calendared meetings, in order to meet this 45-day period the Planning Commission will only have one meeting in which it can consider this item, so the decision on November 14th cannot result in the item being tabled.

## Policy Analysis

### Policy Considerations:

#### **Proposed Text Amendment (Exhibit A)**

The proposed text amendment is fairly straightforward, but the application of the amendment has broader effects on the New Town Eden Area.

#### *Proposed new architectural design theme.*

The applicant is proposing a second set of architectural design standards that can be used for commercial and multifamily buildings in the New Town Eden area. If approved, a landowner within the New Town Eden area can choose between the existing architectural theme (Agricultural) or the new theme (Mountain Modern). The applicant has suggested that a mix of these themes within one village area may make for an overall complimentary community outcome that celebrates the history of the area while also looking to the future; and doing so without inducing so many different themes that the community looks hodge-podge.

When reviewing the proposed new theme with the planning commission, it seemed the planning commission supported it. The planning commission also expressed concern over the current agricultural theme, suggesting perhaps that it is an ill-conceived style for street-front commercial buildings.

To explore a way to allow multiple themes within one area, staff assembled an architectural matrix. It is included in the attached proposal. In the matrix, each village area has at least one theme allowed. In the Eden area, staff is suggesting perhaps allowing multiple themes to blend. However, in certain areas, such as the square around Eden Park, the matrix only lists one theme as appropriate.

The matrix enables ease of amendment as new themes are considered in the future. It also allows multiple themes to be shared by multiple village areas.

In the proposal, staff included both the applicant's requested "mountain modern" theme as well as a new theme titled "mountain rustic." The differences between the two can be reviewed in the exhibit.

#### *Illustrations of the Mountain Modern design theme being proposed:*

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<sup>1</sup> UCA 17-27a-509.5





## General Plan Review

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

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*Commercial Development Goal 2: A goal of Weber County is to ensure that the design of retail and commercial development is consistent with Ogden Valley’s rural character.*

*Commercial Development Principle 2.1: Require new commercial development to conform to community design standards to ensure compatibility with the character of Ogden Valley and to provide for aesthetic and functional transition to surrounding residential and agricultural areas.*

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

Implementation 2.1.1 specifically lists “agrarian, old west or mine-town, and mountain rustic architectural elements. Mountain modern is not listed on this list. It is also important to note that this sentence uses the permissive “may.” The Planning Commission should determine whether “may include” is intended to be permissive and open ended in this context, as in “may include, but may not be limited to…” Or if it should be restrictive, as in “may only include…”

## 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 #ZTA2023-03, an applicant-initiated request to amend the Form-Based zone, as provided in Exhibit A, specifically choosing Alternative D, staff recommendation, for the applicable Eden area street regulating plan. I do so with the following findings:

Example findings:

1. *The changes are supported by the Ogden Valley General Plan.*
2. *The proposal serves as an instrument to further implement the vision, goals, and principles of the Ogden Valley General Plan*
3. *The changes will enhance the general health and welfare of Ogden Valley residents.*
4. *The changes are not detrimental to the general health, safety, and welfare of the public.*
5. [ \_\_\_\_\_ 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 #ZTA2023-03, an applicant-initiated request to amend the Form-Based zone, as provided in Exhibit A, **but with the following additional edits and corrections:**

Example of ways to format a motion with changes:

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

I do so with the following findings:

Example findings:

1. *The changes are supported by the Ogden Valley General Plan.*
2. *The proposal serves as an instrument to further implement the vision, goals, and principles of the Ogden Valley General Plan.*
3. *The changes will enhance the general health and welfare of Ogden Valley residents.*
4. *The changes are not detrimental to the general health, safety, and welfare of the public.*
5. *[Example: etc]*

**Motion to table:**

I move we **table** action on File #ZTA2023-03, an applicant-initiated request to amend the Form-Based zone, **to [ state a date certain \_\_\_\_\_ ], so that:**

Examples of reasons to table:

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

**Motion to recommend denial:**

I move we forward a recommendation for **denial** to the County Commission for File #ZTA2023-03, an applicant-initiated request to amend the Form-Based zone and related amendments. **I do so with the following findings:**

Examples findings for denial:

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

**Exhibits**

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

**WEBER COUNTY**  
**ORDINANCE NUMBER 2023-\_\_\_\_\_**

**AN AMENDMENT TO THE FORM-BASED (FB) ZONE TO ADD ALLOWABLE ARCHITECTURAL STANDARDS**

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

**WHEREAS**, \_\_\_\_\_; and

**WHEREAS**, \_\_\_\_\_; and

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

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

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

**WHEREAS**, the Weber County Board of Commissioners find that the proposed amendments serve to create the necessary regulatory framework that will guide future development of neighborhoods and communities;

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

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

**Part II Land Use Code**

...

**TITLE 104 ZONES**

...

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

...

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

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

~~Sec 104-22-6.020 Architecture Matrix Building Design Standards By Area~~  
~~Sec 104-22-6.030 Old West Town Eden Area Building Design Standards~~  
~~Sec 104-22-6.040 Agrarian New Town Eden Area Building Design Standards~~  
~~Sec 104-22-6.050 Mountain Modern Nordic Valley Area Building Design Standards~~

...

**Sec 104-22-6.020 Architecture Matrix Building Design Standards By Area**

(a) Architectural compliance required. Each building, ~~Except for single-family and two-family dwellings, three-family and four-family dwellings, the following regulations shall follow the architecture standards listed in this section. (Sections 104-22-6.3 through 104-22-6.5) are applicable to the architecture and design of buildings in each area.~~ Each area, as depicted in the applicable street regulating plan, has ~~a unique~~ one or more unique architectural theme(s) allowed as provided ~~herein~~ in the following table and in accordance with the following sections in this section.

(b) Licensed architect required. Each building, except those aforementioned in Subsection (a) of this section, is required to be designed by a licensed architect. After receiving recommendation from a licensed architect, the ~~planning commission~~ Land Use Authority may, but is not obligated to, allow minor modifications to the applicability of the standards in this section as long as it results in a design that better aligns with the intent of the design theme and blends well with the design features of adjacent buildings.

4-(c) Allowed architecture. The follow table lists the type of architecture that is allowed within a specific village area. The letter "A" represents a style that is allowed in the respective area. A "N" represents a style that is not allowed in that area.

			<u>Old West</u>	<u>Agrarian</u>	<u>Mountain Rustic</u>	<u>Mountain Modern</u>	<u>Modern Alpine</u>
<b>EDEN</b>	<b>OLD TOWN</b>	<u>5500 E and streets surrounding Old Town Eden Park.</u>	<u>A</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>
		<u>The rest of Old Town.</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>N</u>	<u>N</u>
	<b>NEW TOWN</b>	<u>Within 20 feet of public street<sup>1</sup></u>	<u>A</u>	<u>N</u>	<u>A</u>	<u>A</u>	<u>N</u>
		<u>The rest of New Town.</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>A</u>	<u>N</u>
<b>NORDIC VALLEY</b>			<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>A</u>
<b>WEST WEBER VILLAGE</b>			<u>N</u>	<u>A</u>	<u>N</u>	<u>N</u>	<u>N</u>

<sup>1</sup> A public street in this case means any public street right-of-way, existing and planned.

...

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

~~In addition to applicable standards in this chapter, the following standards apply to all buildings in the Old Town Eden Area:~~

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

2-(b) Building form. A building's street-facing façade shall be designed to have a base, body, and cap, each of varying design features and building material. The base of the building shall be no less than one-sixth and no greater than one-third the height of the building. The cap shall be no less than one-twentieth the height of the building.

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



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- 4.(d) **Building massing.** The horizontal wall massing of building facades shall be broken at least every 20 feet with no less than a six-inch shift in the plain of adjacent walls. The building shall appear to be post and beam construction, with vertical columns rising from the base to the cap of the building, and with windows or other openings located to not interrupt the vertical rise of the columns. ~~Each street-facing façade shall be designed and constructed to have a building base, building body, and varying building roofline, each having varying building materials or design techniques.~~
- 5.(e) **Building material.** Each building facade that faces the street shall consist of brick, or wood, or a faux material that is hard to distinguish from real brick, or wood. Metal may be used for accent material. At least one of the building materials used on the building façade shall also be used on all other sides of the building.
- 6.(f) **Colors.** Natural colors of wood and brick, as well as natural metals with an aged patina, are allowed. Other muted earth-tone ~~paints~~ colors generally visible from the site may be used as long as they complement the age period. No more than 70 percent of a building's facade shall be white.
- 7.(g) **Examples.** Examples of generally acceptable architectural features are depicted in the following images. Any conflict between details in the images and regulations in this chapter shall be interpreted in favor of the regulations in the chapter.

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**Sec 104-22-6.040 Agrarian New Town Eden Area Building Design Standards**

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

- 4.(a) **Design theme.** ~~All~~ b Buildings shall have architectural styling and materials that implement agrarian-style architecture. ~~Agrarian-style architecture~~ Each building shall incorporate at least two of the following four options:
- 1.(1) Either a gable roof at a 6/12 or greater slope, a gambrel roof, or a monitor roof.
  - 2.(2) ~~An attached shed roof at a 4/12 or greater slope that is not attached to the main roof structure.~~ A shed roof at a 4/12 or greater slope that is attached to the side of the building but not attached to the main roof structure.
  - 3.(3) A clerestory or cupola.
  - 4.(4) Gable-style dormer windows.
- 2.(b) **Building form.** ~~A building's~~ Each street-facing building façade shall be designed and constructed to have a building base, building body, and varying building roofline, each ~~of having~~ varying building materials or design techniques ~~design features and building material.~~ The base of the building shall be no less than one-tenth and no greater than one-third the height of the building.
- 3.(c) **Rooflines.** Rooflines shall be broken every 50 feet, with no less than a 12 inch shift between adjacent rooflines.
- 4.(d) **Building massing.** The wall massing of building facades shall be broken at least every 40 feet with no less than a six inch shift in the plain of adjacent walls. ~~Each street-facing façade shall be designed and constructed to have a building base, building body, and varying building roofline, each having varying building materials or design techniques.~~
- 5.(e) **Building material.** Building façade walls shall be finished with no less than two diverse types of material. The primary building material shall be wood siding or similar appearing siding. At least one of the building materials used on the building façade shall also be used on all other sides of the building.
- 1.(1) Brick or stone may be used in place of wood if approved by the Land Use Authority.
  - 2.(2) Metal siding may be used on the building's body, as long as the building's base is made of brick or stone, and as long as the metal siding is broken horizontally by brick or stone every twenty feet, and is treated to create a natural-appearing aged patina.
- 6.(f) **Colors.** Muted earth-tone colors generally visible from the site are required. No more than 70 percent of a building's facade shall be white.

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~~7.(g) **Examples.** Examples of generally acceptable architectural features are depicted in the following images. Any conflict between details in the images and regulations in this chapter shall be interpreted in favor of the regulations in the chapter.~~

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**Sec 104-22-6.050 ~~Modern Alpine Nordic Valley Area Building Design Standards~~**

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

~~4.(a) **Design theme.** All buildings shall have architectural styling and materials that implement a modern interpretation of European alpine design. A modern interpretation of European alpine design includes a balance between modern alpine and classical European alpine design features. The following design features are intended to provide minimum stylistic requirements to implement this design theme.~~

...

~~2.(b) **Colors.** Muted earth-tone colors generally visible from the site are required. No more than 30 percent of a building's facade shall be white.~~

...

**Sec 104-22-6.060 Mountain Modern Architecture**

~~(a) **Design theme.** All buildings shall have architectural styling and materials that implement mountain modern-style architecture. Mountain modern-style architecture shall incorporate at least three of the following five options:~~

~~(1) Either a gable roof at a 6/12 or greater slope, a flat roof, a shed roof, or a combination of the roof types.~~

~~(2) A shed-roof at a 2/12 or greater slope that is attached to the side of the building but not attached to the main roof structure.~~

~~(3) A prominent covered porch, deck element, chimney, or other unique architectural feature or features approved by the Land Use Authority.~~

~~(4) Vertical rectangular windows, single, paired, or in triples. Paired and tripled windows shall all be the same dimensions. The composition of all windows on a building's facade shall be balanced.~~

~~(5) Appurtenances such as exposed roof rafter tails, decorative kickers, and exposed beams or column detailing.~~

~~(b) **Building form.** Each street-facing facade shall be designed and constructed to have a building base, building body, and varying building roofline, each having varying building materials or design techniques.~~

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

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

~~(e) **Building material.** Building facade walls shall be finished with no less than two diverse types of material. The primary building material shall be wood siding or similar appearing siding. At least one of the building materials used on the building facade shall also be used on all other sides of the building.~~

~~(1) Brick or stone may be used in place of wood if approved by the Land Use Authority.~~

~~(2) Metal siding may be used on the building's body, as long as the building's base is made of brick or stone, and as long as the metal siding is broken horizontally by brick or stone every twenty feet, and is treated to create a natural-appearing aged patina.~~

~~(3) Stucco may be used as an accent material, but may not comprise more than 30% of a building's facade~~

~~(f) **Colors.** Warm muted earth-tone colors generally visible from the site are required. No more than 70 percent of a building's facade shall be white.~~

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



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**Sec 104-22-6.060 Mountain Rustic Architecture**

- (a) **Design theme.** All buildings shall have architectural styling and materials that implement mountain rustic architecture. Mountain rustic architecture shall incorporate the following
  - (1) A gabled roof at a 6/12 or greater slope. An attached shed roof is permissible at a lower slope if it covers a porch, patio, window pop-out, or similar.
  - (2) Exposed beams and columns made of large rough-cut timbers; the columns having a stone base.
  - (3) A prominent covered porch, deck, or balcony, or a large prominent stone chimney.
- (b) **Building form.** Each street-facing façade shall be designed and constructed to have a building base, building body, and varying building roofline, each having varying building materials or design techniques.
- (c) **Rooflines.** Rooflines shall be broken every 50 feet, with no less than a 12 inch shift between adjacent rooflines.
- (d) **Building massing.** The wall massing of building facades shall be broken at least every 40 feet with no less than a six inch shift in the plain of adjacent walls.
- (e) **Building material.** Building façade walls shall be finished with no less than two diverse types of material. Building material shall appear distressed. The primary building material shall be either wood, log, or similar appearing siding, or natural stone. At least one of the building materials used on the building façade shall also be used on all other sides of the building.

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(1) The building's base shall be natural stone

(2) Metal accents or trim may be used if it has been aged to have a patina.

(f) Colors. Muted earth-tone colors generally visible from the site are required.

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**PASSED AND ADOPTED BY THE WEBER COUNTY BOARD OF COUNTY COMMISSIONERS ON THIS  
\_\_\_<sup>TH</sup> DAY OF \_\_\_\_\_, 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