

Minutes of the Work Session of the Ogden Valley Planning Commission for August 1, 2023. To join the meeting, please navigate to the following weblink at, <https://us02web.zoom.us/j/83437636044>, the time of the meeting, commencing at 5:00 p.m.

Ogden Valley Planning Commissioners Present: Trevor Shuman, Chair, Jeff Barber, Jeff Burton, and Janet Wampler.
Absent/Excused: Dayson Johnson, Jared Montgomery, and Justin Torman.

Staff Present: Rick Grover, Planning Director; Charlie Ewert, Principal Planner; Steve Burton, Planner; Felix Lleverino, Planner; Tammy Aydelotte, Planner; Bill Cobabe, Planner; Courtlan Erickson, Legal Counsel; Marta Borchert, Office Specialist.

- **Pledge of Allegiance**
- **Roll Call:**

Chair Shuman conducted roll call and indicated Commissioners Johnson, Montgomery, and Torman were excused.

1. Minutes: June 6, 2023.

Chair Shuman asked if there are any corrections to be made to the minutes as presented. No corrections were made, and Chair Shuman declared the minutes approved as presented.

Adjourn to Work Session.

WS1: A work session to continue the Planning Commission's review of proposed changes to the Agritourism ordinance, and the proposal to add agritourism as a conditional use in the S (shoreline) and F (Forest) zones. Planner: Charlie Ewert.

Principal Planner Ewert explained that since the Planning Commission's last work session of July 18, staff has amended the proposal in the following ways pursuant to the Planning Commission's requests:

- The significant policy changes are highlighted in yellow to more easily catch your attention.
- The proposal adds agritourism as a conditional use in the F-X zones, as can be observed in the table starting on line 283. Lines 218 – 384 display proposed revisions to the F-X zone chapter. These revisions are not substantive and are only intended to create consistency between each zone chapter.
- Similarly, lines 385 – 492 also display proposed revisions to make a zone chapter consistent with other chapters. This chapter is for the Shoreline zone. The applicant's specific request to allow agritourism in the Shoreline zone can be found in the table on line 430.
- Line 529 – 530 adds an area qualifier for the agritourism uses in relation to the area of the agricultural operation.
- Lines 543 – 548 revises the qualifications for an agritourism operation in the context of the farmland assessment act. It reverts some of the confusing language back to current ordinance.
- Lines 549 – 552 add in some enforcement provisions, and tie the submitted application to the actual approval of the permit.
- Lines 566 – 567 add a requirement for the applicant to describe any new infrastructure they will be installing/building
- Lines 582 – 583 add a requirement for the applicant to explain the traffic, circulation, and parking needs of the proposed use.
- Lines 680 – 685 eliminates the smaller "ag" operations in favor of a minimum of six acres.
- The table starting on line 704 contains the following changes:
 - It eliminates the "garden" and "family" types of agricultural operations.
 - Adds dude ranch to the large agricultural operations.
 - Consolidates "corn maze" into "seasonal amusement."
- The table starting on line 718 provides greater setback distances for most uses.

Mr. Ewert reviewed the text amendments, and the first area of focus was the minimum lot size for an agritourism use; Chair Shuman suggested the minimum lot size for a large agritourism use should be nine acres, rather than six acres discussed during the last work session. Commissioner Barber suggested that aside from property size, there should be thresholds related to use of the property for a true agricultural purpose in order for someone to secure approval of an agritourism use. It is his opinion that agritourism should only be permitted when it is related to an actual agricultural use of the property; otherwise, someone can buy

a larger parcel of land and operate a campground there under the guise of agritourism. If those are the types of things the Commission wants to approve, that is what the ordinance should communicate. This led to debate among the Commission of the two different positions regarding lot size and agricultural use of the property and the debate expanded to the types of uses that can reasonably be defined as agricultural or agritourism. Discussion later shifted to whether agritourism uses should be permitted in single-family residential areas, with Planning staff communicating that it is not possible to anticipate the impacts of all possible uses, but the conditional use permitting process can be used to consider and mitigate potential impacts of certain types of agritourism.

The Commission debated whether a use should be allowed unless it is explicitly prohibited in the ordinance, or if the opposite is true. Legal Counsel Erickson suggested that uses are prohibited unless they are explicitly listed as a permitted or conditional use in the ordinance. He recommended the Commission employ the land use table in the ordinance to communicate permitted or conditional agritourism uses.

Commissioner Barber recommended scaled minimum lot sizes for different types of agritourism uses; for impactful uses/events such as large gatherings on a property, the minimum lot size should be 10 acres. Planning Director Grover asked if a minimum lot size between three and 10 acres would be appropriate for smaller/less impactful agritourism uses, such as uses that are educational in nature and associated with the agricultural use of the property. Commissioner Barber stated that he is not sure that it necessary to codify; his greatest concern is related to large events and uses that will have a negative impact on surrounding property owners and neighborhoods and those are the things he feels it is most appropriate for the County to regulate. Chair Shuman agreed and added that the regulations need to be sufficient enough that they can not be circumvented by 'bad actors' that are trying to operate a business on their property under the guise of an agritourism use. This led to high level discussion of the types of uses and events that should be more heavily regulated in order to mitigate impacts for neighboring property owners. Mr. Grover indicated staff can make changes to the proposed ordinance responsive to feedback provided tonight; he asked for guidance from the Commission as to when they are comfortable moving this forward to a public hearing. He discussed the upcoming meeting schedule and the format of an upcoming meeting that will be held in the Ogden Valley area and the Commission concluded they would like to see the changes in writing before deciding when to schedule the public hearing.

Before closing the meeting, there was brief discussion about pressure from the State of Utah to build a runaway truck ramp on Trapper’s Loop; the County’s ordinance regulating the keeping of livestock in the Valley; and the County’s noise ordinance. Mr. Grover indicated staff can research those matters in preparation for detailed discussion at a future meeting.

There was also a review of upcoming training opportunities for the Planning Commission to attend.

**Meeting Adjourned: The meeting adjourned at 7:00 p.m.
Respectfully Submitted,**

Weber County Planning Commission