

## OGDEN VALLEY PLANNING COMMISSION

### MEETING AGENDA

July 18, 2023

Joint Work Session 4:00/Regular Meeting 6:00

#### Joint Work Session w/County Commission

**JWS 1:** A special joint work session with the County Commission and Ogden Valley Planning Commission to discuss proposed amendments to the Form Based Zone. The proposed changes will amend the area's Street Regulating Plan and the area's allowed architectural theme.

#### Adjourn to regular meeting

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

1 Minutes: 5-23-2023

#### 2. Consent Items:

2.1 **DR2023-04:** Request for approval on a design review application for parking expansion of the existing Canyon Rim parking lot for Snow Basin Resort. **Planner: Tammy Aydelotte**

#### Petitions, Applications, and Public Hearings:

#### 3. Legislative Items:

3.1 **ZTA 2023-04:** A public hearing to consider a county initiated ordinance amendment to implement water-wise landscaping regulations that align with the Weber Basin Water Conservancy District turf removal incentives. **Planner: Steve Burton**

#### 4. Public Comment for Items not on the Agenda:

#### 5. Remarks from Planning Commissioners:

#### 6. Planning Director Report:

#### 7. Remarks from Legal Counsel

#### 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-1 zone.

***The Joint Worksession will be held in person in the Breakout Room 2380 Washington Blvd. 1<sup>st</sup> Floor. Regular meeting will be held in person at the Weber County Commission Chambers, in the Weber Center, 1st Floor, 2380 Washington Blvd., Ogden, Utah.***

& Via Zoom Video Conferencing at <https://us02web.zoom.us/j/87394185153> Meeting ID: 873 9418 5153

***In compliance with the Americans with Disabilities Act, persons needing auxiliary services for these meetings should call the Weber County Planning Commission at 801-399-8761***

## Meeting Procedures

### Outline of Meeting Procedures:

- ❖ The Chair will call the meeting to order, read the opening meeting statement, and then introduce the item.
- ❖ The typical order is for consent items, old business, and then any new business.
- ❖ Please respect the right of other participants to see, hear, and fully participate in the proceedings. In this regard, anyone who becomes disruptive, or refuses to follow the outlined procedures, is subject to removal from the meeting.

### Role of Staff:

- ❖ Staff will review the staff report, address the approval criteria, and give a recommendation on the application.
- ❖ The Staff recommendation is based on conformance to the general plan and meeting the ordinance approval criteria.

### Role of the Applicant:

- ❖ The applicant will outline the nature of the request and present supporting evidence.
- ❖ The applicant will address any questions the Planning Commission may have.

### Role of the Planning Commission:

- ❖ To judge applications based upon the ordinance criteria, not emotions.
- ❖ The Planning Commission's decision is based upon making findings consistent with the ordinance criteria.

### Public Comment:

- ❖ The meeting will then be open for either public hearing or comment. Persons in support of and in opposition to the application or item for discussion will provide input and comments.
- ❖ The commission may impose time limits for comment to facilitate the business of the Planning Commission.

### Planning Commission Action:

- ❖ The Chair will then close the agenda item from any further public comments. Staff is asked if they have further comments or recommendations.
- ❖ A Planning Commissioner makes a motion and second, then the Planning Commission deliberates the issue. The Planning Commission may ask questions for further clarification.
- ❖ The Chair then calls for a vote and announces the decision.

## Commenting at Public Meetings and Public Hearings

### Address the Decision Makers:

- ❖ When commenting please step to the podium and state your name and address.
- ❖ Please speak into the microphone as the proceedings are being recorded and will be transcribed to written minutes.
- ❖ All comments must be directed toward the matter at hand.
- ❖ All questions must be directed to the Planning Commission.
- ❖ The Planning Commission is grateful and appreciative when comments are pertinent, well organized, and directed specifically to the matter at hand.

### Speak to the Point:

- ❖ Do your homework. Obtain the criteria upon which the Planning Commission will base their decision. Know the facts. Don't rely on hearsay and rumor.
- ❖ The application is available for review in the Planning Division office.
- ❖ Speak to the criteria outlined in the ordinances.
- ❖ Don't repeat information that has already been given. If you agree with previous comments, then state that you agree with that comment.
- ❖ Support your arguments with relevant facts and figures.
- ❖ Data should never be distorted to suit your argument; credibility and accuracy are important assets.
- ❖ State your position and your recommendations.

### Handouts:

- ❖ Written statements should be accurate and either typed or neatly handwritten with enough copies (10) for the Planning Commission, Staff, and the recorder of the minutes.
- ❖ Handouts and pictures presented as part of the record will be left with the Planning Commission.

### Remember Your Objective:

- ❖ Keep your emotions under control, be polite, and be respectful.
- ❖ It does not do your cause any good to anger, alienate, or antagonize the group you are standing in front

# MEMO

To: County Commission and Ogden Valley Planning Commission

From: Charles Ewert

Date: July 12, 2023

RE: July 18, 2023 Joint Work Session Item: Amendments to the Eden Street Regulating Plan in the Form-Based Zone as it relates to the proposed Eden Crossing development.

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Planning staff have discussed with the County Commission the Planning Commission's recent recommendation regarding the amendments to the Form-Based Zone relating to the proposed Eden Crossing development. The County Commission desires to discuss the recommendation with the Planning Commission to better understand the reason for the negative recommendation and the Planning Commission's desires for the area. The County Commission has also requested that we divide the proposed amendments into two components; first, the proposed architectural theme amendments, and second, the proposed street regulating plan amendments.

This memo concerns the street regulating plan amendments. Attached hereto are three options that the County Commission has considered in addition to the options that the Planning Commission reviewed.



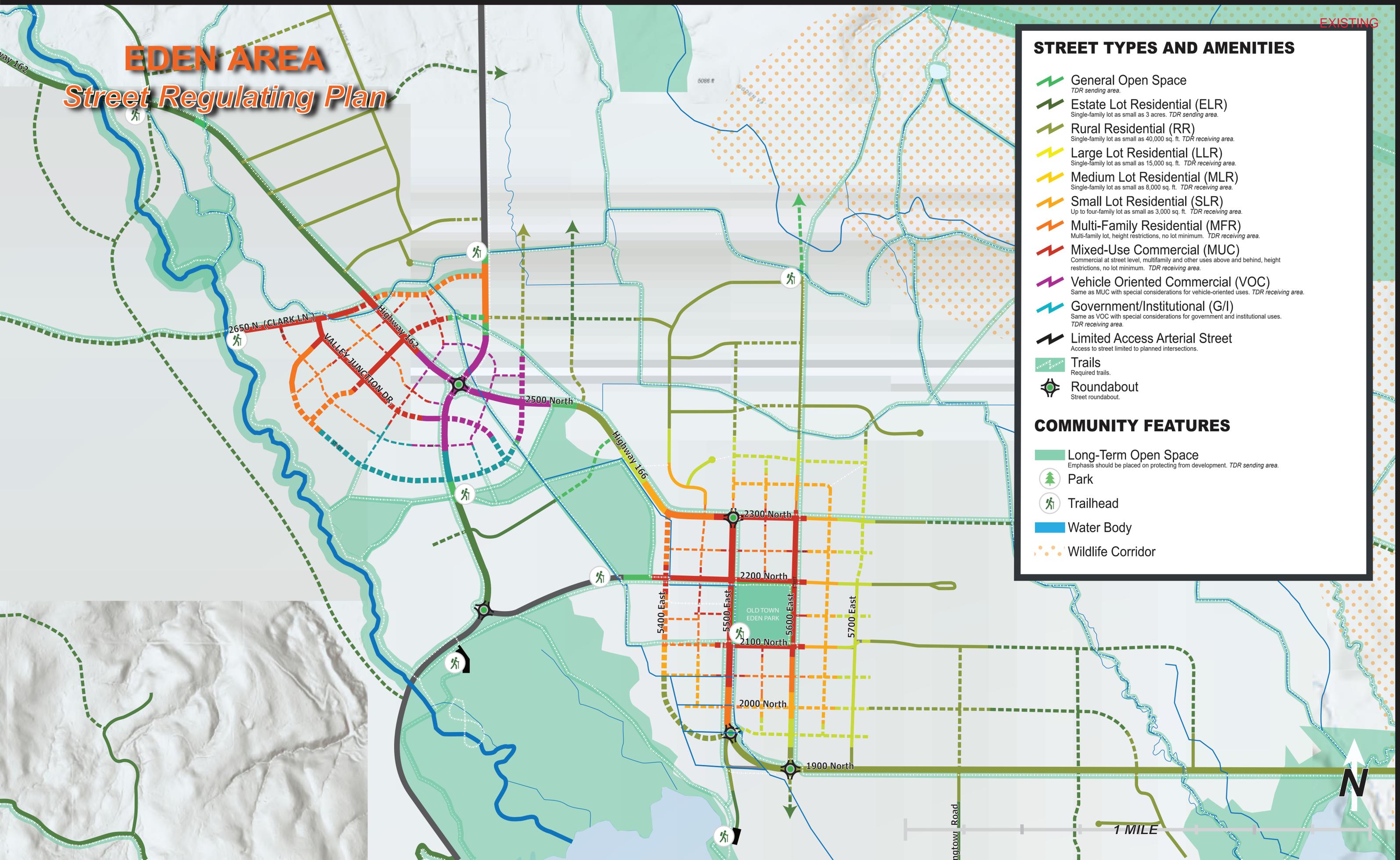
# EDEN AREA Street Regulating Plan

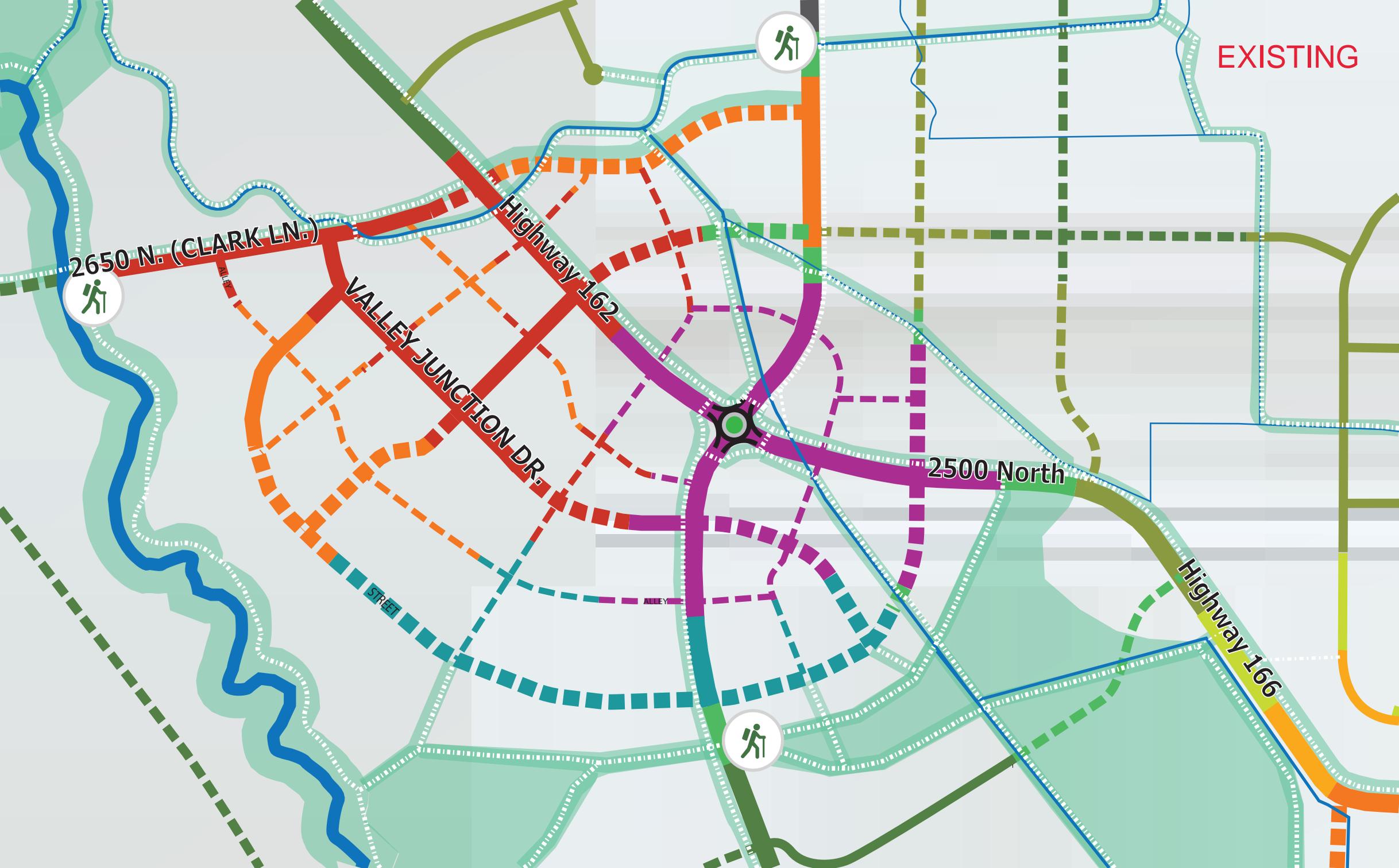
## STREET TYPES AND AMENITIES

-  General Open Space  
*TDR sending area.*
-  Estate Lot Residential (ELR)  
Single-family lot as small as 3 acres. *TDR sending area.*
-  Rural Residential (RR)  
Single-family lot as small as 40,000 sq. ft. *TDR receiving area.*
-  Large Lot Residential (LLR)  
Single-family lot as small as 15,000 sq. ft. *TDR receiving area.*
-  Medium Lot Residential (MLR)  
Single-family lot as small as 8,000 sq. ft. *TDR receiving area.*
-  Small Lot Residential (SLR)  
Up to four-family lot as small as 3,000 sq. ft. *TDR receiving area.*
-  Multi-Family Residential (MFR)  
Multi-family lot, height restrictions, no lot minimum. *TDR receiving area.*
-  Mixed-Use Commercial (MUC)  
Commercial at street level, multifamily and other uses above and behind, height restrictions, no lot minimum. *TDR receiving area.*
-  Vehicle Oriented Commercial (VOC)  
Same as MUC with special considerations for vehicle-oriented uses. *TDR receiving area.*
-  Government/Institutional (G/I)  
Same as VOC with special considerations for government and institutional uses. *TDR receiving area.*
-  Limited Access Arterial Street  
Access to street limited to planned intersections.
-  Trails  
Required trails.
-  Roundabout  
Street roundabout.

## COMMUNITY FEATURES

-  Long-Term Open Space  
Emphasis should be placed on protecting from development. *TDR sending area.*
-  Park
-  Trailhead
-  Water Body
-  Wildlife Corridor





EXISTING

2650 N. (CLARK LN.)

Highway 162

VALLEY-JUNCTION DR.

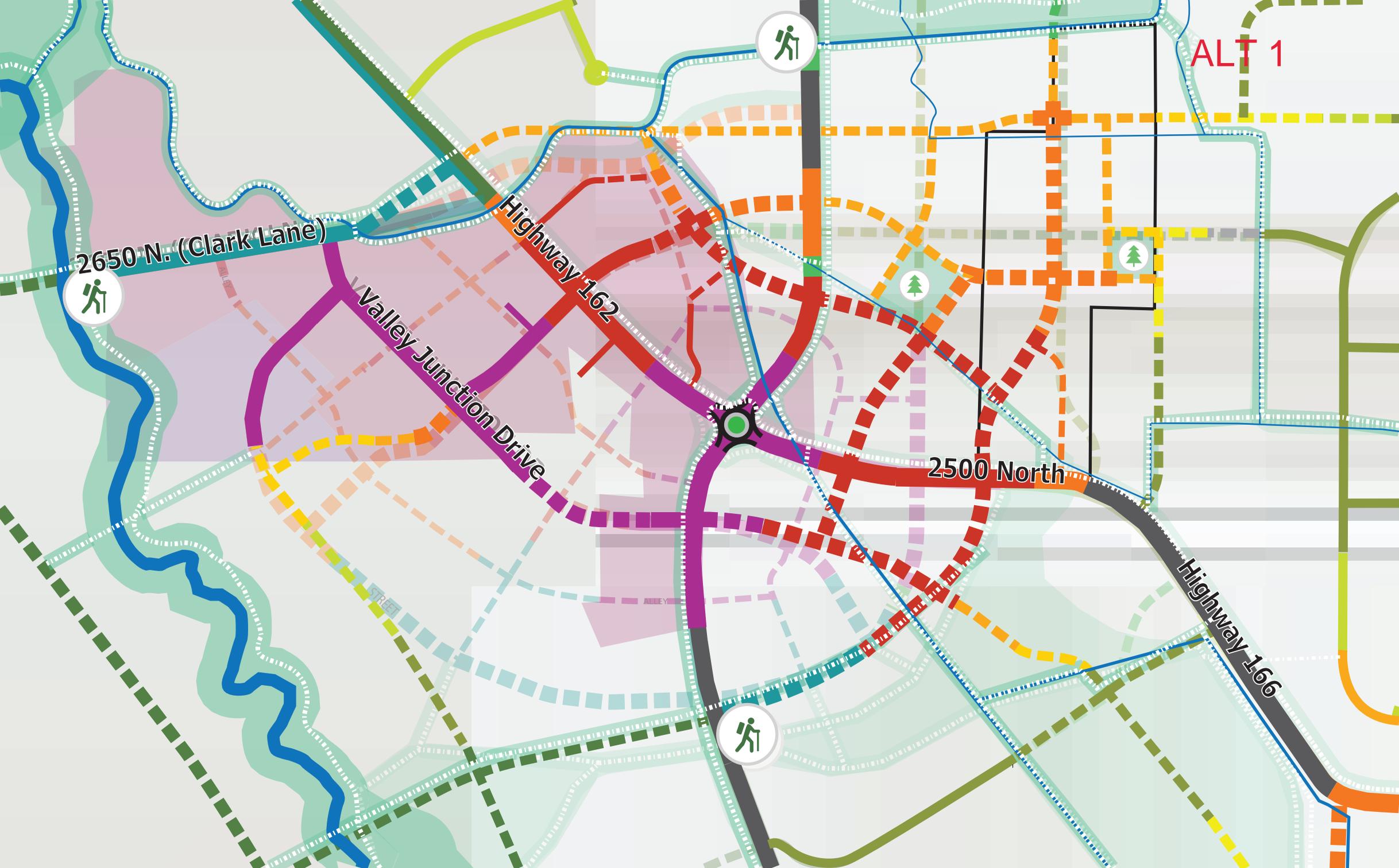
2500 North

Highway 166



STREET

ALLEY



ALT 1

2650 N. (Clark Lane)

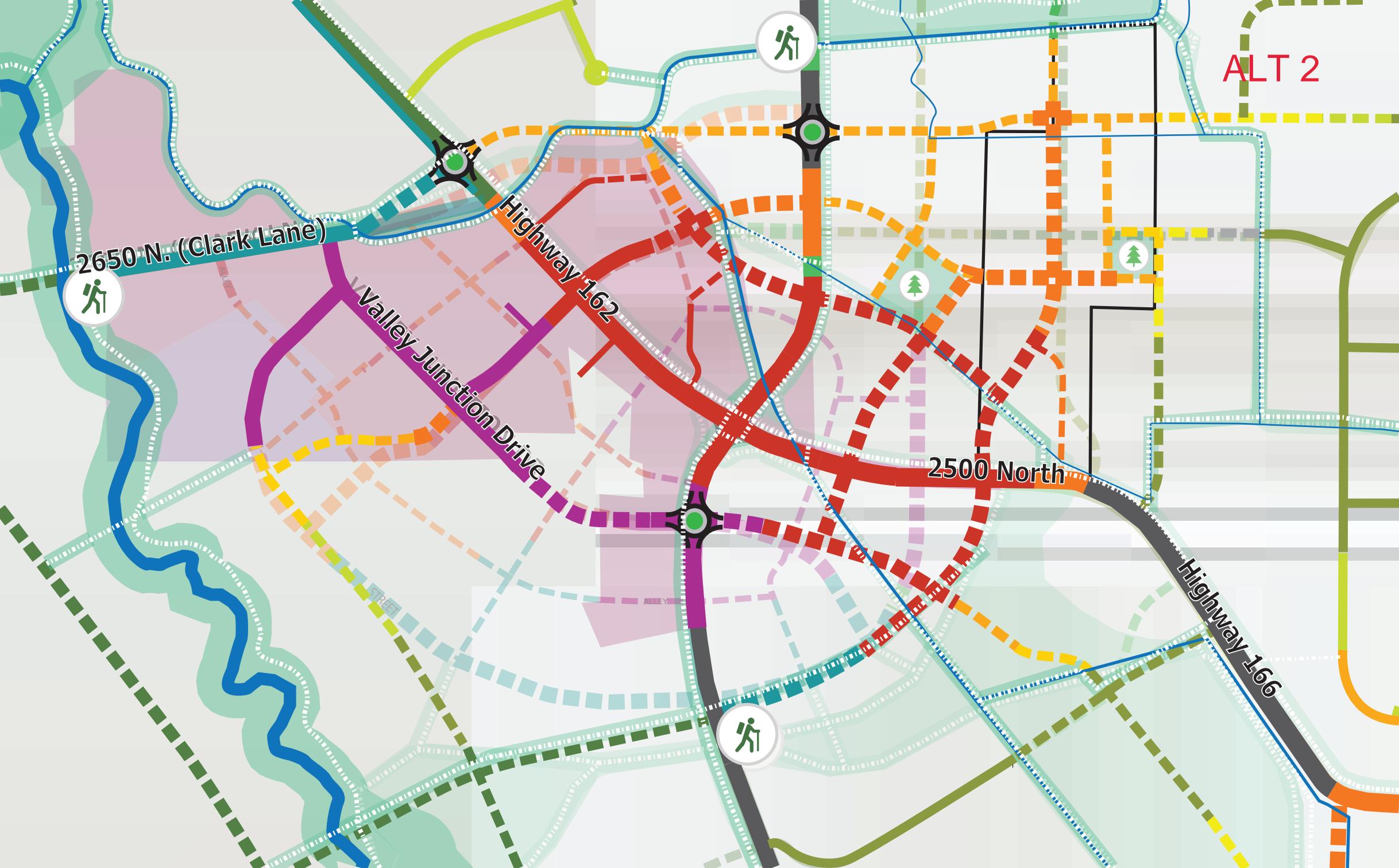
Highway 162

Valley Junction Drive

2500 North

Highway 166





ALT 2

2650 N. (Clark Lane)

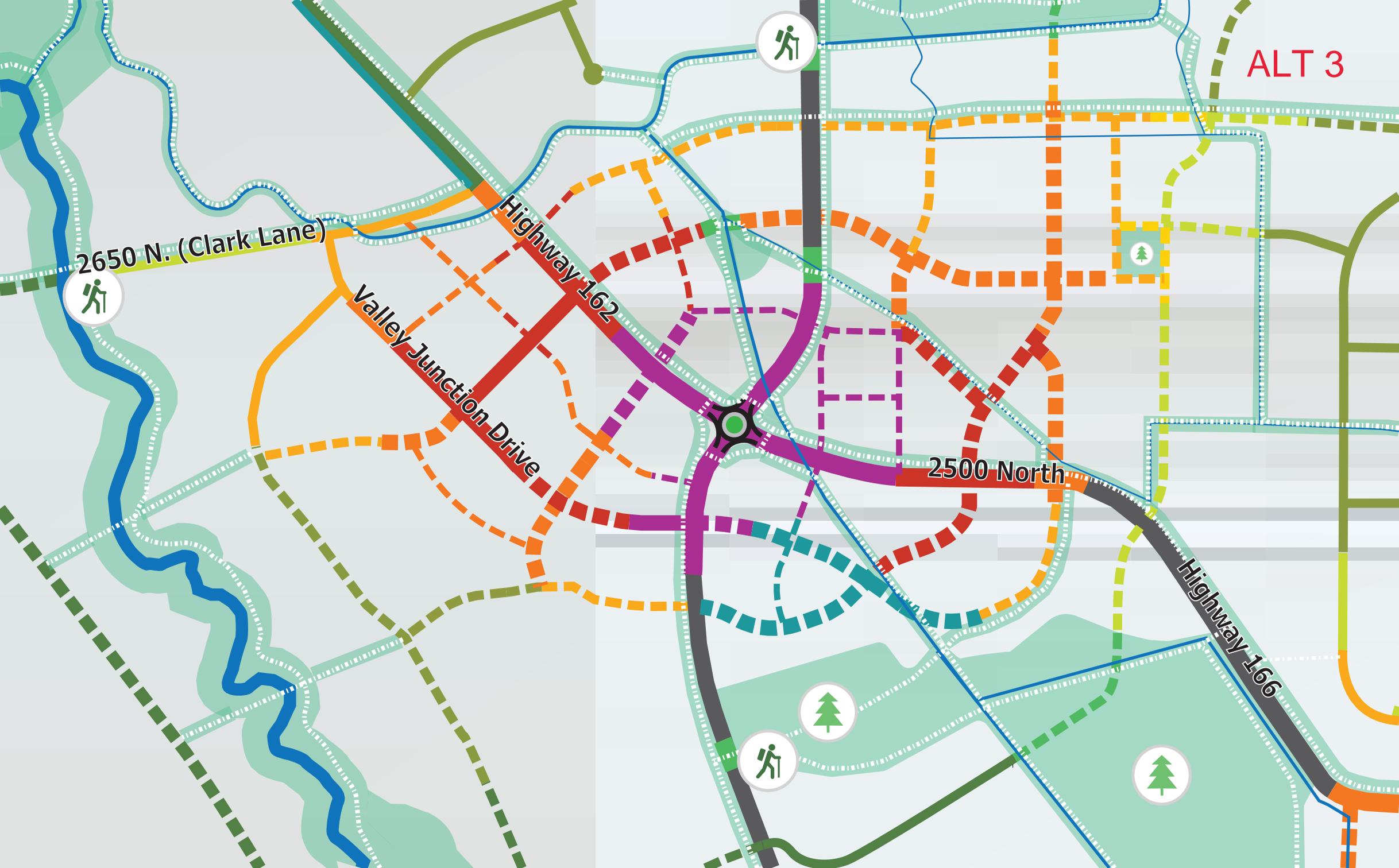
Highway 162

Valley Junction Drive

2500 North

Highway 166





ALT 3

2650 N. (Clark Lane)

Highway 162

Valley Junction Drive

2500 North

Highway 166



# MEMO

To: County Commission and Ogden Valley Planning Commission  
From: Charles Ewert  
Date: July 12, 2023  
RE: July 18, 2023 Joint Work Session Item: Amendments to the architectural theme requirements of the Form-Based Zone that provide a wider range of style options

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The County Commission has requested the division of the proposed FB zone amendments. The first is the proposed architectural theme amendments, and the second is the proposed street regulating plan amendments.

This memo concerns the proposed amendments to the architectural standards of the FB zone. Attached hereto are the proposed amendments.



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

**AN AMENDMENT TO THE FORM-BASED (FB) ZONE TO CREATE AN “EDEN CROSSING” STREET REGULATING PLAN MAP AND RELATED ARCHITECTURAL STANDARDS FOR THE OGDEN VALLEY PLANNING AREA.**

**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~~

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~~Sec 104-22-6.020 Architecture Matrix Building Design Standards By Area~~ [Edit](#)

(a) **Architectural compliance required.** Each building, ~~E~~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 6. (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 6.

(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 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.

~~(a)~~(c) **Allowed architecture.** The follow table lists the type of architecture that is allowed within a specific village area. The letter “X” represents a style that is allowed in the respective area. A “-” 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>	<u>OLD TOWN</u>	<u>5500 E and streets surrounding Old Town Eden Park.</u>	X	-	-	-	-
		<u>The rest of Old Town.</u>	X	X	X	-	-
	<u>NEW TOWN</u>	<u>Within 20 feet of public street<sup>1</sup></u>	X	-	X	X	-
		<u>The rest of New Town.</u>	X	X	X	X	-
<b><u>NORDIC VALLEY</u></b>			-	-	-	-	X
<b><u>WEST WEBER VILLAGE</u></b>			-	X	-	-	-

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

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~~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:~~

- (a) **Design theme.** ~~All~~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.
- (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.
- (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.

- (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.~~
- (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.
- (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.
- (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:~~

- (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) Either a gable roof at a 6/12 or greater slope, a gambrel roof, or a monitor roof.
  - (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) A clerestory or cupola.
  - (4) Gable-style dormer windows.
- (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.
- (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 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.~~
- (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) 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.
- (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.

- (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:-~~

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

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- (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 façade 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 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. 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.

- (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) 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.

(a)(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**

- (h) **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.
- (i) **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.
- (j) **Rooflines.** Rooflines shall be broken every 50 feet, with no less than a 12 inch shift between adjacent rooflines.
- (k) **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.
- (l) **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.

DRAFT – Last edited 5/16/2023

- (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.
- (m) **Colors.** Muted earth-tone colors generally visible from the site are required.
- (n) **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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**PASSED AND ADOPTED BY THE WEBER COUNTY BOARD OF COUNTY COMMISSIONERS ON THIS  
\_\_\_ DAY OF \_\_\_\_\_ 2023.**

	<b>AYE</b>	<b>NAY</b>	<b>ABSENT</b>	<b>ABSTAIN</b>
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Gage Froerer  
 Jim “H” Harvery  
 Sharon Arrington Bolos

Presiding Officer

Attest

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

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

Minutes of the Work Session of the Ogden Valley Planning Commission for May 23, 2023. To join the meeting, please navigate to the following weblink at, <https://us02web.zoom.us/j/83533784846>, the time of the meeting, commencing at 5:00 p.m.

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

**Absent/Excused:** None.

**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 all Commissioners were in attendance.

### 1. Minutes: March 28 and April 4, 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.

Chair Shuman asked if any member of the Commission had conflicts of interest or ex parte communications to disclose. Commissioner Torman stated that he was contacted by several people about tonight's meeting, and he advised them to attend the meeting or provide any comments to Planning staff. Commissioner Barber stated he had the same experience, and he offered the same response.

Commissioner Johnson stated he is the applicant for agenda item 2.1, and he will recuse himself from discussion and action on that item.

### 2. Legislative Items: Petitions, Applications, and Public Hearings:

#### 2.1 ZTA2023-02: A public hearing and consideration of an applicant-initiated request to amend the Weber County Code to allow agritourism in the Shoreline (S-1) zone. Applicant: Pineview Partners. Planner: Charlie Ewert

Planner Ewert explained the County has received an application to amend the Weber County Code to allow agritourism to occur in the Shoreline (S-1) zone. Agritourism is allowed in other agricultural zones as a conditional use. The proposal is to regulate the use in the S-1 zone similarly. After a policy analysis, staff has determined that it appears that the request is in harmony with the Ogden Valley General Plan. In the May 2, 2023 Planning Commission work session the planning commission asked staff to research the following two questions:

1. Why wasn't agritourism allowed in the S-1 zone from the beginning?
2. How many agritourism operations or in operation currently?

First, at the time the agritourism ordinance was being adopted it was not vetted for use in the S-1 zone. This was by omission rather than deliberation. At the time, Staff and the planning commission were focused on getting the ordinance correct and useful in the agricultural zones. The S-1 zone was not excluded due to an issue with the use in the zone, but rather because there simply was not enough time to consider it. Second, there are currently three agritourism operations in the Ogden Valley:

1. Kelley Creek Farm
2. Renaissance Farm
3. Dancing Moose Farm

In addition to the edits requested by the applicant, Staff is also requesting additional edits to the Shoreline Zone. Those additional edits are intended to bring the Shoreline zone's chapter into compliance with the organizational standards that have been implemented in other zones. Over time, the county has been striving to reorganize each zone chapter to follow a standardized

organizational composition. Mr. Ewert reviewed the proposed ordinance text amendments to orient the Commission to the changes requested by staff, after which he concluded staff would like to work on additional amendments relating to agritourism uses. He suggested the Commission table the application and move it to a work session meeting for additional review and discussion. He noted a public hearing is required and the applicant may want to address the Commission before action is taken.

Chair Shuman invited input from the applicant.

Dayson Johnson stated that the purpose of the application is preservation of agriculture land; farming is becoming more difficult to sustain as a primary income and this application would allow farmers to supplement their income. Agritourism is allowed in other zones, except for the Shoreline Zone and he feels the Planning Commission can determine any impacts of the proposed use and opportunities for mitigating those impacts. He noted the application also allows for community engagement; allowing agritourism as proposed will allow for the local economy to grow through that are desired by citizens, such as grocery stores and restaurants. The income stream is diversified, and the local economy will benefit. When farmers can no longer make money at farming, they feel forced to sell their land to a developer that will subdivide and try to build as dense a project as possible. This proposal would provide farmers another way forward, but he is also comfortable waiting for the Commission to have additional discussion about the manner in which agritourism is defined and the uses that would be considered to be agritourism.

Commissioner Montgomery moved to open the public hearing. Commissioner Barber seconded the motion. All voted in favor.

Jim Bird stated he is from Huntsville, and he likes Mr. Ewert's recommendation to table the application; one of the issues that must be dealt with is adequate provision for water supply and disposal of sewer near a water line. Two water and sewage studies have been conducted in 2019 and 2022 and there are many concerns about sewage disposal. Mr. Ewert has suggested that agritourism allows for the preservation of corn fields, but it also allows bed and breakfast dwellings (2 rooms), bed and breakfast farm retreats (7 rooms), bed and breakfast farm inns (16 rooms), electric glamping, and recreational vehicle (RV) parks. He stated that it is important to pay attention to infrastructure in the Valley and how these types of uses will impact that infrastructure. His real concern is that the County continues to approve increased development prior to providing adequate infrastructure.

There were no additional persons appearing to be heard.

Commissioner Torman moved to close the public hearing. Commissioner Barber seconded the motion. All voted in favor.

Commissioner Burton stated that in the pre-meeting, the Commission examined the definition of agritourism, which requires the use to be associated with the primary agricultural use of the property. Current land use regulations allow for non-agricultural use for every agricultural use, which seems to be an inconsistency. Objectives of the Shoreline Zone include promoting the use of land for agricultural uses and preserving natural vegetation. This is a conflict given that farmers do not preserve natural vegetation and, instead, they replace natural vegetation with crops. He added that staff has discovered that agritourism was not listed as an allowed use in the Shoreline Zone due to an oversight. It seems to him that it is appropriate, due to the inconsistencies, to do additional work to clarify the intent of the ordinance and to resolve any conflicts to make it more enforceable.

Commissioner Burton moved to table application ZTA 2023-02, applicant-initiated request to amend the Weber County Code to allow agritourism in the Shoreline (S-1) Zone, to give staff additional time to perform a more detailed analysis of the conflicts present in the current ordinance and develop an ordinance that is more enforceable and in compliance with the General Plan. Commissioner Montgomery seconded the motion. Commissioners Barber, Burton, Montgomery, Shuman, Torman, and Wampler all voted aye. (Motion carried 6-0). Commissioner Johnson did not vote on the motion due to a declared conflict of interest.

Commissioner Johnson rejoined the Commission on the dais.

**2.2 ZTA2023-03: A public hearing and consideration for File ZTA 2023-03, an applicant-initiated request to amend the Form-Based Village Zoning Ordinance to adjust the New Town Eden Street Regulating Plan and to provide alternative design standards for New Town Eden. Applicant: Eric Langvardt. Planner: Charlie Ewert.**

Planner Ewert reviewed the information included in his staff report regarding an applicant-initiated request to amend the Form Based Village zoning ordinance to adjust the New Town Eden Street Regulating Plan and to provide alternative design standards

for New Town Eden. He noted the County adopted a street regulating plan for the Eden area in January 2022. The applicant is proposing development in an area that does not reflect what was adopted. The applicant is requesting an amendment to the street regulating plan, and is proposing alternative design standards for the Eden area, generally. The Planning Commission considered this item in work session on May 2, 2023 and provided both the applicant and staff general guidance. Staff is recommending approval of the proposal. The proposal would not result in any zone changes, but it should be noted there is an application being reviewed by Planning staff for a zone change to the Form Based Village Zone. He then summarized staff’s policy analysis regarding the proposed text amendment; the text amendment is fairly straightforward, but the application of the amendment has broader effects on the New Town Eden Area. The amendment creates alternative architectural design standards for the New Town Eden Area, and a revised street regulating plan map that includes additional streets in the northeastern quadrant of the New Town Eden Area (northeast of the intersection of Hwy 158 and Hwy 162. To help ease the effect of the new streets requested, staff has provided four alternative street regulating plans, that represent changes to most if not all of the streets on the periphery of the New Town Eden village area. As always, there is a fifth alternative which is to make no changes.

Relative to the 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 appropriate theme. 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 applicants requested “mountain modern” theme as well as a new theme titled “mountain rustic.” He presented illustrations of the Mountain Modern design theme being proposed. He then reviewed a matrix included in the proposed ordinance amendments, that identifies additional architecture types that would be allowed in the Form Based Zone, including Old West, Agrarian, Mountain Rustic, and Modern Alpine, and he highlighted existing projects in the Valley that incorporate some of these architectural styles.

Mr. Ewert then discussed the current street regulating plan; to facilitate the potential amendments, staff requested that the applicant provide their desired street regulating plan specific to their intended project, but also include other street connections that show how their proposed streets can eventually connect to other existing or planned streets. Their proposed street regulating plan is as follows, with their property in yellow:



In reviewing the applicant’s proposed street regulating plan, and hearing prior concerns expressed by the planning commission regarding “village creep,” staff has explored the possibility of reconfiguring the New Town Eden area’s street regulating plan with four alternative options that the Planning Commission may desire to consider. Each alternative attempts to offset the “creep” effect of adding the applicant’s new higher-intensity streets. While there are a few specific reasons streets are laid out as they are in each alternative, the Planning Commission should feel at liberty to explore other ways streets can be configured and designated that might make for a better future village area. Based solely on the following proposals, staff recommends Alternative D. It has the greatest ability to cluster mixed use commercial streets both where commercial opportunities currently exist, as well as where the applicant is proposing.

Mr. Ewert then presented staff’s proposed Alternative A: “Reduce River Bottom Impact”



Mr. Ewert presented staff’s Proposed Alternative B: “Spaghetti”



Mr. Ewert presented staff’s Proposed Alternative C: “Shift East”



Mr. Ewert presented staff’s Proposed Alternative D: “Street Connections”



Mr. Ewert engaged in discussion with the Commission regarding the notes about each optional street regulating plan included in his staff report, after which he concluded his presentation by summarizing staff's analysis of the application, including compliance with the Ogden Valley General Plan.

Commissioner Barber asked if one of more of the street regulating plan alternatives would be better suited for the easier provision of sewer and other infrastructure in the New Town Eden Village area. Mr. Ewert stated no; there are many options available for building and installing adequate infrastructure to serve the area.

Commissioner Burton inquired as to the differences between the different architectural types included in the matrix referenced by Mr. Ewert. Mr. Ewert stated that the text provides descriptions of the types of architectural elements to be included in each of the architectural types. Commissioner Burton stated it is his understanding that the old Blacksmith Shop in Old Town Eden was renovated, and the government did not tell him how to perform those renovations; however, the government liked the work when it was done and decided that the same standard should be imposed on the rest of the buildings in the area. He stated that just because the applicant proposes a certain design does not mean that the same design or similar designs should be imposed on everyone. Mr. Ewert stated that is a policy decision for the Planning Commission and County Commission to make. The Commission engaged in philosophical discussion and debate of appropriate language to include in the ordinance that could help to ensure reasonable compatibility with design standards throughout a Village area. Mr. Ewert stated that when the market stimulates design, design standards are not required; however, the most common occurrence is for someone to try to build in a most cost-effective way, which results in design that is not aesthetically pleasing. He presented images to serve as examples of the architectural styles included in the matrix, after which he emphasized that the ordinance text is very descriptive in listing specific elements that must be included in a building's architecture to ensure it meets the definition of a certain architecture type.

Commissioner Burton then stated that the General Plan indicates the Ogden Valley should be rural, but he does not feel that the plans that are being presented fit the definition of rural. He asked where the regulation for walkability comes from, to which Mr. Ewert answered the General Plan. Mr. Ewert explained there is a misconception about the General Plan; it does not state that the Ogden Valley must be rural, but it does talk about walkable villages surrounded by rural areas. The village nodes should be walkable according to the General Plan. Commissioner Burton voiced his concern about what is needed to make a village successful as a commercial endeavor; he is concerned about how this type of project will impact the surrounding rural areas and he asked what is applicant driven and what is the desire of staff to plan commercial endeavors. Mr. Ewert stated the Commission can choose to only take action on the applicant's requests and not consider staff's recommendations. Chair Shuman summarized the matters before the Commission and the options available to them tonight.

Commissioner Wampler asked what would become of the two form-based zoning applications in the Old Town Eden area if the Commission chooses to proceed with the amendments that have been recommended tonight. Mr. Ewert stated that if the proposed ordinance is eventually adopted, those applicants would be able to design a project according to these changes. Commissioner Wampler clarified that the matter before the Commission tonight is an amendment to the Form Based Zoning ordinance, not consideration of a zoning application. Mr. Ewert stated that is correct; but this amendment could place 'lines on a map' that could create an easier path for certain property owners to pursue a zone change.

Commissioner Montgomery stated that the purpose of the applicant's request is for him to secure a transfer of development rights (TDR) and he asked if it is concerning to anyone else that the Planning Commission has not yet acted on the TDR element of the Form Based Zone. Chair Shuman deferred to Mr. Ewert. Mr. Ewert stated the County Commission considered the Planning Commission's recommendation on the Form Based Zone from their last meeting and they were told that the TDR element was tabled and not part of

that recommendation. The County Commission asked staff to communicate to the Planning Commission that they did not need to spend any additional time on the TDR issue and that they would take action on the TDR element along with action on the whole Form Based Zone ordinance. Commissioner Torman stated that it would be nice for the Planning Commission to have some time to review what the County Commission adopted regarding TDRs.

Commissioner Wampler stated that as a matter of form, a matter that has not been acted upon by the Planning Commission should not be forwarded to the County Commission. If the Planning Commission tabled an issue, it should not have been forwarded to them and in the future she would prefer for staff to clarify that even though they may table a specific issue, if it is part of a larger package it will be submitted to the County Commission. She stated it sounds as if the Planning Commission understood the TDR issue was being tabled, but because it was part of a larger issue, it went forward. Mr. Ewert stated that TDRs were already part of the Form Based Zone ordinance and when staff told the County Commission that the Planning Commission was still debating the recommendation they wanted to make regarding TDRs in the Ogden Valley, the County Commission decided they did not want further debate and that they were ready to make a decision, which is their prerogative. Planning Director Grover added that when the County Commission offers directives, the staff must follow those. The Planning Commission can make recommendations, but the County Commission makes the final decision, and the staff must follow that decision. Commissioner Wampler stated that the Form Based Zone matter was broken into smaller parts by the Planning Commission and the TDR element was specifically tabled; she asked if the TDR issue was still presented to the County Commission. Mr. Ewert stated that it was 'paused' due to the recommendation of the Planning Commission, but the County Commission essentially 'unpaused' it to make changes they desired. Commissioner Barber stated that he watched the work session meeting during which the matter was discussed with the County Commission and the work done by the Planning Commission was not really considered; the discussion centered around the General Plan and the County Commission did not want to hear the Planning Commission's concerns. He heard specific direction for staff to tell the Planning Commission to 'forget it'. Mr. Ewert stated that if the question is whether a part of the current application that is not voted upon tonight by the Planning Commission will be forwarded to the County Commission, the answer is 'probably'; once the Planning Commission has given any kind of recommendation, the County Commission has full discretion to make any decision they deem appropriate. Commissioner Wampler stated that it was her understanding that a recommendation of approval or denial will be forwarded to the County Commission, and they can make any decision they choose, but if an issue is tabled, it should not move forward. Mr. Ewert stated that the particular section that was tabled by the Planning Commission did not move forward. Legal Counsel Erickson stated that the legal statute that governs this process does not explicitly state that a tabled matter cannot move forward to the legislative body; the only provision prohibiting a legislative body from making an amendment would apply in an instance when the legislative body solicits a recommendation from the Planning Commission. This is often interpreted to mean that the County Commission must wait for a recommendation from the Planning Commission on all matters, but it does not state that if the Planning Commission fails to take action on a specific part that the County Commission cannot move forward.

Mr. Ewert then summarized the TDR regulations that are now included in the Form Based Zone; anyone who owns property in a form-based zone can transfer development rights to their property and anyone who owns anywhere else on the Valley floor can send rights to a form-based zone property. It does not matter whether the receiving party wants to build, and this is where banking comes in and the presence of the total number of development rights assigned to a property will be recorded. Commissioner Torman asked if development rights can be transferred from one village to another. Mr. Ewert stated that the properties must be in the same planning area, meaning that rights cannot be transferred from Western Weber to Ogden Valley or vice versa; however, rights can be transferred from one form-based property to another. Commissioner Barber stated that his understanding of the County Commission's conversation was that they did not want to 'get in the way' of any prospective banking as they felt that a restriction on banking would change the development playing field for the Valley.

Chair Shuman invited input from the applicant.

Eric Householder stated Eric Langvardt is stuck in traffic and is joining via Zoom; after a short pause, Mr. Langvardt joined the meeting and indicated that Mr. Ewert did a good job of clarifying the purpose of his application. The two main points of his application relate to architecture and the street regulating plan for the northeast corner of the village area. He feels that having an additional architectural option is positive as long as each of the architectural options are high quality and set a high standard for developing in the Ogden Valley. The new style he has proposed is very similar to the mountain modern style, which lends itself much more to mixed-use and higher density development. He then discussed the street regulating plan; he noted that the northeast corner of the area is best suited for a village overlay and the uses allowed in a village. It is not located in a sensitive area, and it is essentially flat, and he feels the proposed street regulating plan is ideal as it preserves multiple options for different parcels. He does not believe that his proposal will result in undesirable creep of certain uses. Mixed-use and multi-family uses are 700 and 1,000 feet, respectively, from the nearest four-way intersection and he feels that distance will prevent creep. He added that he will bring sewer and water infrastructure into the plan area, which should address previously voiced concerns about the existence of septic systems in the area and the need to replace those systems with modern infrastructure. The Ogden Valley General Plan includes a statement on the front page that states 'the

future decision making should be supported by evidence that it is the right time, right place, and right set of circumstances for the implementation...’ and when he thinks about the subject property, he views his proposed changes as meeting that directive of the General Plan. The changes proposed by Mr. Ewert are a good example of ‘give and take’ relative to suitable development in the northeast corner of the planning area. He added he will provide a variety of housing options, which also aligns with one of the directives of the General Plan relating to housing affordability. The adjustment to the street regulating plan will help to facilitate those options now.

Commissioner Johnson moved to open the public hearing. Commissioner Barber seconded the motion. All voted in favor. There were no additional persons appearing to be heard.

Hugh Shaw stated he has lived in his home in Eden for approximately 29 years. He asked the Commissioners to consider why each of them moved to the Ogden Valley; aside from Commissioner Montgomery who grew up in the Valley, the rest of the Commissioners are likely transplants. He stated that he moved to the Valley because he raises horses, trains dogs professionally, and he farms his ground. The Commission is being asked to make a decision tonight relating to architecture and road configuration; he referenced a project that is underway across the street from his property where the applicant is also requesting a change to road configuration. The nine-acre property was bought by John Lewis from the previous owner and for about nine years, it was a flood plain. It is still a flood plan with water that is about 1.5 feet deep. He asked the Commission to research the flooding that has occurred due to the presence of the water on that property. He stated that residents do not want these types of projects in their community, and he asked that the Commission not change the street regulating plans; he stated this application is an example of ‘putting the cart before the horse’. In past Commission meetings, Commissioner Burton has asked if certain roads are wide enough to accommodate a swather and the answer is no. Mr. Householder was asked by Commissioner Barber how many housing units he plans to include in his subdivision and Mr. Householder answered that it was not the appropriate time to discuss that matter. He stated that was shocking to him and other residents. He noted that Commissioner Barber also asked how many transfer of development rights (TDRs) were associated with the property and where the development rights were transferred from, and again Mr. Householder answered that it was not the right time to discuss the issue. He stated that now is the time to act and deny the application; he asked the County to maintain the current street regulating plan. He and many other residents oppose the changes involved in this application because it is not good business, and it does not make sense. The applicants have bought land understanding the development capacity, and now they should be forced to abide by those regulations.

Keith Hill stated he has been a lifelong resident of Eden and this is his ‘worst nightmare’; everyone that lives in the Valley has chosen their home because of the rural feeling. He asked that high density housing be kept near the resort areas instead of on the Valley floor where farming is performed. He stated that everything that Mr. Ewert said tonight ‘made him sick to his stomach’ and he wondered if anything the Planning Commissioners say or fee matters. Last month there was discussion about the design of the project and Mr. Ewert stated that the County Commissioners have already decided what they want, and the Planning Commission’s opinion did not matter. He noted he has pretty much said the same thing tonight and it feels as if these meetings are a formality. He concluded he would like things to stay the same in the Ogden Valley. He referenced a project in Ogden City where an applicant was trying to build a carwash; enough residents got together to get the project shut down, even though the property was already zoned for commercial use. There are many citizens in the Valley who do not want this project to happen, and he feels it is wrong to change the zoning to allow apartments on the Valley floor.

Kurt Langford stated that this is not property that should have been rezoned for higher density; everything that Mr. Ewert said is his opinion and not necessarily a fact. He did say that the traffic at the area will be so bad that it will be necessary to eliminate the round-about and Commissioner Burton is correct in his assessment that it will not be possible to drive a swather through the area. However, the zoning has been changed in the hopes that an engineer could design appropriate drainage and infrastructure; the property was an old ranch and it had a detention pond that held a great deal of water that ran off of Wolf Creek. The pond was not engineered correctly, resulting in water flowing to other properties flooding them out. The County will be forced to step in and fix the problem and putting new roads in the area is not the right thing to do. One does not have the right to do whatever they want, especially when it has an adverse effect on others’ private property rights. He grew up in the Valley and it is no longer the place it once was, but this is egregious and the applicant is asking for new road configurations and architectural designs that would never be approved in other resort towns similar to the Valley. The residents are depending on the Planning Commission to protect them, and he encouraged them to deny the proposed road system in this area because it will lead to high density. The applicant believes they are entitled to do whatever they want; the definition of entitlement is when one is ‘inherently deserving of privileges or special treatment’. The infrastructure that irrigates hundreds of acres to the east was ripped out over the winter without permission and there were alterations to the canal that provides water to farmers. He asked why it is that open space

gets dismissed so easily; no one that has participated in developing of the Ogden Valley General Plan would have every imagined a village of this size with so much traffic. Everyone thought it would be a small village similar to Huntsville, but that is not the case.

Troy Bunker stated he lives directly east of the subject property and the planned road development will make it impossible for him to drive his large equipment to and from his property. He urged the Commission to leave the road configuration as it currently is. The Planning Commission just heard that when they send a recommendation of denial to the County Commission, the County Commission has the ability to override that recommendation and grant approval. He suggested that the Planning Commission send nothing to the County Commission and, instead, stop the application at this point.

Dave Carver stated he lives across the street from Mr. Bunker; his suggestion would be to table the application for at least 10 years because this proposal is way too much for the area in its current condition. There will not be one single resident that would support this application.

Elizabeth Bunker also encouraged the Commission to deny the application and she noted that she agrees with all who have spoke before her on the reasons why the application should not be approved.

Kelly Roundy stated he and his wife, Sara, live in Eden and they have owned property there for about 10 years; they would also like for the road configuration to remain unchanged.

Kelly Booth stated she lives directly south of the proposed development. She read through the Ogden Valley General Plan, which cites the need for peace and quiet repeatedly. However, Mr. Ewert keeps referring to a city center, which sounds, looks, and feels much different than a village. The General Plan also mentions the rural agricultural nature of the Ogden Valley, yet there is nothing agricultural about the proposed architectural styles, putting a commercial building in a residential area, or building high density housing in a residential area. There is an abundance of high-density housing just 20 minutes from the subject property and it is not needed in this area. She has lived in the Ogden Valley for 45 years and she has never seen it more torn apart than it has been over the last 10 years; it seems the cause of this is allowance of TDRs and she challenged the Commission to reconsider that loophole in order to preserve what makes Eden what it is. She referenced village areas in Park City and noted that it takes 30 minutes to travel from one village to another in that City because of the traffic. There is only one Eden, and it needs to be preserved. She then referenced the pathway that was built between the elementary school and junior high; it was created to get school children safely from one school to the other and now the County is considering building a three-lane road in that area. It will be very dangerous for the school children walking and riding their bikes in that area. Additionally, a sewer system being pulled through the middle of town does not sound like Eden. She stated that Mr. Ewert discussed the amount of water in the area; it did not simply appear after a road was built and, instead, it has always been there. She used to ice skate on the field during the winter months because it has always been full of water. She is opposed to new roads and changing the planned road configuration for the area; she is supportive of more swathers using the roads and the preservation of Eden as it was intended. Her great grandfather was part of the naming of Eden and the name was chosen because 'surely there could be a place no more beautiful than this, surely this must be what Eden is'.

Chad Booth stated he has lived in the Valley for 43 years and his main concern is the magic of the Valley; over the last 10 years there has been an influx of new residents who have visited the area and fallen in love with it. That is wonderful, but appropriate planning to accommodate increased development is needed before the development is allowed. Growth must be handled in a smart way and that is not what is happening. He asked that the street configuration be maintained and for an appropriate plan to be developed.

Dave Carver inquired as to the road widths on the new road configuration proposal; according to the plan, some of the roads could run through his yard and that is concerning. The Valley is no longer the same as it was when he grew up here; the residents still enjoy seeing farm equipment in the area. People who have visited have spoken of the calm and peacefulness of the Valley and that is why they love it. It is not like other large resort towns and residents want to avoid that. He has tried to maintain the history of his property and to pay homage to its character; the same should be true for the architectural designs that are being considered for Eden.

Shane Phelps stated he has lived in the Valley for quite a long time. He spoke to the amount of time that the Planning Commission spends doing their job and the fact that there is the potential for the County Commission to dismiss any recommendation they make or take action without having a recommendation from the Planning Commission. It was concerning tonight to learn that a Planning Commission was the applicant for the first item on the agenda. He lives in Eden, and this is where he is raising his kids

and he does not want an increase in density. He owns tractors and enjoys the farming community and that is why he lives where he does. He noted that Mr. Ewert's presentation was well done, but it would be good for him to have the opportunity to make that same presentation to residents in the Valley, perhaps at the junior high school. He only found out about this meeting yesterday and many other residents do not know this is happening. He is committed to be part of the discussion of this project and it is not right for the Planning Commission to move it forward without better advertising of this issue.

Sara Roundy stated she lives east of the subject property, and she moved to the Valley for the peace and quiet and to provide a safe home for her children. It is so easy to get out and walk in the current environment of Eden and it is not necessary to push through improvements that would include sidewalks and curb/gutter; these improvements will only make the Valley look like a city. Many moved to the Valley to get out of the city, and they understood they would need to travel for things like youth sports, entertainment, and leisure, but when she comes back to the Valley, it is peaceful and that is where she wants to be. She noted change can be good and sometimes it is inevitable, but she asked that the County consider smart planning for the Valley and opportunities for preserving the current feeling. She asked that the roads stay the same and that they are wide enough to accommodate farming equipment.

Talia (no last name given) stated that she and her family built a home in the Valley eight years ago and they have been visiting the area for over 25 years with a dream of eventually living here. One of the reasons they fell in love with the Valley was because of the peace, beauty, and rural nature. She recognizes there is a lot of pull towards high density and commercial development, but she and her husband made a huge sacrifice to build their home in the Valley with their own hands; it is unfortunate that the Valley will be changed. Preserving the rural nature of the Valley is the focus of the General Plan and it should be followed. She noted she lives a half-mile from the property where this new development is being proposed and her children will be forced to travel through the development area to get to school and to their friends' homes; this will decrease the safety for her children. In addition to changes to road configuration, she is also concerned about proposed building heights because this will impact the views of the beauty of the Valley. She asked when the County will start caring as much about residents as they do about developers who want to build here; the people who live and work in the Valley are more invested in what the Valley is becoming. She feels betrayed by the County Commission and she hopes that everyone will get the word out about their motives and actions so that they can take action in an upcoming election to select leaders who will listen to residents.

Jim Bird stated he has been participating in the Planning Commission's meetings for the past six weeks, some of which have lasted upwards of five hours. What he has found is that the Commission is being presented with too much information and it is difficult for anyone to digest and understand that much information. What everyone learned tonight is that if the Commission does not understand or feel comfortable with a certain section of an ordinance and they decide to table that section, the matter will still be passed along to the County Commission, and they can take action. He noted that infrastructure in the Valley has been extremely ignored; he lives on Old Snow Basin Road and even with increased development in the area, the County has done nothing to improve the road to accommodate increased traffic. He cited a meeting held October 4, 2022 where Mr. Ewert stated that the County needs to incentivize developers by assisting them in receiving 20 percent or more on their investments and he asked what other businesses the County is assisting in that way. He is opposed to form-based zoning because it is more of a 'one-size-fits-all' with no clear definition of specific areas. He asked why residents in the New Town Eden area get a public meeting like the residents in the Old Town Eden area did; maybe the County Commissioners would listen to the feedback in a more public meeting with those residents. He added that Mr. Ewert has said that a new main road will run through a storage shed facility that was approved over three years ago and the Sterling auto shop, which has been in its location for over eight years. He stated there should have been an understanding that the road was not adequate at the time that other uses were approved. He added that form-based zoning is not limited to just village areas; it allows for dense housing, short term rentals, and 40-foot-tall buildings. The form-based project that is being proposed now is just a quarter-mile away from the Valley Market, with five parcels between the two. If the County approves this project, he believes developers will be able to dictate the boundary of the village. Another village application is for property that is over a half-mile from any other commercial development, and it is surrounded by residential uses. This is not an appropriate location for a village. He added that instead of tabling something, which will give the County Commission the opportunity to take action, he would suggest that the Planning Commission schedule a public meeting to allow residents to voice their thoughts and ideas as they pertain to the New Town Eden area.

Robin Adams stated she has lived in the Valley for 38 years and she lives directly south of the proposed development; she is strongly opposed to the high-density housing element as well as changes to the road configuration that will result in roads running directly through her neighborhood. She does not want to see another Park City; she was born and raised in Eden, and it is very upsetting to her that there is a good chance that her voice and the voice of her neighbors will be ignored. She stated that the maps that have been presented tonight will have a very real impact on the residents, while the developers only care about doing

a project that will make it possible for them to line their pockets. This community has been part of the lives of the residents and the same is not true for the developers.

Ron Gleason asked that the Commission table the request specific to architectural styles and road configuration; the reason is that there is no specific information available to the public to help them understand the changes. He has read the packet and has listened to past meetings about this topic and there has been discussion about getting ready for when rezone applications come forward; at this time, there is no such rezone application and there are no details about the specific plans for the project. However, the Fire District has already had something to review and approve and it is concerning that those same details have not been shared with the public. Residents need to understand specifics so they can provide feedback and it appears the process is backwards. He asked that the application be tabled and that the public have more information and more time to review it.

Corby Young stated she has lived in the Valley for 36 years and has seen a lot of changes in that time. She has tried to look up the documents explaining form-based zoning and it is confusing for someone who is not well versed in land use laws. Several different projects have been stopped in the Valley, for which she is grateful, but being so close to Ogden makes the Valley attractive to developers. However, many businesses that have been started in the Valley have eventually closed because there is not enough business or people do not patronize it. She would gladly pay farmers to drive on the roads daily just to slow down the traffic; there are still many people in the Valley who love the farming and rural lifestyle. She stated that the Valley is in the middle of 'slack season', which means there is not an overabundance of visitors to the resort areas and the actual residents can drive on the roads without too much traffic. The Valley already has enough commercial businesses and many condominiums that are not filled and it does not need any more.

Mike White stated that he lives in Eden as well and he would like to know how many slices of heaven can be sold before heaven is no longer heaven. He stated that the Pineview Dam has so many boats on it that it is no longer fun to go out there. He stated that he is also familiar with what residents refer to as 'slack season'; his parents live at the end of a long driveway and they deal with noise of increased traffic during peak times. It is getting so loud that people are uncomfortable; the Valley is at a tipping point and these types of changes will only increase in their speed and scale. There are other mountain communities that have experienced overwhelming growth, and this will spread to the Ogden Valley and the quality of life will be dramatically diminished. It is time to put a stop to this and he would be willing to help reroute the developers to Park City.

Kyle Champfield stated that he was contacted by one of his neighbors about this meeting at just 2:45 this afternoon; he would have loved to see the turnout at the meeting if it had been better advertised and residents were aware of what is happening. He also moved to the Valley for a reason and trying to change it to something it is not is not sitting well with existing residents. He urged the Commission to vote to recommend denial of the application.

Casey Quinn stated that he lives in Eden and also owns property southeast of the subject property. He has known John Lewis for some time, and he is generally a good person; he has defended him against outlandish claims relating to other projects. However, he does not agree with the proposed project, and he is concerned about who will live in the residential units because they will have a different way of life; they are not committed to rural life, but to village life and he would prefer to keep the area rural.

Mike Gillespie stated that it is apparent that it does not matter what the Planning Commission recommends to the County Commission, so he would prefer that the Planning Commission send a message indicating that 'we the people' are not in favor of these changes. Rather than table, he would rather the Planning Commission just say no.

Dave Carver stated a few years ago he asked the County to change the speed limit between Snowcrest Junior High and Valley Elementary and he suggested a lower speed limit would be more effective than flower planters in the middle of the street.

Robert Fuller referenced page 42 in the meeting packet, which contains five options available to the Planning Commission; option five is to make no changes and that is the option he supports. He suggested that the County first finish what it started before undertaking new projects. There are areas of unfinished storm drain infrastructure and before the County changes the roads, they should improve existing roads and make them more functional. He stated that he does not want to pay for new and fancy roads, and he would prefer that they be left as they are. He did not even know the County had a form-based zone, but it has strayed a long way away from the three- and five-acre minimum lot sizes that were formerly in place. He stated there is something inherently unfair about this matter; the form-based zone allows lot sizes as small as 3,000 square feet and he is unsure how someone could be allowed to build a home on that size of lot while others are required to have five acres in order to build. He stated that is unfair and he is not sure how decisions are made where to allow those lot sizes. Before accelerating new projects,

the County needs to examine existing development in the Valley to determine if they are adequate. He also suggested that TDR actions be slowed.

A resident, no name given, stated that she feels that more community input is necessary; people were not aware of this concept and of this application. She is concerned about the lack of long-term planning in the Valley and noted that tonight's subject matter is a 'hard left turn' from where she believed the Valley was going.

Commissioner Montgomery moved to close the public hearing. Commissioner Burton seconded the motion. All voted in favor.

Chair Shuman invited rebuttal from the applicant.

John Lewis stated that he has many friends and neighbors who understand this concept, but there are many who do not. But the bottom line is that life changes and growth occurs and there is not a valley in the entire country that is not growing and changing. The real issue for the Planning Commission to concern themselves with is how to manage that growth in the most responsible manner possible. In 2016, the Planning Commission worked with residents to develop the Ogen Valley General Plan and the outcome was a Plan that called for as much preservation as of the rural feeling of the Valley as possible, but unfortunately, people forgot about that Plan, or how to achieve it. He discussed specific directives of the Plan, including the identification of seven village areas in which the growth could be clustered in order to preserve as much open space as possible. He stated that development within those village areas is definitely open for debate, but villages are needed to transfer density out of other areas. He acknowledged that no one currently living within those village areas is going to be happy because it is inevitable that the village area will get easier, but he is unsure how else to carry out the General Plan besides transferring development rights in a way that is responsible and thoughtful. Villages cannot be developed without adequate utilities, such as updated sewer infrastructure. The reality is that it is necessary to figure out how to develop the village areas; perhaps the buildings do not need to be as tall as has been discussed and the density could be adjusted, but he wanted to offer an explanation as to why villages are being proposed responsive to plans that were developed nearly 10 years ago.

Commissioner Wampler stated that she is confused as to why the Commission is hearing from Mr. Lewis; the Commission is considering an ordinance amendment, not a development application. The Commission has not seen the Eden Crossing project, but that is what the public has spoke of tonight. She stated it is difficult for the Commission to differentiate from the many different subjects that have been discussed tonight. For better or worse, the County has adopted a form-based zone ordinance that is now an option to applicants; she understands that the question before the Commission tonight is whether to adjust the architectural styles listed in the ordinance. Mr. Lewis stated that he was acknowledging there several different architectural styles at play in Eden and there are some that he personally prefers over others and that is why he has asked that the Mountain Modern theme be added to the matrix as an option to developers. Then, when he comes forward with an actual design, the Commission can review the details.

Commissioner Burton stated that the applicant has requested the change to the ordinance, but not a zone change. Planning Director Grover stated that is correct. Commissioner Burton added that staff has also recommended some changes to the zone. Commissioner Torman added that if the ordinance amendments are approved and the street regulating plan is adjusted, the applicant can request a zone change. Mr. Grover stated that the applicant would still need to apply for a rezone, that change would not e automatic. And a public hearing will be held regarding that matter. Commissioner Burton stated that the Commission has been told that the form-based zone includes architectural standards and a street regulating plan and if someone secures approval of the form-based zone, they can build anything that is listed as permitted in the ordinance. Mr. Grover stated that the Commission can deny a rezone, but once a rezone is approved, a developer can build something as long as it complies with the street regulating plan and other regulations in the ordinance. This led to high level discussion of the regulations included in the form-based zone ordinance and the options available to the Commission this evening.

Mr. Lewis stated the General Plan very specifically states that rendering growth along utility lines and resources is the most responsible way to proceed; this is partly the reason that he has selected the site he selected because it is close to existing sewer and the nearby four-way intersection.

Continued discussion among the Commission and staff centered on the potential for the proposed ordinance amendments to be the catalyst for similar zone change requests and projects; the manner in which allowing TDRs has influenced current development of the Valley and anticipated future growth on the Valley floor; the requirement for a developer to prove that they can ensure adequate utility service to a development; and the age of the General Plan. Commissioner Burton stated that he feels that the

General Plan is old enough that it may need to be revisited, especially given the recent public outcry regarding the impact of TDRs. Mr. Ewert stated that Planning staff has frequently heard that TDRs must be successful in order to save the Valley and staff has heard support for the ratio of one unit per three acres for TDRs.

Commissioner Barber stated that he was recently told that the County does not want to invest in an update of the Ogden Valley General Plan at this time. Mr. Grover stated that is based upon direction from the County Commission; they recently finished an update to the Western Weber General Plan, and they do not plan to revisit the Ogden Valley General Plan for about five years. Commissioner Barber stated that he does not understand why there is any relationship between the Western Weber planning area and the Ogden Valley planning area; this is a perfect wake up call that it is necessary to revisit the Plan now rather than wait. Villages may happen, but it is possible that they should be scaled back. He stated that he feels that moving forward with the current General Plan and form-based zoning is a huge mistake and the politicians do not care about the Valley because they are not elected by residents from this area. Continuing to ignore the reality in the Valley, while continuing to move forward with current momentum is irresponsible; he is troubled by being a member of a Commission that must rely upon an eight-year-old General Plan that may be based upon good intentions but is not based upon detailed information. Commissioner Barber stated the County Commission is required to protect existing property rights and follow the laws that are in place. The General Plan provides for TDRs and it may not be good, but it is there. This led to discussion and debate among the Commission regarding the manner in which development rights are calculated and assigned to a given property. Commissioner Torman stated that as village projects are built, existing residents will move out of the area and their properties will become available to developers, which will just lead to more village projects. He stated there will be a snowball effect this growth pattern will quickly spread across the Valley floor. He stated that he also feels that an update to the General Plan is necessary at this time. This led to high level discussion regarding the potential cost of a project to update a General Plan.

Chair Shuman polled the Commission to determine their support for offering a recommendation to the County Commission to update the General Plan. All Commissioners voted in favor of sending that recommendation to the County Commission.

Commissioner Wampler stated she is very concerned about the actions taken by the County Commission to allow TDRs in the form-based zone. She noted, however, that no new development rights have been created and owners of development rights are not required to sell them. Mr. Ewert stated that is correct.

Chair Shuman then reiterated the options available to the Commission tonight; some time has been spent identifying appropriate village areas, but he does not believe enough time has lapsed since the adoption of the form-based zone ordinance to now consider a change in the dynamic in the form of an adjustment to the street regulating plan. Commissioner Torman agreed. Commissioner Johnson stated that he is not as opposed to an adjustment to the street regulating plan as others are; he would prefer to let the market dictate how a village area will be built out and he is not as concerned with the location of the center of the circle or what uses will be located on the edge of the village area. Commissioner Wampler stated she also wants growth to be market driven; however, it is important to consider arguments independent from one another. She would have liked for the street regulating plan to be separated from the architectural style amendment. Mr. Ewert stated the Commission can take an action on each item independent of one another. Commissioner Wampler asked that staff separate them for the Commission in the future.

Chair Shuman invited staff to address some of the questions asked during the public hearing. Mr. Ewert first summarized the differences between an application for a text amendment and a zone change and he clarified the adjustments that have been requested by the applicant and those that are recommended by staff. He agreed that speed limits should be adjusted to ensure safety of motorists and pedestrians on the streets. He also agreed that infrastructure needs to be improved and this is one of the challenges associated with sprawl; the County does not collect enough property tax revenue to improve or replace infrastructure in areas that have one dwelling unit per five acres. He stated it is important to recognize that staff is not recommending or promoting development; rather, they understand that development will occur, and they are trying to ensure that it happens in the most responsible way possible.

Commissioner Wampler moved to forward a recommendation of denial to the County Commission for application ZTA2023-03, applicant-initiated request to amend the Form Based Village zoning ordinance to adjust the New Town Eden Street Regulating Plan and to provide alternative design standards for New Town Eden, based upon the following findings:

1. The amendments are not supported by the general public; and
2. The area is not ready for the proposed changes.

Commissioner Torman seconded the motion.

Commissioner Barber offered input regarding the County Commission's deliberation of the TDR matter; however, his comments were inaudible.

Chair Shuman called for a vote on the motion; Commissioners Barber, Montgomery, Shuman, Torman, and Wampler all voted aye. Commissioners Johnson and Burton voted nay. (Motion carried 5-2).

Commissioner Johnson stated that he was not necessarily voting in favor of the project that the applicant would ultimately like to build, but he would have liked to have more deliberation about the actual ordinance amendments and give the applicant time to perform some public outreach to see if he could gain some support.

Commissioner Wampler stated that she voted to recommend denial because she does not like to vote on an ordinance amendment based upon the understanding that a project application is imminent. She added she feels that a public town hall meeting about the New Town Eden village area would be very beneficial so that the public has the opportunity to [provide input on how they feel that the area should develop. She was not concerned about the additional architectural style, but she was concerned about the adjustment to the street regulating plan.

Commissioner Burton stated he voted in opposition to the motion because he would have preferred to table to take additional time to evaluate the implications of the adjustments.

Commissioner Barber stated he feels the Commission will be hearing this item again and will have opportunity to consider a different action.

#### **4. Public Comment for Items not on the Agenda:**

There were no additional public comments.

#### **5. Remarks from Planning Commissioners:**

Commissioner Barber expressed he feels it would be better for this Planning Commission to hold their meetings in the Ogden Valley so that residents of the Valley have increased opportunity to attend. Commissioner Montgomery agreed and noted he is concerned by the comments from the public about the public not being aware of this meeting and the subject matter. Commissioner Burton agreed and suggested that the public get together and talk about what they would like to see in the Valley and how that differs from the current General Plan.

#### **6. Planning Director Report:**

Planning Director Grover discussed upcoming training opportunities for the Planning Commissioners. He added he will forward the Commission's recommendation to the County Commission regarding the desire to update the General Plan. He will also provide the recommendation about holding meetings in the Ogden Valley. He added that he believes that the County Commission does listen to and carefully consider the recommendations they receive from the Planning Commission. However, they may not always agree with Planning Commissioners, and it is helpful for the Planning Commission to offer findings to support their actions. He concluded that on June 6 there will be a meeting about short term rentals and the County is seeking as much public input as possible.

#### **7. Remarks from Legal Counsel**

There were no additional comments from Legal Counsel.

**Meeting Adjourned: The meeting adjourned at 8:50 p.m.**

**Respectfully Submitted,**

\_\_\_\_\_  
**Weber County Planning Commission**



# Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

## Synopsis

### Application Information

**File No:** DR 2023-04  
**Application Request:** Request for approval on a design review application for parking expansion of the existing Canyon Rim parking lot for Snow Basin Resort.  
**Agenda Date:** Tuesday, July 18, 2023  
**Project Area:** 6.868 acres  
**Zoning:** Destination Recreation Resort Zone (DRR-1)  
**Existing Land Use:** Recreation/Ski Resort  
**Proposed Land Use:** Recreation/Ski Resort  
**Parcel ID:** 20-043-0012  
**Township, Range, Section:** T6N, R1E Section 29 Quarter Section SE

### Adjacent Land Use

<b>North:</b>	Snowbasin Rd.	<b>South:</b>	Snowbasin Rd.
<b>East:</b>	Ski Resort Property	<b>West:</b>	Snowbasin Rd.

### Staff Information

**Report Presenter:** **Tammy Aydelotte**  
 taydelotte@webercountyutah.gov  
 801-399-8794  
**Report Reviewer:** SB

## Applicable Ordinances

- Weber County Land Use Code Title 101 Chapter 1 General Provisions, Section 7 Definitions
- Weber County Land Use Code Title 104 Chapter 29 (DRR-1 Zone)
- Weber County Land Use Code Title 108 Chapter 1 (Design Review)
- Weber County Land Use Code Title 108 Chapter 7 (Parking Lot Design and Maintenance)

## Summary and Background

The applicant is requesting approval of a design review for Snowbasin Resort Company, to expand the Canyon Rim Parking lot by an additional 124 parking spaces. This request has been submitted in order to accommodate an increase in resort visitors.

The application is being processed as an administrative review due to the approval procedures in Uniform Land Use Code of Weber County, Utah (LUC) §108-1-2 which requires the planning commission to review and approve applications for conditional use permits and design reviews.

## Analysis

**General Plan:** The proposal conforms to the Weber County Land Use Code, as parking lots are a permitted use in the DRR-1 zone, in conjunction with resort development. This expansion continues an existing use that conforms to the recorded development agreement, dated January 19, 2011, and the 1<sup>st</sup> Amendment of the Development Agreement recorded January 25, 2022.

**Zoning:** The subject property is located within the Destination Recreation and Resort (DRR-1) Zone. Parking is a permitted use in the DRR-1 zone. The Canyon Rim parking lot is accessory to the existing resort use. The Canyon Rim parking lot is in need of an expansion, due to increased numbers of visitors. The purpose of the DRR-1 Zone can be further described in LUC §104-29-1 as follows:

*“The purpose of this chapter is to provide flexible development standards to resorts that are dedicated to preserving open space and creating extraordinary recreational resort experiences while promoting the goals and objectives of the Ogden Valley general plan. It is intended to benefit the residents of the county and the resorts through its ability*

*to preserve the valley's rural character, by utilizing a mechanism that allows landowners to voluntarily transfer development rights to areas that are more suitable for growth when compared to sensitive land areas such as wildlife habitats, hazardous hillsides or prime agricultural parcels. Resorts within an approved destination and recreation resort zone shall, by and large, enhance and diversify quality public recreational opportunities, contribute to the surrounding community's well-being and overall, instill a sense of stewardship for the land."*

(c) The applicable standards (landscaping) are as follows, per Weber County LUC 108-8-13:

"Within the Ogden Valley Destination and Recreation Resort Zone at elevations of at least 6,200 feet above sea level, where a master plan has been approved by the planning commission, the land use authority may modify the applicability of any provision of this chapter by approving a parking plan created by the developer if the land use authority determines that the plan is consistent with the approved master plan. Such plan shall include provisions applying sufficient mitigation for parking and will provide a mechanism for revocation where the plan is not operating as presented."

Design Review: The DRR-1 zone and the proposed use mandate a design review as outlined in LUC §108-1 to ensure that the general design, layout and appearance of the improvements remains orderly and harmonious with the surrounding neighborhood. As part of this review, the Planning Commission shall consider the applicable matters based on the proposed use and impose conditions to mitigate deficiencies where the plan is found deficient. The matters for consideration are as follows:

Considerations relating to traffic safety and traffic congestion: The proposal includes a site plan that identifies the proposed parking improvements, as well as a drainage basin. As this proposal will not affect traffic flow, other than to create more organization, staff does not anticipate and issues with traffic safety and congestion.

Access to the proposed addition area will not change from the current access off of Snowbasin Rd. (see exhibit B). Staff feels that the location is adequate for the proposed expansion.

Considerations relating to landscaping. After reviewing the proposed site plans, it has been determined that the existing natural landscaping meets the requirements of the recorded development agreement. This agreement show the area surrounding the parking lot as natural landscape to be used for ski/snowboarding trails. Additional landscaping standards will be required when further development of Area A, occurs.

Considerations relating to buildings and site layout. The proposal meets site development standards of the DRR-1 Zone. The applicant has proposed improvement of parking areas for the purposes of accommodating additional visitors, as an accessory to the existing recreation use. Improvements will include grading, following recommendations in the submitted geotech report (IGES Project No. 02542-001, dated 6/15/2017), installation of additional asphalt tied to the existing asphalt parking lot, and revised parking striping in order to improve traffic flow throughout the parking lot. Existing entrances will continue to be used, without proposing additional entrances.

Considerations relating to utility easements, drainage, and other engineering questions. The applicant will need to adhere to all conditions of the Engineering Division including but not limited to recommendations regarding retention ponds and a SWPP. There is a proposed drainage area that shall continue to be used in conjunction with the proposed expansion.

Considerations relating to prior development concept plan approval associated with any rezoning agreement, planned commercial or manufacturing rezoning, or planned residential unit development approval. The proposed site does not conflict with the recorded development agreement associated with the property.

Review Agencies: To date, the design review has been approved by the Weber Fire District. Weber County Engineering has not yet reviewed this project. All review agency requirements must be addressed and completed prior to the written approval of the design review being issued.

## Staff Recommendation

Staff recommends approval of the Snowbasin Design Review Application. This recommendation is conditioned upon all review agency requirements, and the following conditions:

1. Written approval of the design shall not be issued until the all review agency requirements have been met (Engineering).
2. Any additions/changes to existing signage, or additions/changes to existing exterior lighting must be approved by the Planning Department.

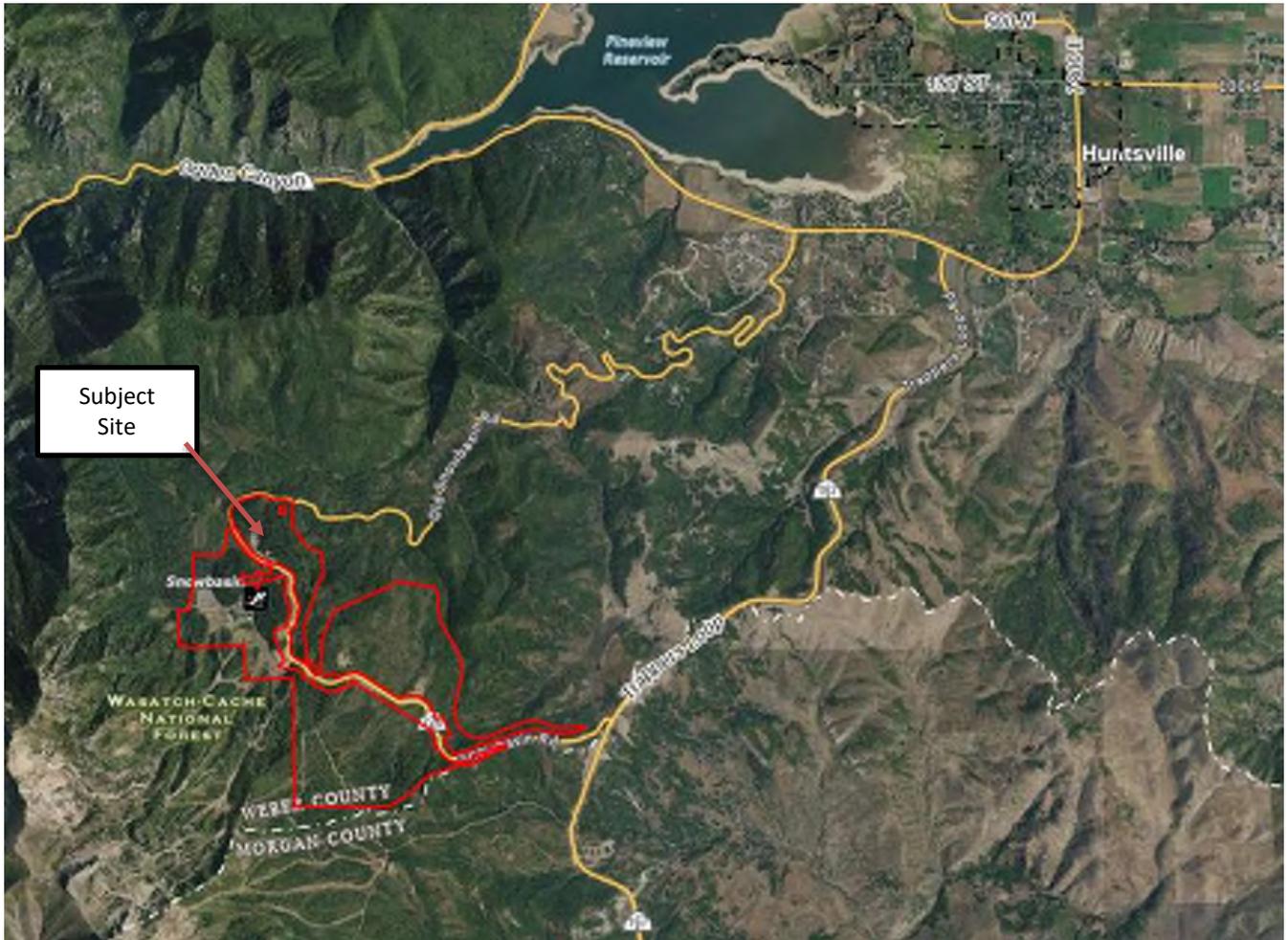
This recommendation is based on the following findings:

1. Parking lots are allowed as an accessory to the main use within the DRR-1 zone.
2. The applicant has demonstrated compliance with the applicable land use codes.

## Exhibits

- A. Application & Narrative
- B. Expansion Plan

Map 1



## Exhibit A – Application & Narrative

### Hirasawa-Dave-Design Reviews

[Add Follower](#) [Change Status](#) [Edit Project](#)

**Address:** 2025 Snowbasin Road, Huntsville, UT, 84217  
**Maps:** [County Map](#), [Google Maps](#)  
**Project Type:** Design Reviews  
**Sub Type:** Design Reviews  
**Created By:** James Backman  
**Created On:** 6/21/2023

**Project Status:** Accepted  
**Status Date:** 6/29/2023  
**File Number:** DR 2023-04  
**Project Manager:**

[Application](#) [Documents](#) [Comments](#) [Reviews](#) [Followers](#) [History](#) [Reminders](#) [Payments](#)

#### Application

[Add Building](#) [Add Parcel](#) [Add a Contractor](#) [Edit Application](#) [Print](#)

**Project Description:** Snowbasin Canyon Rim Parking Lot Expansion

**Property Address:** 2025 Snowbasin Road  
Huntsville, UT, 84217

**Property Owner:** Dave Hirasawa  
801-255-8734  
dhirasawa@grandamerica.com

**Representative:** Dave Hirasawa  
435-640-9814  
dave@evpartners.com

**Accessory Dwelling Unit:** False  
**Current Zoning:** DR90-1  
**Subdivision Name:** Snowbasin Resort



**To:** Weber County  
**From:** James Backman  
**Subject:** Snowbasin Canyon Rim Elbow Parking Expansion Narrative  
**Date:** 06.27.2023

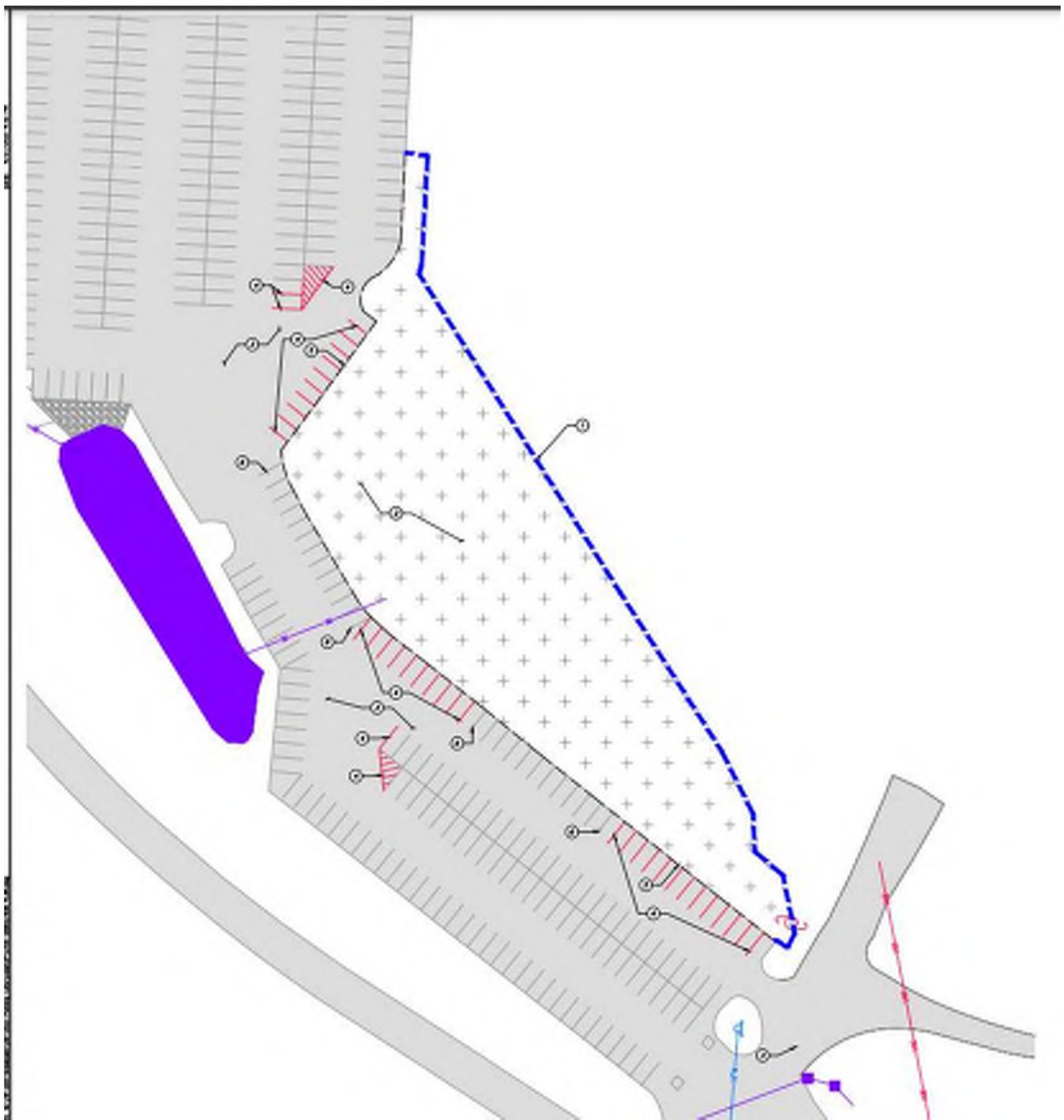
In an effort to increase parking to accommodate continued visitor growth during the ski season, Snowbasin is planning on expanding their Canyon Rim Parking Lot to increase the parking stalls by 124 stalls by grading back the slope in the "elbow" area of the existing Canyon Rim Parking Lot and adding paving in the area. The Canyon Rim Parking Lot and expansion will continue to use the existing entrances and exits for the parking lot and will have revised parking striping per the proposed plans for efficient traffic flow and parking. Drainage for the expansion will be collected and routed to the existing storm drain detention pond per the proposed plan set and drainage memo provided. The parking expansion is in line with the current Development Agreement that Snowbasin has with Weber County.

**CANYON RIM ELBOW PARKING EXPANSION  
SNOWBASIN RESORT COMPANY**

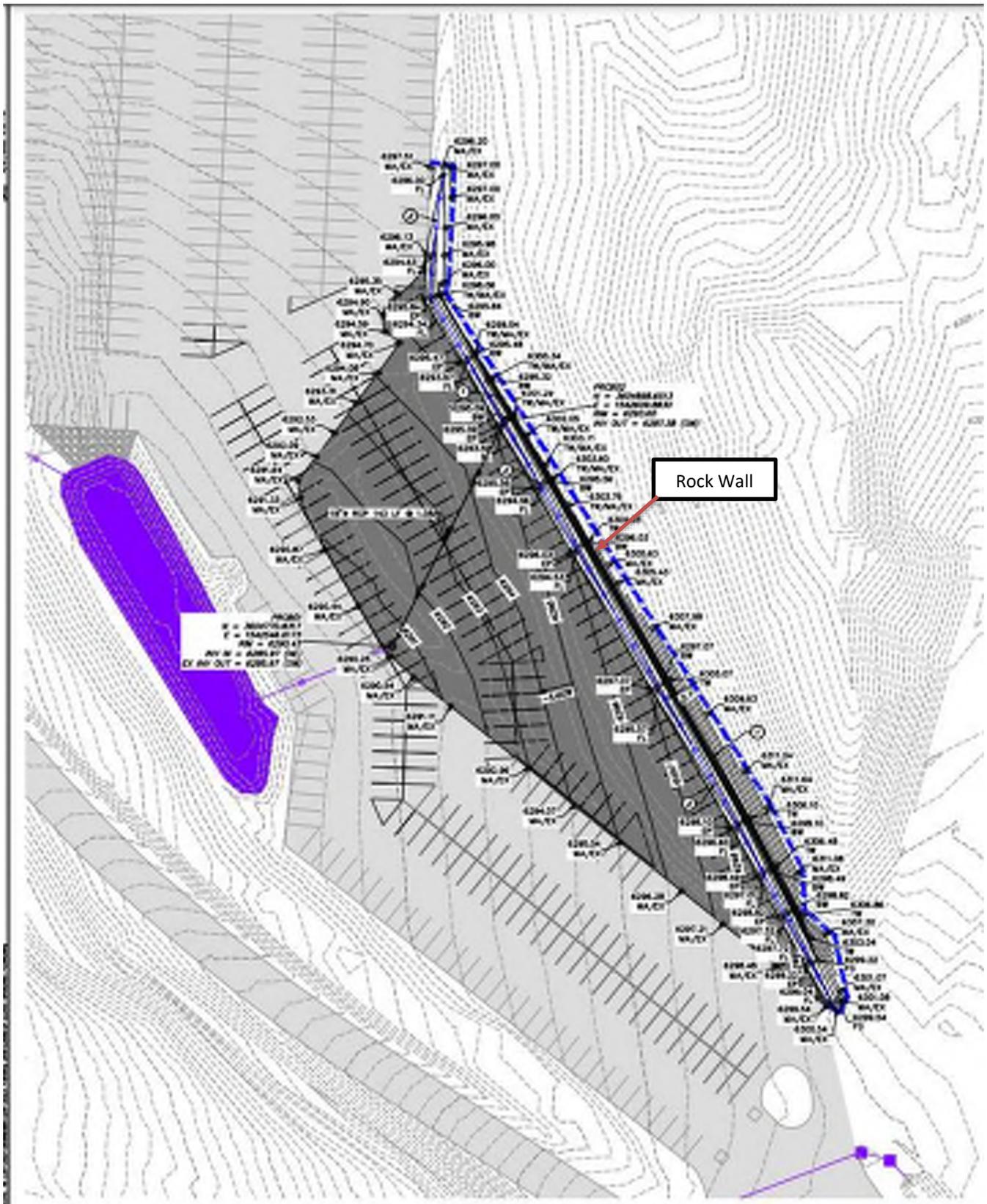
3925 SNOW BASIN RD, HUNTSVILLE, UT 84317

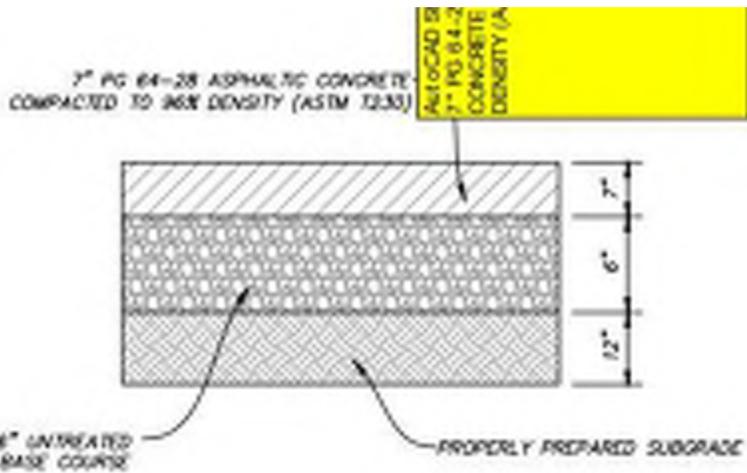
SHEET INDEX	
SHEET NO.	FIELD DESCRIPTION
001	FIELD MAP
002	GENERAL NOTES
003	PROPOSED PLAN
004	PROPOSED PLAN
005	PROPOSED PLAN
006	PROPOSED PLAN
007	PROPOSED PLAN
008	PROPOSED PLAN
009	PROPOSED PLAN
010	PROPOSED PLAN



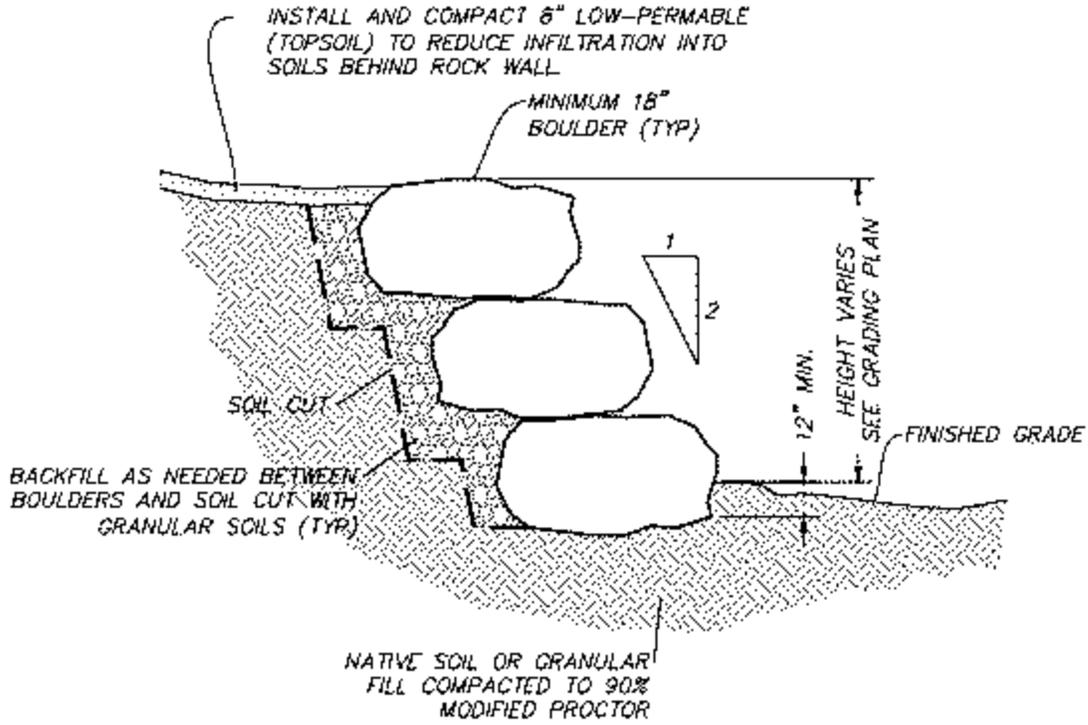




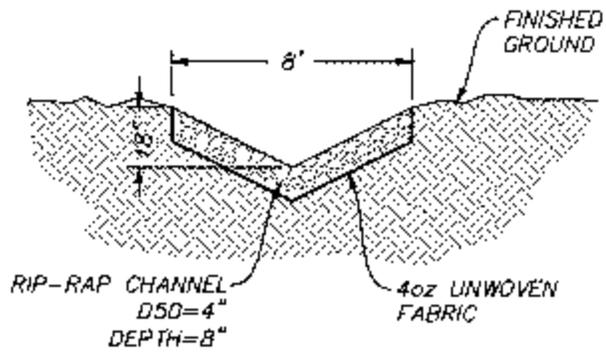




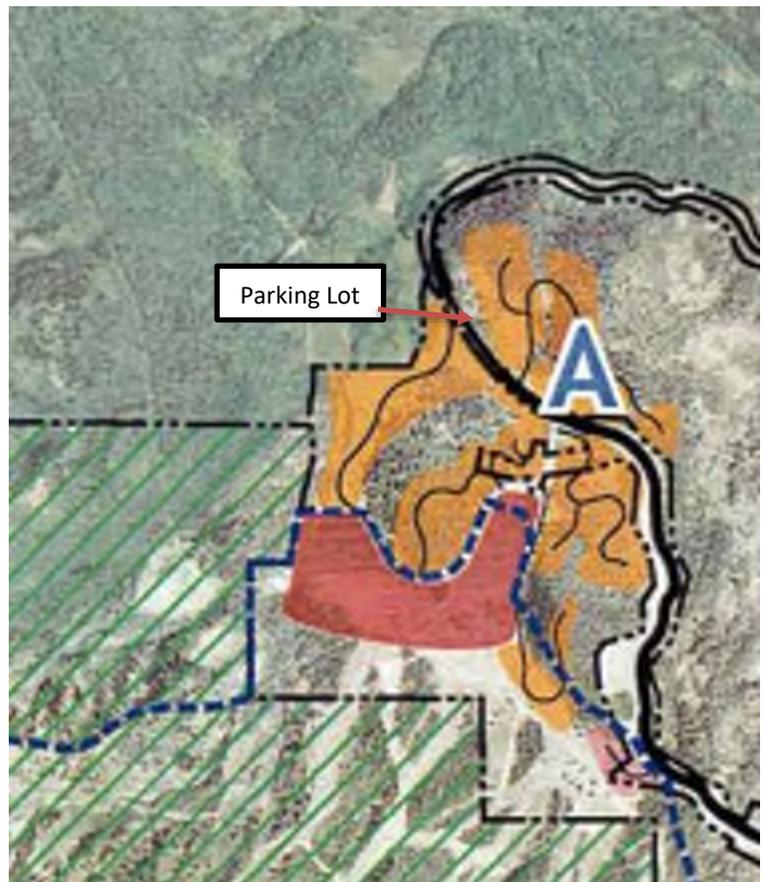
**A** ASPHALT PAVEMENT SECTION  
SCALE: N.T.S.

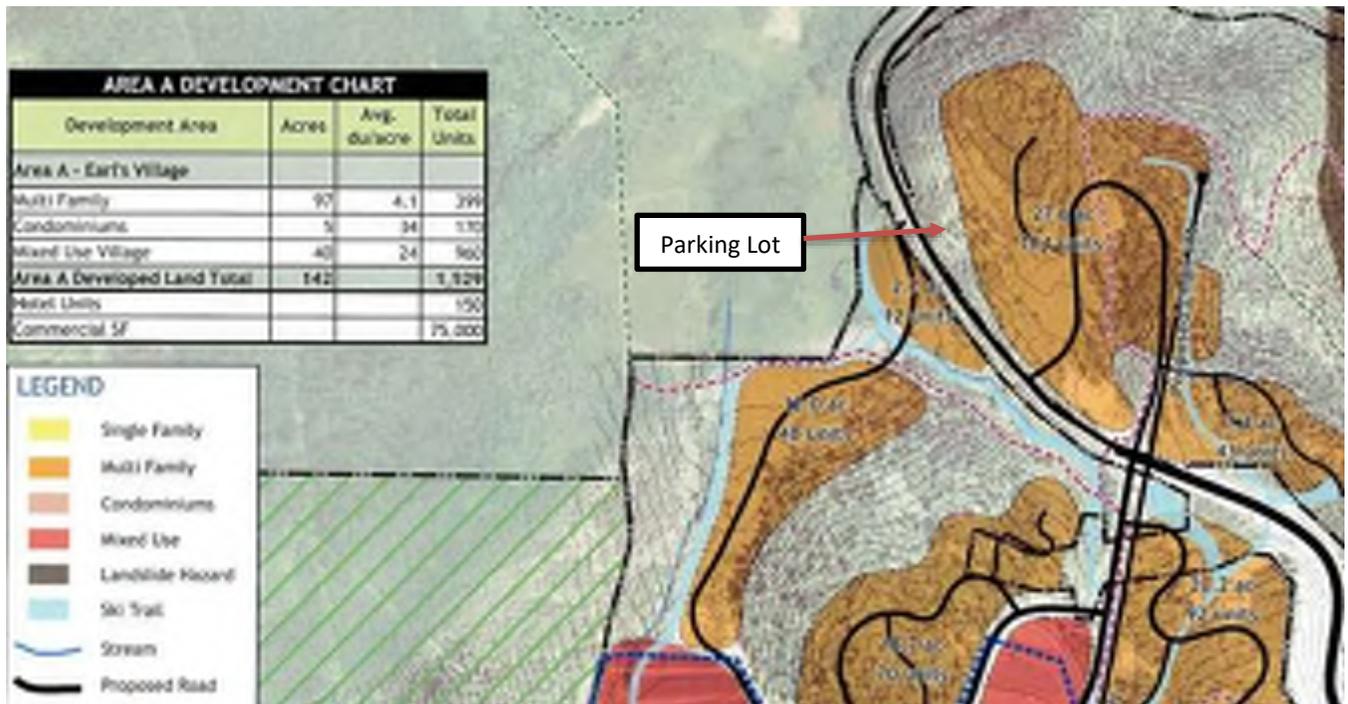


**E** ROCK WALL DETAIL  
SCALE: N.T.S.



**D** **DRAINAGE DITCH DETAIL**  
SCALE: N.T.S.







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

Weber County Planning Division

## Synopsis

### APPLICATION INFORMATION

**Agenda Item:** ZTA 2023-04. A public hearing to consider a county initiated ordinance amendment to implement water-wise landscaping regulations that align with the Weber Basin Water Conservancy District turf removal incentives.

**Agenda Date:** Tuesday, July 11, 2023 (Western Weber)  
Tuesday, July 18, 2023 (Ogden Valley)

**Applicant:** Weber County

**File Number:** ZTA 2023-04

### STAFF INFORMATION

**Report Presenter:** Steve Burton  
sburton@webercountyutah.gov  
801-399-8766

**Report Reviewer:** CE

## Applicable Ordinances

Weber County Code, Part II, Title 108 Standards  
Chapter 108-1 Design Review  
Chapter 108-2 Architectural, Landscape, and Screening

## Legislative Decisions

This is a legislative matter. When the Planning Commission is acting on a legislative matter, it is acting to make a recommendation to the Board of County Commissioners. There is wide discretion in making legislative decisions. Criteria for recommendations on a legislative matter suggest compatibility with the general plan, existing ordinances, and best practices. Examples of legislative actions are general plan, zoning map, and land use code amendments.

## Summary

Weber Basin Water Conservancy District is administering water-wise landscaping incentives to communities that have adopted specific landscaping requirements intended to restrict the use of irrigated turf grass. The attached ordinance amendments will implement Weber Basin's landscaping requirements for municipalities and counties to adopt, and if adopted, will allow residents in unincorporated Weber County to participate in the District's "Flip your Strip" and "Landscape Lawn Exchange" programs.

The most notable change to the current landscaping regulations is the addition of 108-7-12 titled "Water-wise Landscaping". This section restricts new single-family residential developments from having no more than 35 percent of the front and side yard of a lot or parcel to include irrigated turf grass, and no more than 3,000 square feet of total lot area to be irrigated turf grass. The section also restricts commercial, industrial, institutional, and multi-family residential developments to having no more than 15 percent of the total landscaped area to be irrigated turf grass.

## Policy Analysis

Both the Western Weber General Plan and the Ogden Valley General Plan anticipate that the county will consider new water conservation methods. The following paragraphs are intended to highlight each planning area's general plan policies regarding water conservation techniques.

**Western Weber General Plan:** The 2022 Western Weber General Plan mentions the high water demand for the predominant 40,000 square foot lot in the area. The general plan states, "Replacement of existing turf grass with water-wise landscaping and irrigation practices can significantly reduce this water demand" (pg. 145, Western Weber General Plan, 2022). Resource Management Principle 11.1.3 states, "Continue to monitor drought conditions and search for opportunities to implement water-wise and water conservation best practices (pg. 202, Western Weber General Plan, 2022).

**Ogden Valley General Plan:** The 2016 Ogden Valley General Plan Utilities and Public Services Implementation 1.3.2 states, "Explore water conservation techniques and education, such as public outreach, metering secondary water, increasing block rate structures, etc." (pg. 46, Ogden Valley General Plan, 2016).

## Staff Recommendation

Staff recommends that the Planning Commission consider ZTA 2023-04 and if the Planning Commission approves, the Planning Commission may forward a positive recommendation to the County Commission for the proposal.

This recommendation may come with the following findings:

1. The proposal helps to accomplish a general plan goal or policy related to water conservation.

## Model Motion

The model motions herein are only intended to help the planning commission 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 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 that we recommend approval of File # ZTA 2023-04. I do so with the following findings:

Example findings:

- The proposed ordinance amendment is supported by the General Plan.
- [ \_\_\_\_\_ add any other desired findings here \_\_\_\_\_ ].

### Motion to **table:**

I move that we **table** action on File # ZTA 2023-04 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 that we deny File # ZTA 2023-04. I do so with the following findings:

Examples of 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 change to be implemented.
- [ \_\_\_\_\_ add any other desired findings here \_\_\_\_\_ ].

## Exhibits

Exhibit A. Draft ordinance language

1  
2 ....

3 **Sec 108-1-4 Considerations In Review Of Applications**

4 ....

5 (c) *Considerations relating to landscaping.*

6 (3) A minimum landscape space of ten percent of the project area shall be provided with  
7 consideration of drought resistant and water conserving landscape materials, or as required in  
8 Chapter 108-2.

9 (7) *Landscape standards.* Plant sizes at the time of installations shall be as follows:

10 ....

- 11 f. ~~Turf grass, if used, shall be limited to no more than 50 percent of the landscaping~~  
12 ~~requirement. See Sec. 108-7-12 for the maximum area that may be irrigated turf grass.~~
- 13 i. ~~Water conserving landscaping methods and materials are recommended and encouraged.~~

14

15

16 **Sec 108-2-5 Minimum Standards And Guidelines; General Landscaping**

17 (a) *Minimum landscaped area.* Sites shall have a minimum of 20 percent of the total lot area  
18 landscaped, ~~and a minimum of 80 percent of the landscaping shall be living plant materials. In~~  
19 ~~Western Weber County, the land use authority may reduce the living plant material to 40~~  
20 ~~percent if all landscaped area is xeriscaped with drought tolerant plants and, if necessary for the~~  
21 ~~plants to survive, is sufficiently watered with a drip system.~~

22 (b) *Maximum turf grass area.* See Sec. 108-7-12 for the maximum area that may be irrigated turf  
23 grass. ~~A maximum of 50 percent of the total landscaped area shall be planted in turf grass.~~

24 ....

25

26 (f) *Parkstrips.* All parkstrips shall be landscaped in a manner that complies with the following:

27

- 28 (1) All parkstrips shall be landscaped with six inch angular rock. The parkstrip may be  
29 interspersed with drought tolerant shrubs, ornamental grasses, or flowering plants.
- 30 (2) All plantings shall be maintained by the landowner in compliance with Section 108-7-  
31 7.030 Clear View of Intersecting Streets.
- 32 (3) In subdivisions where trees are required to be installed within parkstrips, the landowner  
33 is required to install a drip system with drip emitters rated at 5 gallons per hour or less.  
34 ~~a native grass mixture that is low growing. Automatic watering of parkstrip landscaping~~

**Commented [B1]:** Added 'may be' since planning commission. Took away 30 percent coverage requirement because it could look OK with just rock.

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35 ~~shall also be required. Parkstrip landscaping shall not be included in the total area and~~  
36 ~~turf grass percentage requirements listed in subsections (a) and (c) of this section.~~

37 ....

38 (i) Plant material. Plant material shall be as follows:

39 (1) **Quality.** Initial plantings used in conformance with the provisions of this chapter shall be  
40 in good health and capable of flourishing.

41 (2) **Size.** Plant sizes at the time of installation shall be as follows:

42 .....

43  
44 e. Groundcover. Groundcover may be used ~~in place of turf grass~~ to meet  
45 landscaping area requirements provided it is planted densely enough that it will  
46 grow into reasonably full and even coverage within two growing seasons after  
47 planting.

**Commented [B2]:** In place of turf grass sounds weird. I don't know why.

48  
49 f. Turf grass. Turf grass species shall be hardy to the site and be of the type  
50 normally specified for the area. ~~A drought tolerant fescue seed blend is strongly~~  
51 ~~encouraged.~~ Turf may be planted by sodding, plugging, sprigging or seeding.  
52 Application rates for plugs, sprigs and seed shall be high enough to provide even  
53 and uniform coverage of turf within one growing season after planting.

54 .....

55 (3) **Selection.** Plants used in conformance with the provisions of this chapter shall be hardy  
56 and capable of withstanding the extremes of the climate of the site. ~~The use of drought~~  
57 ~~tolerant and native plants is strongly encouraged where site conditions can support~~  
58 ~~them.~~

59 ....

60 Sec 108-2-6 Minimum Standards—Off-Street Parking

61 (a) *Landscaping between parking and street.* A continuous landscape area shall be provided  
62 between the edge of an off-street parking area or other vehicular use area and an adjacent  
63 street right-of-way. The minimum landscaping shall consist of the following:

64 ....

65 (2) *Shrubs and groundcover.* In addition to trees, the landscape area shall be planted with  
66 low shrubs, or groundcovers, ~~or turf grass, provided the turf grass does not exceed the~~  
67 ~~requirement of Section 108-2-5(c).~~ The total combined height of earthen berms and  
68 plant materials, excluding trees, shall not be less than 18 inches and not more than 48  
69 inches. ~~Planting schemes which minimize turf use, and promote xeriscape or water-~~  
70 ~~conserving principles are strongly encouraged.~~

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108-7-12 Water-wise Landscaping

The following water-wise landscaping standards apply to all new development:

- (a) In single-family residential developments, no more than 35 percent of the front and side yard of a lot or parcel, and no more than 3,000 square feet of total lot area, may be irrigated turf grass; and
- (b) In commercial, industrial, institutional, and multi-family developments, no more than 15 percent of the total landscaped area may be irrigated turf grass. This provision shall not apply to active recreational areas that meet the design and landscape standards of Weber Basin Water Conservancy District; and
- (c) Irrigated turf grass in a barkstrip and any other yard area with a width of less than eight feet is prohibited.

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**Commented [B3]:** Not Weber Basin, just staff suggestion

**Commented [B4]:** *Turf grass* means a contiguous area of grass and the surface layer of earth held together by the grass roots.

**Commented [B5]:** *Parkstrip* means, if curb and gutter is present, the area within the street right-of-way which lies between the back of curb and the sidewalk or, if the sidewalk is adjacent to the curb and gutter, it is the area between the sidewalk and the property line. In areas where no curb and gutter is present, it is the area between the edge of pavement and the property line.

# MEMO

To: Ogden Valley Planning Commission  
From: Charles Ewert  
Date: July 12, 2023  
RE: July 18, 2023 Work Session Item: Agritourism Ordinance Amendments

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In the planning commission's last work session we reviewed proposed changes to the agritourism ordinance. We did not complete that review, but I suggested I would make the changes discussed in the meeting and send them out by email to get a jump start on this coming work session. Due to time constraints I was unable to send that email, so instead those proposed changes are attached. There is one redlined version and one blacklined version. In the redlined version I have highlighted the changes requested in the last meeting to make it easier to find and review.

I look forward to meeting with you next week to complete this review.



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

21 ...

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

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

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

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

40 **Agritourism glamorous camping.** The term "agritourism glamorous camping" means an agritourism use  
41 or activity that provides the opportunity for agritourists to rent, on a nightly basis, fully furnished tents or  
42 rustic cabin sites that are characterized by furnishings, amenities, and comforts offered by that of a luxury

**Commented [E1]:** Code terms to search for consistency:

- Agritourism
- Agri-tourism
- Farm
- 

**Commented [E2]:** Changing from "special occasion"

**Commented [E3]:** Search code for conflicts or redundancies

**Commented [E4]:** Moved from elsewhere to here

**Commented [E5]:** Moved from elsewhere to here

**Commented [E6]:** Moved from elsewhere to here

43 [hotel room. Furnishings, amenities, and comforts may include but are not limited to luxurious decor, beds,](#)  
44 [linens, baths, veranda, spa services, concierge, dining, and chef.](#)

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

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50 [Agritourism hunting preserve.](#) The term "agritourism hunting preserve" means an agritourism use or  
51 [activity, approved by the appropriate local, state and federal agency, which provides the opportunity for an](#)  
52 [individual or group to pay a fee for the right to hunt on a farm.](#)

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

Commented [E9]: Validate with new gross acreage requirements in (f) of 108-21-3

57 [Agritourism you-pick operation, agri-tourism.](#) The term "agri-tourism you-pick operation" means an  
58 [agri-tourism use/ or activity that provides the opportunity for customers to pick or harvest fruits and](#)  
59 [vegetables directly from the plant grown on a farm location.](#)

Commented [E10]: Moved from elsewhere to here

60 ...

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

68 ...

69 **Store, agricultural product.** The phrase "Agricultural Product Store" means a market that is part of an  
70 onsite agritourism operation that offers for sale a wide variety of Agricultural Products that were produced  
71 in Weber County, and at least one of which is a product produced onsite. An Agricultural Product Market  
72 does not consist of multiple vendors. It offers for sale agricultural products and goods derived from the farm  
73 on which the harvest market is located as well as other agricultural operations.

74 ...

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

82 ...

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

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

**Commented [E11]:** Consolidated into "lodging house"

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

**Commented [E12]:** Consolidated into "lodging house"

91 ...

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

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

**Commented [E13]:** Consolidated into "lodging house"

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

**Commented [E14]:** The proposed changes herein make this definition irrelevant.

**Commented [E15]:** This is a standard, not a definition

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

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

113 ...

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

115 ...

116 ~~**Glamorous camping (glamping), agri-tourism.** The term "agri-tourism glamorous camping (glamping)"~~  
117 ~~means an agri-tourism use/activity that provides the opportunity for agri-tourists to rent, on a nightly basis,~~  
118 ~~fully furnished tents and/or rustic cabin sites that are characterized by furnishings, amenities, and comforts~~  
119 ~~offered by that of a luxury hotel room. Furnishings, amenities, and comforts may include but not be limited~~  
120 ~~to, luxurious decor, beds, linens, baths, veranda, spa services, concierge, dining, and chef.~~

121 ...

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

123 ...

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

129 ...

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

137 ...

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

142 ...

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

144 ...

145 ~~**Lodging house/boardhouse.** The term "Lodging Hhouse/boardhouse," also referred herein as~~  
146 ~~"Bboardhouse," means a building ~~where lodging only is provided~~designed for temporary lodging for~~  
147 ~~compensation, in which no provision is made for cooking in any individual guest room or suite. Unless~~  
148 ~~otherwise more specifically provided in this Land Use Code, a Lodging House has between one ~~in five or~~~~  
149 ~~more and 15 guest rooms, ~~but not exceeding 15 persons.~~~~

150 ...

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

152 ...

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

156 ...

#### 157 **Sec 101-2-16 O Definitions**

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

162 ...

**Commented [E16]:** Revising this definition using similar language found in hotel.

**Commented [E17]:** A hotel is defined this same way except has 16+ rooms.

**Commented [E18]:** No longer needed. Revised code replaces this phrase with "market," which does not need a specialized definition outside of Merriam Webster.

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

164 ...

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

**Commented [E19]:** Is this definition needed? If it is, is it overly vague? For example, would a noisy and dusty dirt-bike track fit under this?

168 ...

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

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

**Commented [E20]:** 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.

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

**Commented [E21]:** This proposed amendment eliminates the need for this definition.

188 ...

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

190 ...

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

**Commented [E22]:** Is this alternative word actually used anywhere else in the ord?

196 ...

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

198 ...

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

**Commented [E23]:** Replacing with "events facility"

203 ...

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

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

208 ...

209 **CHAPTER 108-21 AGRITOURISM**

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

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

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

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

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

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

243 (b) **Primary use.** All agritourism operations shall clearly be accessory and incidental to a primary  
244 agricultural use of the property. Agriculture is the preferred use in agricultural zones; therefore, all agri-  
245 tourism uses/activities shall be complementary and clearly accessory to the primary agricultural use.  
246 To guarantee legitimacy and viability, an agri-tourism operation shall demonstrate that the subject  
247 property has been qualified under the Farmland Assessment Act or that the subject property is

**Commented [E24]:** This is intended to mean the same thing while also trying to eliminate fluff and subjective language.

**Commented [E25]:** 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 [E26]:** It is not advisable to have a non-county entity as a reviewing entity. Rather, the planner a

248 currently, or will be within the next growing season, producing an agricultural product in an amount that  
249 meets or exceeds the production requirement as established by the Farmland Assessment Act. A  
250 farmer, whose primary agricultural use is that of an apiary, shall be required to maintain two hives per  
251 acre with a ten-hive minimum. No more than 20 hives shall be necessary when a farm exceeds ten  
252 acres.

253 (c) **Qualifications.** An agricultural operator seeking an agritourism permit shall demonstrate the following:

- 254 (1) The agricultural operator has owned the subject property for the last two years.;
- 255 (2) The agricultural operator has commercially sold an agricultural product that was produced on the  
256 subject property for greater than one year.;
- 257 (3) The subject property has been qualified under the Farmland Assessment Act, or if the property  
258 cannot qualify under the Farmland Assessment Act, the agricultural use of the property shall be  
259 clear and obvious in accordance with traditional agricultural operations typical of the area, as  
260 discernable by a layperson without significant agricultural experience; and
- 261 (4) The subject property is currently, or will be within the next growing season, producing an agricultural  
262 product in an amount that meets or exceeds the production requirement as established by the  
263 Farmland Assessment Act or as otherwise provided in Subsection (c)(3) herein.;
- 264 (1) ~~An agricultural operator whose primary agricultural use is that of an apiary shall be required to~~  
265 ~~maintain two hives per acre with a ten-hive minimum. No more than 20 hives shall be necessary~~  
266 ~~when a farm exceeds ten acres.~~

Commented [E27]: New language. Does this work?

Commented [E28]: Verify Reference

Commented [E29]: Moved to use and standards table

267 (d) **Supplemental application Narrative.** In addition to the application requirements listed in ~~the Title~~  
268 108, ~~chapter Chapter~~ 4 of this Land Use Code (~~conditional uses~~), all agri-tourism applications shall be  
269 accompanied by a concise narrative describing the farm agricultural operation and the overall vision for  
270 the proposed agri-tourism operation. The narrative shall also include the following:

- 271 (1) ~~farm~~ The history of the agricultural operation along with evidence that demonstrates the operation  
272 meets the minimum qualifications herein.
- 273 (2) A description of the agricultural operation, its general functions, maintenance, product(s), and  
274 customer base. ~~a description or plan for the general maintenance of its agricultural product(s),~~
- 275 (3) A description of any plans for changes to the agricultural operation, its general functions,  
276 maintenance, product(s), and customer base.
- 277 (4) A description of how the agritourism operation is incidental and accessory to the agricultural  
278 operation, and a plan for how the owner will ensure the agritourism operation remains incidental  
279 and accessory in perpetuity.
- 280 (5) An explanation or description of the agritourism operation including: ~~and proposals for the following~~
- 281 a. ~~Offerings for agriculturally related and non-agriculturally related p~~
- 282 b. Products that will be sold onsite.
- 283 c. ~~and uses/a~~ Activities offered onsite.
- 284 d. The type of customer or clientele base that is expected to patronize the operation, categorized  
285 based on the intensity of their visitation and the specific product or activity for which they are  
286 or will be visiting. For example, the customer-base for a produce store may be the general  
287 public with customers coming and going many hours throughout the day; the clientele for a  
288 barn dance might be a private party of a specified number of people that come and go once on

289 the day of the party; and the customers or clientele for a bed and breakfast might be pre-  
290 registered or reserved individuals or small groups.

291 e. Agriculturally related and non-agriculturally related types of facilities and equipment to be used.

292 f. Hours of operation and number of patrons. ~~Time(s) of normal day-to-day o~~

293 1. Normal and routine hours of operation, and anticipated events, dates, and times, or  
294 examples of anticipated events, dates, and times, that operations may go beyond those  
295 normal and routine hours. ~~as referenced in title 38, special events~~

296 2. Anticipated number of normal and routine daily patrons and employees, and vehicles, and  
297 anticipated number of patrons, employees, and vehicles at times or for events that go  
298 beyond what is normal and routine.

299 3. For the purpose of this paragraph, the phrase "normal and routine" means the time or  
300 amount specified in the application, or if different, the approval. If the application or  
301 approval does not specify:

302 i. As it relates to time, this shall mean the hours of operation specified in Section 108-  
303 21-3

304 ii. As it relates to patrons or employees, this phrase means no more than 25 people or  
305 ten typical passenger vehicles onsite at any one time.

### 306 **Sec 108-21-3 Application and General Development Standards**

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

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

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

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

324 (a) **Access and frontage.** Notwithstanding section 108-7-31 (access to a lot/parcel using a private right-  
325 of-way/easement), ~~an~~ An agri-tourism operation shall provide customers access from an Arterial Street  
326 or Collector Street. It is not required to have frontage on a street, but the access from the Arterial Street  
327 or Collector Street to the operation shall either by owned in fee or recorded easement by the agricultural  
328 operation. The access from the public right-of-way to the operation shall meet the requirements of  
329 Section 108-7-29 unless specified otherwise by the local fire authority. ~~or access directly off of a public~~  
330 ~~or privately dedicated roadway. The Land Use Authority may allow access from a Major Neighborhood~~

Commented [E30]: Necessary?

331 Street or Minor Neighborhood Street as long as the street is public and as long as the agritourism  
332 operation does not increase traffic beyond that which is typical for the type of street. Evidence of this  
333 shall be submitted with the application.

334 (b) **General site and building design/layout.** An agri-tourism operation shall have a general design and  
335 layout that concentrates all tourism uses and activities into a distinct activity center(s). The area within  
336 ~~an undeveloped activity center or combined area of multiple activity centers, excluding productive agri-~~  
337 ~~tourism acreage, trail corridors, and/or a half-acre for a farmer's residence and any uses confined~~  
338 ~~thereto (i.e., home office, B&B, etc.), may consist of a total area that does~~ shall not exceed 20 percent  
339 of an ~~farm's agricultural operation's overall gross acreage. The agricultural operation's gross acreage~~  
340 ~~shall be determined by the area that is routinely maintained in an agriculturally productive manner,~~  
341 ~~including barns and similar buildings or structures intended to serve the agricultural operation. The~~  
342 ~~remaining acreage, shown outside of all activity centers, shall be maintained in an agriculturally~~  
343 ~~productive manner that is consistent with the farm's main agricultural use(s). Acreage that is incapable~~  
344 ~~of being agriculturally productive due to a topographic condition, physical constraint, and/or~~  
345 ~~circumstance (i.e., wetlands, drainages, steep slopes, occupation by barn and/or farm equipment~~  
346 ~~storage structure(s) etc.) that physically interferes with farm production may be kept in its natural,~~  
347 ~~historic, or constructed state. Newly constructed buildings and facilities intended for agri-tourism~~  
348 ~~purposes and/or to serve the agri-tourism needs operation shall reflect an architectural vernacular that~~  
349 is consistent with the area's rural character. Temporary sanitary facilities are discouraged; however, if  
350 found necessary, they shall be discretely incorporated into the agri-tourism operation and completely  
351 screened from street and adjacent property view.

352 (c) **Ownership.** An agri-tourism operation may consist of multiple properties; ~~however, all~~ All properties  
353 shall have identical and common ownership and shall be contiguous except where contiguity is  
354 interrupted by a public street right-of-way.

355 (d) **Production.** An agricultural operation to which an agri-tourism operation is accessory shall, with  
356 exception of the winter season, actively and continuously produce an agricultural product ~~for sale and~~  
357 ~~purchase on all of the 80 percent of the agricultural operation's gross acreage, as specified in~~  
358 Subsection (f) of this Section. In the event that the ~~agri-tourism operation's~~ agricultural operation's  
359 productivity ceases or becomes improperly maintained, as determined by the ~~planning~~  
360 ~~commission~~ Land Use Authority, the ~~right to operate an~~ agri-tourism business operation's ~~under a~~  
361 conditional use permit may be revoked.

362 (e) ~~Agri-tourism uses/activities.~~ To ensure an appropriate balance and mixture of agriculturally related  
363 and non-agriculturally related uses/activities, it shall be required that a minimum of one-half of all  
364 uses/activities be agriculturally related as defined in section 101-1-7 of this Land Use Code. The  
365 method, by which measurements are made, shall be based on one agriculturally related use/activity  
366 being equal to one non-agriculturally related use/activity. Uses/activities involving the sale of any  
367 products or goods shall be prohibited from selling motorized vehicles and/or equipment. Exceptions to  
368 this standard are made for the occasional sale of farm equipment personally owned by the farm owner  
369 and/or other farm equipment sales events approved through title 38, special events.

370 (f) **Hours of operation.** ~~Agri-tourism uses/activities, not~~ Not including residential overnight lodging  
371 accommodations, and unless specified otherwise in an approved application or other conditions of  
372 approval, and/or those conducted within a completely enclosed building, the hours of operation shall  
373 be limited to between operating during the daily hours of 8:00 a.m. and 8:00 p.m., except if the use or  
374 activity is restricted to an area of the property that is at least 500 feet from an existing dwelling unit  
375 located on another property. 10:00 p.m. The planning commission The Land Use Authority may, but is  
376 not obligated to, consider a variation to this allow other hours of operation if the applicant can

**Commented [E31]:** Is this section needed? There is already a use table in Section 108-21-5.

This paragraph conflicts with the "agriculturally related" requirement.

377 ~~demonstrate mitigation of detrimental effects, standard upon finding that a proposed use/activity is~~  
378 ~~reliant on and/or based on making observations that can only occur during hours otherwise not~~  
379 ~~permitted.~~

380 (g) ~~**Development agreement.** An agri-tourism operation shall, prior to the construction of any structure~~  
381 ~~intended for the purpose of accommodating non-agricultural uses, record a farm stay and commercial~~  
382 ~~development agreement, provided by Weber County, on all parcels utilized as part of an approved agri-~~  
383 ~~tourism operation. One single-family dwelling or farm house (per parcel) and/or any number of~~  
384 ~~structures that qualify for an agricultural exemption are excepted from this standard when developed in~~  
385 ~~accordance with the requirements found in the Weber County Land Use Code.~~

**Commented [E32]:** Is this needed? Isn't the CUP enough? Maybe just a *notice* needs to be recorded to the property to tell future owners that the lodging facilities can only be used if a part of the agritourism operation?

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

387 The following establishes a categorical designation for agricultural operations based on acreage:

388 (a) ~~Market g~~**Market Garden agricultural operation** includes an agriculturally productive property consisting of  
389 three acres or more, but fewer than five acres.

390 (b) ~~Family farm~~**Family agricultural operation** includes an agriculturally productive ~~property area~~ consisting of  
391 five acres or more, but fewer than ten acres.

392 (c) ~~Small farm~~**Small agricultural operation** includes an agriculturally productive ~~property area~~ consisting of ten  
393 acres or more, but fewer than 20 acres.

394 (d) ~~Medium agricultural operation farm~~**Medium agricultural operation** includes an agriculturally productive ~~property area~~ consisting of  
395 20 acres or more, but fewer than 40 acres.

396 (e) ~~Large agricultural operation farm~~**Large agricultural operation** includes an agriculturally productive ~~property area~~ consisting of 40  
397 acres or more, but fewer than 80 acres.

398 (f) **Ranch** includes an agriculturally productive ~~property area~~ consisting of 80 acres or more.

**Commented [E33]:** Not all agritourism operations will be tied to a farm. Ranches are allowed too.

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

400 ~~If an applicant can demonstrate appropriate mitigation of detrimental effects, as specified in Chapter 108-~~  
401 ~~4, the following uses and /activities have been determined desirable when thoughtfully incorporated into~~  
402 ~~an approved shall be allowed for an~~ agri-tourism operation ~~when marked with an "A" under their~~  
403 ~~corresponding agricultural operation designation. The use or activity is not allowed if marked with an "N."~~

404

405 As stated above, these uses/activities may be subject to other requirements beyond those imposed by this  
 406 chapter; therefore, it shall not be construed to mean that this chapter alters or nullifies any requirements  
 407 contained in other codes, ordinances, statutes, or applicable standards. Those uses/ or activities marked  
 408 with an asterisk (\*) have additional design and/or limitation standards beyond any provided within other  
 409 specific, codes, ordinances, statutes, or other applicable standards. See section Section 108-21-7 6 for  
 410 these specific design and/or limitation standards associated with each use/activity marked with an asterisk  
 411 (\*).  
 412

Uses/Activities <u>USES OR ACTIVITIES</u>	<u>AGRICULTURAL OPERATION DESIGNATION</u> Farm Designations						<u>SPECIAL REGULATIONS</u>
	Garden	Family	Small	Medium	Large	Ranch	
<b>Farm Stay (Residential and Overnight Lodging Accommodation) Uses/Activities</b>							
<u>Apiary</u>	A	A	A	A	A	A	If the apiary is the primary agricultural operation, then the operation shall have no less than two hives per acre and a ten-hive minimum. However, no more than 20 hives are required.
<del>Accessory dwelling unit*</del>	*	*	*	*	*	*	
<del>Agro-ecology research and education center (AREC)*</del>	*	*	*	*	*	*	
<u>Children's Camp</u>	N	N	A	A	A	A	The camp shall be based on an agricultural theme and provide agriculturally related activities.
<u>Dude Ranch</u>	N	N	N	N	N	A	
<u>Lodging House:</u>	with up to 2 guest rooms: B&B farm dwelling (2 room)*	A	*A	*A	*A	*A	No more than two guest rooms per each acre of the agricultural operation. See Section 108-21-7
	with 3 to 7 guest rooms: B&B farm retreat (7 room)*	*N	*A	*A	*A	*A	
	with 8 to 16 guest rooms: B&B farm inn (16 room)*	N	N	N	*A	*A	
<del>Glamorous camping (glamping)*</del>	*A	*A	*A	*A	*A	*A	

**Commented [E34]:** This table needs to be re-alphabetized.

**Commented [E35]:** An accessory dwelling unit is only allowed as an accessory to a single-family dwelling use.

**Commented [E36]:** This is already listed in this table.

**Commented [E37]:** Need a definition if we keep this

**Commented [E38]:** Should agritourism be allowed in the F-5, F-10, and F-40 zones too?

**Commented [E39]:** Swapping this and the 3-7 guest rooms.

**Commented [E40]:** Standard taken from agroecology research and education center and applied to all lodging houses. Seems generally applicable for all lodging.

**Commented [E41]:** Moved to "camping"

<b>Conference or education center<sup>2</sup>:</b>	N	N	*A	*A	*A	*A	<u>Conferences and educational topics shall relate to agriculture, agritourism, vegetation management, or similar.</u>
<del>Single-family dwelling; a.k.a. Farm house*</del>	*	*	*	*	*	*	
<b>Agritourism Health Farm<sup>2</sup>:</b>	N	N	*A	*A	*A	*A	<u>Limited to Health and wellness opportunities may consist of, but are not limited to, general and specialized exercise, wellness, and nutritional, and cooking classes/consultations, education, organic cooking classes or workshops, and exercise and yoga classes, and meditation, and massage therapy. A health farm may serve meals only when served to participating clientele.</u>
<del>Motor coach/caravan area, agri-tourism*</del>	A*	A*	A*	A*	A*	A*	
<b>Agriculturally Related Uses/Activities</b>							
<b>Agro-ecology research and education center (AREC)<sup>2</sup>:</b>	N	A*	A*	A*	A*	A*	<u>Lodging, if any, is limited to accommodations for faculty, staff, and students.</u>
<b>Barn dance<sup>2</sup>:</b>	N	A*	A*	A*	A*	A*	
<b>Camping</b>	<del>Luxury-Glamorous camping area:</del>	A	A	A	A	A	<u>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.</u>
	Recreational Vehicle area <del>Motor coach/caravan area, agri-tourism*</del>	N	N	N	A	A	
<b>Community or shared garden/rent-a-row<sup>2</sup>:</b>	A*	A*	A*	A*	A*	A*	
<del>Community supported agriculture<sup>2</sup>:</del>	*	*	*	*	*	*	
<b>Corn maze<sup>2</sup>:</b>	N	N	A*	A*	A*	A*	
<b>Educational classes<sup>2</sup>:</b>	A*	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>
<b>Agritourism Events Facility:</b>	N	N	A	A	A	A	

**Commented [E42]:** Adding this qualifier

**Commented [E43]:** Unnecessary. This use is already allowed in all of the zones in which agritourism is allowed.

**Commented [E44]:** Moved to camping.

**Commented [E45]:** Is this needed? Isn't this already allowed as ag without an Agritourism permit?

**Commented [E46]:** According to the USU Extension Office, this is essentially a farm-to-table program where locals collectively own a farm and hire a grower to grow their produce. Listing this here is unnecessary because there are no other land use regulations that govern farm ownership.

**Commented [E47]:** Changing from "special occasion"

<del>Farm museum:</del>	N	A*	A*	A*	A*	A*	
<del>Agritourism Farm Tour:</del>	A*	A*	A*	A*	A*	A*	
<del>Agritourism Fee Fishing (if aquaculture)</del>	N	A*	A*	A*	A*	A*	
<del>Harvest-market:</del>	*	*	*	*	*	*	
<del>Multi-farmer open air (farmer's) market/Market, Farmers. A farmer's market where multiple agricultural operators may sell their products; agri-tourism*</del>	N	N	N	A*	A*	A*	
<del>Nursery (plant cultivation)</del>	A*	A*	A*	A*	A*	A*	
<del>Petting farm/zoo:</del>	A*	A*	A*	A*	A*	A*	
<del>Sleigh/hay ride:</del>	N	N	A*	A*	A*	A*	
<del>Special event; as defined by title 38, special events</del>	*	*	*	*	*	*	
<del>Special occasion; agri-tourism</del>			*	*	*	*	
<del>U Agritourism you-pick operation/pumpkin patch:</del>	A*	A*	A*	A*	A*	A*	
<b>Non-Agriculturally Related Uses/ and Activities</b>							
<del>Agricultural arts center:</del>	N	N	A*	A*	A*	A*	
<del>Agricultural Value added Product Processing and Packaging:*</del>	A*	A*	A*	A*	A*	A*	<u>Onsite retail sales of processed and packaged products shall only be made from an approved concession or other retail outlet.</u>
<del>Conference/education center:*</del>	N	N	N	N	A*	A*	
<del>Fee fishing:</del>	N	A*	A*	A*	A*	A*	
<b>Food Prep:</b>	<del>Bakery/ or cafe/caf� featuring farm products*</del>	N	N	N	*A	*A	<u>At least one type of the onsite agricultural operation's products shall be continuously offered for sale.</u>
	<del>Food concessions stand:*</del>	N	N	A*	A*	A*	
	<del>Restaurant featuring farm products*</del>	N	N	N	A*	A*	<u>At least one type of the onsite agricultural operation's products shall be continuously offered for sale.</u>

**Commented [E48]:** Moved to "Agricultural Product Store" in the Store category below.

**Commented [E49]:** Verify consistency with A zones. Do we need to list this or is it already a use allowed?  
Is this intended for commercial sales to the public?

**Commented [E50]:** Unnecessary to specify here. Already provided in Title 38.

**Commented [E51]:** Changing to "events facilities" above.

**Commented [E52]:** What is this? Is this something now being listed as a "Store?"

**Commented [E53]:** What about a seasonal product not available in winter? Can the bakery or caf  still operate?

Store:	<u>Agricultural Product Store:</u>	A	A	A	A	A	A	The market 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.
	Gift shop: <del>(retail)</del>	A*	A*	A*	A*	A*	A*	
	<u>Market:</u>	N	N	N	N	A	A	At least one type of the onsite agricultural operation's products shall be continuously offered for sale and products shall be limited to those commonly offered by a small grocer.
<b>Haunted house/hay stack/farm</b>		N	N	A*	A*	A*	A*	
<b><u>Agritourism Hunting preserve</u> <del>Preserve*</del></b>		N	N	N	N	N	A*	See Section 108-21-7
<del>(On-farm) store/retail market, agri-tourism*</del>							*	
<b><u>Agritourism Play area</u> <del>Area, agri-tourism:</del></b>		N	A*	A*	A*	A*	A*	
<del>Health farm*</del>		N	N	N	A*	A*	A*	
<b><u>Motor coach/caravan area, agri-tourism*</u> <del>Recreational Vehicle area:</del></b>		N	N	N	A*	A*	A*	

**Commented [E54]:** What about a seasonal product not available in winter? Can the bakery or café still operate?

**Commented [E55]:** Moved to "Market" in the Store category above.

**Commented [E56]:** Already listed above.

413

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

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

417 To ensure considerate integration of agri-tourism operations into established rural neighborhoods, the uses  
418 listed below shall be subject to additional standards beyond any provided within other, expressed and/or  
419 unexpressed, codes, ordinances, statutes, rules, or requirements. The uses listed below correspond with  
420 certain uses listed in the Use or Activity Table in Section 108-21-5. Due to their nature, each shall be further  
421 regulated as follows. One or more of these additional standards and/or limitations, restrictions may be  
422 waived by the Planning Commission Land Use Authority upon finding that either: a proposed use poses no  
423 detrimental effects to neighboring properties due to unique circumstances, or that a proposed use can be  
424 mitigated to an acceptable level due to the imposition of other more appropriate, site specific conditions  
425 that justify the use's or /activity's approval.

426

		SETBACK STANDARDS		MAXIMUM ALLOWED FOOTPRINT
		From agricultural operation's exterior boundary	From existing dwelling on an adjacent lot	
<u>Agroecology Research and Education Center:</u>		<u>50 feet<sup>1</sup></u>	<u>100 feet<sup>1</sup></u>	<u>Not applicable</u>
<u>Agricultural Product processing and packaging:</u>		<u>Same as zone</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>500 feet<sup>1</sup></u>	<u>Not applicable</u>
	<u>Recreational Vehicle area:</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>Same as zone</u>	<u>Same as zone</u>	<u>Not applicable</u>
<u>Food Prep:</u>	<u>Bakery or café:</u>	<u>150 feet<sup>1</sup></u>	<u>300 feet<sup>1</sup></u>	<u>Not applicable</u>
	<u>Restaurant</u>			
<u>Market, farmers:</u>		<u>200 feet<sup>1</sup></u>	<u>300 feet<sup>1</sup></u>	<u>Not applicable</u>
<u>Lodging House:</u>	<u>2 quest rooms</u>	<u>50 feet<sup>1</sup></u>	<u>100 feet<sup>1</sup></u>	<u>Not applicable</u>
	<u>3 to 7 quest rooms</u>	<u>100 feet<sup>1</sup></u>	<u>300 feet<sup>1</sup></u>	
	<u>8 to 16 quest rooms</u>	<u>300 feet<sup>1</sup></u>	<u>500 feet<sup>1</sup></u>	
<u>Petting farm/zoo.</u>		<u>Same as zone</u>	<u>Same as zone</u>	<u>Not applicable</u>
<u>Store:</u>	<u>Agricultural Product Store:</u>	<u>Same as zone</u>	<u>Same as zone</u>	<u>Not applicable</u>
	<u>Gift shop:</u>	<u>Same as zone</u>	<u>Same as zone</u>	<u>200 square feet<sup>2</sup></u>
	<u>Market:</u>	<u>150 feet<sup>1</sup></u>	<u>300 feet<sup>1</sup></u>	

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**Commented [E57]:** Current code terms this "motor coach/caravan area."

**Commented [E58]:** New standard not in current code

**Commented [E59]:** No Min setback?

**Commented [E60]:** No min setback?

**Commented [E61]:** Previously called "harvest market." Changing term because "harvest" usually refers to the harvesting of a crop at particular times of year, but this type of market is not limited herein on times of year or types of produce.

428 <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  
 429 installed that screens the potential visual or audible impacts to neighboring properties.

430 <sup>2</sup> This may be increased to 400 square feet for a medium agricultural operation, 600 for a large, and 800 for a ranch.  
 431  
 432

433 Sec 108-21-7 Special Regulations.

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

**Commented [E62]:** Check Reference

436 (a) Agricultural product processing and packaging.

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

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

445 (b) Agritourism Hunting Preserve.

446 a. Limited to the Western Weber County Planning Area.

**Commented [E63]:** Where is this possible? Area all upland areas either public or developing in WW?

447 b. Limited to upland game and waterfowl hunting only.

448 c. Subject to Utah Division of Wildlife Resource standards.

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

**Commented [E64]:** Replacing terminology with terms more commonly used in this Land Use Code.

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

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

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

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

**Commented [E65]:** Verify this phrase is consistent throughout.

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

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

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

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

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

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

469 ~~d. An AREC shall not be located closer than 50 feet to any agri-tourism operation's perimeter~~  
470 ~~boundary line and in no case located closer than 100 feet to an existing dwelling on an adjacent~~

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

474 ~~(2) B&B farm dwelling (two guest rooms).~~

**Commented [E66]:** Replacing terminology with terms more commonly used in this Land Use Code.

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

**Commented [E67]:** One of each allowed? Or one of all allowed?

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

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

481 ~~(3) B&B farm retreat (seven guest rooms).~~

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

**Commented [E68]:** One of each allowed? Or one of all allowed?

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

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

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

492 ~~(4) B&B farm inn (16 guest rooms).~~

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

**Commented [E69]:** One of each allowed? Or one of all allowed?

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

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

501 ~~(5) Luxury camping (glamping).~~

**Commented [E70]:** Other parts of the code refers to this as "glamour" camping. The table above corrects this.

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

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

- 505 ~~e. Meals shall only be served to overnight guests.~~
- 506 ~~d. Glamping area(s) shall be completely screened from street view.~~
- 507 ~~e. Glamping areas shall not be located closer than 300 feet to any agri-tourism operation's~~  
508 ~~perimeter boundary line and in no case located closer than 500 feet to an existing dwelling on an~~  
509 ~~adjacent lot/parcel. These standards may be reduced by up to one-half when a substantial natural~~  
510 ~~landscape screen, standing at a minimum of six feet in height for a majority of its length, is used to~~  
511 ~~mitigate potential visual and/or audible impacts to neighboring property.~~
- 512 ~~(6) Accessory dwelling unit.~~
- 513 ~~a. An agritourism operation may have one or more accessory dwelling units onsite. The number of~~  
514 ~~accessory dwelling units shall not exceed the following calculation: net developable acreage of the~~  
515 ~~parcel upon which an accessory dwelling unit is located, divided by the minimum lot area required by~~  
516 ~~the zone in which the lot or parcel(s) is located, all multiplied by 20 percent (net developable acreage /~~  
517 ~~minimum lot area) x 20 percent = Maximum number of accessory dwelling units at an approved agri-~~  
518 ~~tourism operation.~~
- 519 ~~b. Meals shall only be served to overnight guests.~~
- 520 ~~e. An accessory dwelling unit shall not be located closer than 150 feet to the agri-tourism~~  
521 ~~operation's exterior boundary, and in no case located closer than 300 feet from an existing dwelling on~~  
522 ~~an adjacent lot/parcel. These standards may be reduced by up to one-half when a substantial natural~~  
523 ~~landscape screen, standing at a minimum of six feet in height for a majority of its length, is used to~~  
524 ~~mitigate potential visual and/or audible impacts to neighboring property.~~
- 525 ~~(7) Conference/education center.~~
- 526 ~~a. An agri-tourism operation shall be limited to one conference/education center.~~
- 527 ~~b. A conference/education center shall be limited to a maximum of 20 guest units/rooms.~~
- 528 ~~e. Conference/education centers shall not be located closer than 300 feet to any agri-tourism~~  
529 ~~operation's perimeter boundary line and in no case located closer than 500 feet to an existing dwelling~~  
530 ~~on an adjacent lot/parcel. These standards may be reduced by up to one-half when a substantial natural~~  
531 ~~landscape screen, standing at a minimum of six feet in height for a majority of its length, is used to~~  
532 ~~mitigate potential visual and/or audible impacts to neighboring property.~~
- 533 ~~(8) Health farm.~~
- 534 ~~a. An agri-tourism operation shall be limited to one health farm or B&B facility (i.e., one B&B~~  
535 ~~dwelling, inn, or hotel).~~
- 536 ~~b. A health farm shall be limited to a maximum of ten guest units/rooms.~~
- 537 ~~c. A health farm shall not be located closer than 150 feet to any agri-tourism operation's perimeter~~  
538 ~~boundary line and in no case located closer than 300 feet to an existing dwelling on an adjacent~~  
539 ~~lot/parcel. These standards may be reduced by up to one-half when a substantial natural landscape~~  
540 ~~screen, standing at a minimum of six feet in height for a majority of its length, is used to mitigate~~  
541 ~~potential visual and/or audible impacts to neighboring property.~~

**Commented [E71]:** This use is only allowed when it is accessory to a single-family dwelling (108-16)

542 ~~(9) — Motor coach/caravan area.~~  
543 ~~a. — A motor coach/caravan area, approved as part of an agri-tourism operation, shall be limited to a~~  
544 ~~number of individual sites that does not exceed one site per five gross acres. In no case shall a motor~~  
545 ~~coach/caravan area or combination of areas exceed 20 sites.~~  
546 ~~b. — A motor coach/caravan area shall not be located closer than 300 feet to any agri-tourism~~  
547 ~~operation's perimeter boundary line and in no case located closer than 500 feet to an existing dwelling~~  
548 ~~on an adjacent lot/parcel. These standards may be reduced by up to one-half when a substantial natural~~  
549 ~~landscape screen, standing at a minimum of six feet in height for a majority of its length, is used to~~  
550 ~~mitigate potential visual and/or audible impacts to neighboring property.~~  
551 ~~(10) — Single family dwelling; a.k.a. farm house.~~  
552 ~~a. — An agri-tourism operation shall be limited to one single family dwelling/farm house and is~~  
553 ~~subject to the Weber County zoning and platting requirements of title 106, subdivision.~~  
554 ~~(b) — Agriculturally related uses/activities.~~  
555 ~~(1) — Argo ecology research and education center (AREC).~~  
556 ~~a. — See section 108-21-6(a)(1).~~  
557 ~~(2) — Educational classes. All courses of study or subject matter shall incorporate and consist of an~~  
558 ~~agricultural and/or ecological component.~~  
559 ~~(3) — Harvest market. Limited to agricultural products as defined in section 101-1-7 of this Land Use~~  
560 ~~Code.~~  
561 ~~Multi-farmer open air (farmer's) market.~~  
562 ~~a. — The operation of a multi-farmer open-air (farmer's) market shall be limited to the months of~~  
563 ~~June through December.~~  
564 ~~b. — A multi-farmer open-air (farmer's) market shall not be located closer than 200 feet to any agri-~~  
565 ~~tourism operation's perimeter boundary line, excepting the front property line, and in no case located~~  
566 ~~closer than 300 feet to an existing dwelling on an adjacent lot/parcel. These standards may be reduced~~  
567 ~~by up to one-half when a substantial natural landscape screen, standing at a minimum of six feet in~~  
568 ~~height for a majority of its length, is used to mitigate potential visual and/or audible impacts to~~  
569 ~~neighboring property.~~  
570 ~~(4) — Petting farm/zoo. Limited to parcels with access provided by a collector or arterial road when~~  
571 ~~located within the Ogden Valley. See the Ogden Valley Transportation Element Map for road designation~~  
572 ~~information.~~  
573 ~~(c) — Non-Agriculturally Related Uses/Activities.~~  
574 ~~(1) — Bakery/cafe featuring farm product(s).~~

**Commented [E72]:** Changing this to "recreational vehicle area" in the table above.

**Commented [E73]:** Unnecessary. This use is already allowed in all of the zones that agritourism is allowed.

575 a. ~~Not less than one agricultural product, offered at a bakery/caf  featuring farm product(s), shall~~  
576 ~~be raised/cultivated and/or produced by the farm on which the bakery/caf  featuring farm product(s) is~~  
577 ~~operated.~~

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

583 (2) ~~Farm stay.~~

584 a. ~~See section 108-21-6(a).~~

585 (3) ~~Gift shop (retail).~~

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

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

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588 b. ~~Hunting preserve.~~

589 (a) ~~Hunting preserve.~~

590 e.a. ~~Limited to the Western Weber County Planning Area.~~

591 d.a. ~~Limited to upland game and waterfowl hunting only.~~

592 (d) ~~Subject to Utah Division of Wildlife Resource standards.~~

593 (1) ~~Motor coach/caravan area.~~

594 a. ~~See section 108-21-6(a)(1).~~

595 (2) ~~On-farm store/retail market.~~

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

Commented [E74]: Where is this possible? Area all upland areas either public or developing in WW?

599 b. ~~An on-farm store/retail market and its outdoor display area or on-farm store/retail market area~~  
600 ~~within a multi-use building shall be limited to the following size standards:~~  
601

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

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

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

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

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

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

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

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

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

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

1.	Market garden (3<5 ac)	200 square feet maximum.
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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.

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

1 **TITLE 101 GENERAL PROVISIONS**

2 ...

3 **CHAPTER 101-2 DEFINITIONS**

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

5 ***Acreage, agritourism activity center.*** The term "agritourism activity center acreage" means the land area  
6 within an approved agritourism operation that contains the grouping or assemblage of agritourism  
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 the agricultural use's offerings and adding  
20 value to its agricultural product. An agritourism use, provides product, activities, and other uses that are  
21 clearly related and incidental to the agricultural use.

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

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

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

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

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

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

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

50 ***Agritourism you-pick operation.*** The term "agri-tourism you-pick operation" means an agritourism use or  
51 activity that provides the opportunity for customers to pick or harvest fruits and vegetables directly from the  
52 plant grown on a farm location.

53 ...

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

61 ...

62 **Store, agricultural product.** The phrase "Agricultural Product Store" means a market that is part of an  
63 onsite agritourism operation that offers for sale a wide variety of Agricultural Products that were produced  
64 in Weber County, and at least one of which is a product produced onsite. An Agricultural Product Market  
65 does not consist of multiple vendors. It offers for sale agricultural products and goods derived from the farm  
66 on which the harvest market is located as well as other agricultural operations.

67 ...

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

74 ...

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

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

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

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

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

88 ...

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

93 ...

94 **Sec 101-2-14 M Definitions**

95 ...

96 ...

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

98 ...

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

100 ...

101 ...

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

107 ...

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

109 ...

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

115 ...

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

117 ...

118 ...

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

120 ...

121 **CHAPTER 108-21 AGRITOURISM**

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

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

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

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

137  
138 (b) ***Primary use.*** All agritourism operations shall clearly be accessory and incidental to a primary  
139 agricultural use of the property.

140 (c) ***Qualifications.*** An agricultural operator seeking an agritourism permit shall demonstrate the following:

- 141 (1) The agricultural operator has owned the subject property for the last two years;
- 142 (2) The agricultural operator has commercially sold an agricultural product that was produced on the  
143 subject property for greater than one year;
- 144 (3) The subject property has been qualified under the Farmland Assessment Act, **or if the property**  
145 **cannot qualify under the Farmland Assessment Act, the agricultural use of the property shall be**  
146 **clear and obvious in accordance with traditional agricultural operations typical of the area, as**  
147 **discernable by a layperson without significant agricultural experience; and**
- 148 (4) The subject property is currently, or will be within the next growing season, producing an agricultural  
149 product in an amount that meets or exceeds the production requirement as established by the  
150 Farmland Assessment Act or as otherwise provided in Subsection (c)(3) herein.

151 (d) ***Supplemental application narrative.*** In addition to the application requirements listed in Title 108,  
152 Chapter 4 of this Land Use Code, all agritourism applications shall be accompanied by a concise  
153 narrative describing the agricultural operation and the overall vision for the proposed agritourism  
154 operation. The narrative shall also include the following:

- 155 (1) The history of the agricultural operation along with evidence that demonstrates the operation meets  
156 the minimum qualifications herein.

- 157 (2) A description of the agricultural operation, its general functions, maintenance, product(s), and  
 158 customer base.
- 159 (3) A description of any plans for changes to the agricultural operation, its general functions,  
 160 maintenance, product(s), and customer base.
- 161 (4) A description of how the agritourism operation is incidental and accessory to the agricultural  
 162 operation, and a plan for how the owner will ensure the agritourism operation remains incidental  
 163 and accessory in perpetuity.
- 164 (5) An explanation or description of the agritourism operation including:
- 165 a.
- 166 b. Products that will be sold onsite.
- 167 c. Activities offered onsite.
- 168 d. The type of customer or clientele base that is expected to patronize the operation, categorized  
 169 based on the intensity of their visitation and the specific product or activity for which they are  
 170 or will be visiting. For example, the customer-base for a produce store may be the general  
 171 public with customers coming and going many hours throughout the day; the clientele for a  
 172 barn dance might be a private party of a specified number of people that come and go once on  
 173 the day of the party; and the customers or clientele for a bed and breakfast might be pre-  
 174 registered or reserved individuals or small groups.
- 175 e. Agriculturally related and non-agriculturally related types of facilities and equipment to be used.
- 176 f. ***Hours of operation and number of patrons.***
- 177 1. Normal and routine hours of operation, and anticipated events, dates, and times, or  
 178 examples of anticipated events, dates, and times, that operations may go beyond those  
 179 normal and routine hours.
- 180 2. Anticipated number of normal and routine daily patrons, employees, and vehicles, and  
 181 anticipated number of patrons, employees, and vehicles at times or for events that go  
 182 beyond what is normal and routine.
- 183 3. For the purpose of this paragraph, the phrase “normal and routine” means the time or  
 184 amount specified in the application, or if different, the approval. If the application or  
 185 approval does not specify;
- 186 i. As it relates to time, this shall mean the hours of operation specified in Section 108-  
 187 21-3
- 188 ii. As it relates to patrons or employees, this phrase means no more than 25 people or  
 189 ten typical passenger vehicles onsite at any one time.

190 **Sec 108-21-3 Application and General Development Standards**

- 191 (a) The development standards imposed by this section do not alter, supersede or nullify any codes,  
 192 ordinances, statutes, or other applicable standards which may also regulate these same land uses.  
 193 ***Access and frontage.*** An agritourism operation shall provide customers access from an Arterial Street  
 194 or Collector Street. It is not required to have frontage on a street, but the access from the Arterial Street  
 195 or Collector Street to the operation shall either by owned in fee or recorded easement by the agricultural  
 196 operation. The access from the public right-of-way to the operation shall meet the requirements of  
 197 Section 108-7-29 unless specified otherwise by the local fire authority. The Land Use Authority may

198 allow access from a Major Neighborhood Street or Minor Neighborhood Street as long as the street is  
199 public and as long as the agritourism operation does not increase traffic beyond that which is typical  
200 for the type of street. Evidence of this shall be submitted with the application.

201 (b) **General site and building design/layout.** An agritourism operation shall have a general design and  
202 layout that concentrates all tourism uses and activities into a distinct activity center. The area within an  
203 activity center shall not exceed 20 percent of an agricultural operation's gross acreage. The agricultural  
204 operation's gross acreage shall be determined by the area that is routinely maintained in an  
205 agriculturally productive manner, including barns and similar buildings or structures intended to serve  
206 the agricultural operation. Newly constructed buildings and facilities intended to serve the agritourism  
207 operation shall reflect an architectural vernacular that is consistent with the area's rural character.  
208 Temporary sanitary facilities are discouraged; however, if found necessary, they shall be discretely  
209 incorporated into the agritourism operation and completely screened from street and adjacent property  
210 view.

211 (c) **Ownership.** An agritourism operation may consist of multiple properties. All properties shall have  
212 identical and common ownership and shall be contiguous except where contiguity is interrupted by a  
213 public street right-of-way.

214 (d) **Production.** An agricultural operation to which an agritourism operation is accessory shall, with  
215 exception of the winter season, actively and continuously produce an agricultural product on all of the  
216 80 percent of the agricultural operation's gross acreage, as specified in Subsection (f) of this Section.  
217 In the event that the agricultural operation's productivity ceases or becomes improperly maintained, as  
218 determined by the Land Use Authority, the agritourism operation's conditional use permit may be  
219 revoked.

220 (e)

221 (f) **Hours of operation.** Not including residential overnight lodging accommodations, and unless specified  
222 otherwise in an approved application or other conditions of approval, the hours of operation shall be  
223 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  
224 property that is at least 500 feet from an existing dwelling unit located on another property. The Land  
225 Use Authority may, but is not obligated to, allow other hours of operation if the applicant can  
226 demonstrate mitigation of detrimental effects.

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

228 The following establishes a categorical designation for agricultural operations based on acreage:

229 (a) **Garden agricultural operation** includes an agriculturally productive property consisting of three acres  
230 or more, but fewer than five acres.

231 (b) **Family agricultural operation** includes an agriculturally productive area consisting of five acres or  
232 more, but fewer than ten acres.

233 (c) **Small agricultural operation** includes an agriculturally productive area consisting of ten acres or more,  
234 but fewer than 20 acres.

235 (d) **Medium agricultural operation** includes an agriculturally productive area consisting of 20 acres or  
236 more, but fewer than 40 acres.

237 (e) **Large agricultural operation** includes an agriculturally productive area consisting of 40 acres or more,  
238 but fewer than 80 acres.

239 (f) **Ranch** includes an agriculturally productive area consisting of 80 acres or more.

240 **Sec 108-21-5 Use and Activity Table**

241 If an applicant can demonstrate appropriate mitigation of detrimental effects, as specified in Chapter 108-  
242 4, the following uses and activities shall be allowed for an agritourism operation when marked with an “A”  
243 under their corresponding agricultural operation designation. The use or activity is not allowed if marked  
244 with an “N.”

245

USES OR ACTIVITIES		AGRICULTURAL OPERATION DESIGNATION						SPECIAL REGULATIONS
		Garden	Family	Small	Medium	Large	Ranch	
<b>Apiary</b>		A	A	A	A	A	A	If the apiary is the primary agricultural operation, then the operation shall have no less than two hives per acre and a ten-hive minimum. However, no more than 20 hives are required.
<b>Children's Camp</b>		N	N	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	N	N	A	
<b>Lodging House:</b>	<i>with up to 2 guest rooms:</i>	A	A	A	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	A	A	A	A	A	
	<i>with 8 to 16 guest rooms:</i>	N	N	N	A	A	A	
<b>Conference or education center:</b>		N	N	A	A	A	A	Conferences and educational topics shall relate to agriculture, agritourism, vegetation management, or similar.
<b>Agritourism Health Farm:</b>		N	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.
		A	A	A	A	A	A	
<b>Agro-ecology research and education center :</b>		N	A	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	A	

<b>Camping</b>	<i>Glamorous camping area:</i>	A	A	A	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	A	
<b>Community or shared garden:</b>		A	A	A	A	A	A	
<b>Corn maze:</b>		N	N	A	A	A	A	
<b>Educational classes:</b>		A	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>Agritourism Events Facility:</b>		N	N	A	A	A	A	
<b>Farm museum:</b>		N	A	A	A	A	A	
<b>Agritourism Farm Tour:</b>		A	A	A	A	A	A	
<b>Agritourism Fee Fishing:</b>		N	A	A	A	A	A	
<b>Market, Farmers.</b> A farmer's market where multiple agricultural operators may sell their products:		N	N	N	A	A	A	
<b>Nursery:</b>		A	A	A	A	A	A	
<b>Petting zoo:</b>		A	A	A	A	A	A	
<b>Sleigh/hay ride:</b>		N	N	A	A	A	A	
<b>Agritourism you-pick operation:</b>		A	A	A	A	A	A	
<b>Agricultural arts center:</b>		N	N	A	A	A	A	
<b>Agricultural Product Processing and Packaging:</b>		A	A	A	A	A	A	Onsite retail sales of processed and packaged products shall only be made from an approved concession or other retail outlet.
<b>Conference/education center:</b>		N	N	N	N	A	A	

<b>Fee fishing:</b>		N	A	A	A	A	A	
<b>Food Prep:</b>	<i>Bakery or café:</i>	N	N	N	A	A	A	At least one type of the onsite agricultural operation's products shall be continuously offered for sale.
	<i>Food concessions stand:</i>	N	N	A	A	A	A	
	<i>Restaurant:</i>	N	N	N	A	A	A	At least one type of the onsite agricultural operation's products shall be continuously offered for sale.
<b>Store:</b>	<i>Agricultural Product Store:</i>	A	A	A	A	A	A	The market 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	A	
	<i>Market:</i>	N	N	N	N	A	A	At least one type of the onsite agricultural operation's products shall be continuously offered for sale and products shall be limited to those commonly offered by a small grocer.
<b>Haunted house/hay stack/farm</b>		N	N	A	A	A	A	
<b>Agritourism Hunting Preserve</b>		N	N	N	N	N	A	See Section 108-21-7
<b>Agritourism Play Area:</b>		N	A	A	A	A	A	

247

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

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

		SETBACK STANDARDS		MAXIMUM ALLOWED FOOTPRINT
		From agricultural operation's exterior boundary	From existing dwelling on an adjacent lot	
<b>Agroecology Research and Education Center:</b>		50 feet <sup>1</sup>	100 feet <sup>1</sup>	Not applicable
<b>Agricultural Product processing and packaging:</b>		Same as zone	200 feet <sup>1</sup>	200 square feet <sup>2</sup>
<b>Camping:</b>	<i>Glamorous camping area:</i>	300 feet <sup>1</sup>	500 feet <sup>1</sup>	Not applicable

	<i>Recreational Vehicle area:</i>			
<b>Conference or education center:</b>		300 feet <sup>1</sup>	500 feet <sup>1</sup>	Not applicable
<b>Educational classes:</b>		Same as zone	Same as zone	Not applicable
<b>Food Prep:</b>	<i>Bakery or café:</i>	150 feet <sup>1</sup>	300 feet <sup>1</sup>	Not applicable
	<i>Restaurant</i>			
<b>Market, farmers:</b>		200 feet <sup>1</sup>	300 feet <sup>1</sup>	Not applicable
<b>Lodging House:</b>	<i>2 guest rooms</i>	50 feet <sup>1</sup>	100 feet <sup>1</sup>	Not applicable
	<i>3 to 7 guest rooms</i>	100 feet <sup>1</sup>	300 feet <sup>1</sup>	
	<i>8 to 16 guest rooms</i>	300 feet <sup>1</sup>	500 feet <sup>1</sup>	
<b>Petting zoo.</b>		Same as zone	Same as zone	Not applicable
<b>Store:</b>	<i>Agricultural Product Store:</i>	Same as zone	Same as zone	Not applicable
	<i>Gift shop:</i>	Same as zone	Same as zone	200 square feet <sup>2</sup>
	<i>Market:</i>	150 feet <sup>1</sup>	300 feet <sup>1</sup>	

252 <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  
253 installed that screens the potential visual or audible impacts to neighboring properties.

254 <sup>2</sup> This may be increased to 400 square feet for a medium agricultural operation, 600 for a large, and 800 for a ranch.

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

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

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

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

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

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

268 a. Limited to the Western Weber County Planning Area.

269 b. Limited to upland game and waterfowl hunting only.

270 c. Subject to Utah Division of Wildlife Resource standards.

- 271 (c) **Lodging House.** For an agritourism operation, a Lodging House is governed as follows:
- 272 (1) The Lodging House shall be owned and managed by the same owner or manager as the
- 273 agritourism operation.
- 274 (2) The agritourism operator or manager shall be onsite at all times that Lodging House guests are
- 275 onsite.
- 276 (3) Despite the definition of “Lodging House” in Title 101, Chapter 2, a Lodging House that is part of
- 277 an Agritourism operation may have as little as one guest room or suite.
- 278 (4) In addition to providing lodging to customers and clients of the agritourism operation in general, a
- 279 Lodging House may provide lodging for an Agroecology Research and Education Center, a
- 280 Conference or Education Center, or a Health Farm conducted as part of the agritourism operation.
- 281 (5) No more than one Lodging House shall be operated on an agritourism operation.
- 285