

Chapter 3: Land Use

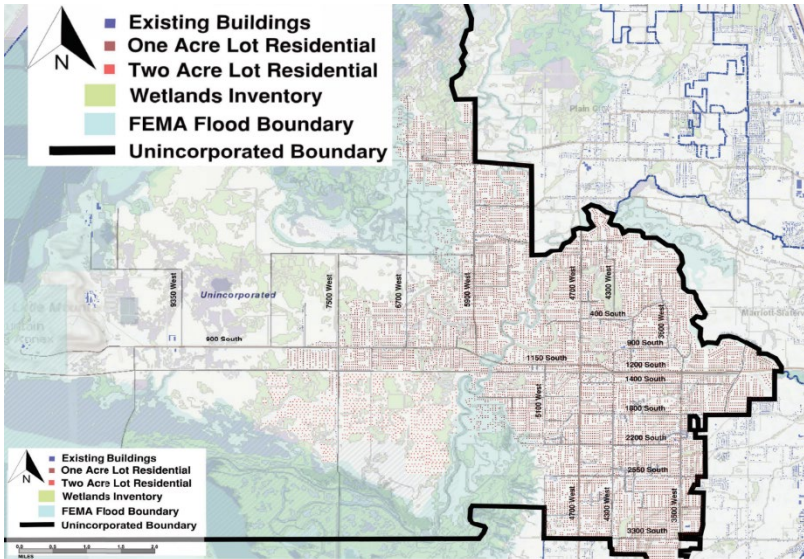
Vision

Vision: Guide and encourage land uses to be organized in a manner that supports the creation of community and enhances the community’s character. Provide for a wide range of land use options, each in their own appropriate areas and contexts, so that existing and future occupants of the area can enjoy a self-sustaining social and economic environment. The focus should not only be on the utility of land uses and infrastructure, but also their aesthetics. Carefully shaping beautiful neighborhoods using proven methods of lasting value will provide for a future community that can prevail over the rise and fall of temporary rolling economic, social, and design trends.

Existing and Projected Conditions

In the area west of the urbanized Wasatch Front, a reoccurring statement from the public was that a one-acre lot is “too small to farm and too large to mow.” This sentiment reflects the challenges of the emerging large-lot suburban development patterns of the existing one-acre minimum zoning of the area. It is obvious that a large portion of the public would like to see the area remain “rural” and “country,” however the existing zoning and market-driven forces continue to lead to the replacement of rural undeveloped lands with the maximization of density by the creation of one-acre residential lots. For a community that is accustomed to seeing a few one-acre lots surrounded by large acreages of undeveloped land, it is understandable that many in the community have it pre-envisioned that this land use pattern is what the existing one-acre zoning is intended to accomplish.

Through the public involvement and education process of this plan, county staff have demonstrated to the public the full-buildout potential of the existing one-acre and two-acre zoning of the A-1, A-2, and A-3 zones (Figure X). Subtracting area for floodplain, wetlands, and streets, the basic buildout of these zones in the unincorporated area of Western Weber is approximately 16,000 new dwelling units.



This demonstration seemed to be instrumental in resetting the expectation of what the one-acre zone will actually provide for the community, and, for the most part, the future of large-lot suburban sprawl that it yields is undesirable.

It became clear to quite a few residents that a buildout of 16,000 dwelling units combined with existing growth trends, it is highly likely that the Wasatch Front’s growing population will push people into the relatively undeveloped areas of the unincorporated area. It also became clear that unless action is taken now to shape the growth into a cohesive place that provides lasting value, the area will fall the way that many neighboring large-lot sprawling communities have fallen: into the monotony of a cookie-cutter suburbia.

Through this public involvement and education process, a number of stalwart advocates of a no-growth future have since become new advocates for the smart-growth planning principles found in this plan.

TABLE X: UNINCORPORATED WESTERN WEBER COUNTY ACREAGE BY ZONE AND ACTUAL USE.

	<i>Acreage Zoned for Use (2022)</i>	<i>Actual Acreage Used (2022)</i>
<i>Agriculture</i>	28,493	19,497
<i>Residential</i>	0	4,693
<i>Commercial</i>	45	6
<i>Manufacturing</i>	8,885	1,412
<i>Shoreline/Lakebed</i>	29,896	29,896
<i>Undeveloped and non-greenbelt</i>	N/A	11,815
<i>Total Acreage:</i>	67,319	

Source: Weber County GeoGizmo and Weber County Assessor’s Office. Table excludes Uintah Highlands and unincorporated islands.

TABLE X: UNINCORPORATED WESTERN WEBER COUNTY LAND USE ACREAGE CHANGES, 2002-2022.

	<i>Actual Acreage Used (2002)</i>	<i>Actual Acreage Used (2022)</i>	<i>20-Year Percent Change</i>
<i>Agriculture</i>	28,493	19,497	-31%
<i>Residential</i>	2,839	4,693	65%
<i>Commercial</i>	3	6	100%
<i>Manufacturing</i>	1337	1,412	6%
<i>Shoreline/Lakebed</i>	29,896	29,896	0%

Source: 2003 West Central Weber County General Plan and Weber County Assessor’s Office. Table excludes Uintah Highlands and unincorporated islands

Agricultural land uses

Agricultural land uses have been rapidly declining over the past two decades. According to the 2003 West Central Weber County General Plan, in 2002 there were approximately 28,116 acres of agricultural uses in the contiguous unincorporated area west of the Wasatch Front. According to data retrieved from the Weber County Assessor’s Office, current agricultural land uses equal approximately 19,497 acres. This amounts to a total loss of 8,619 agricultural acres in two decades, which is approximately 30.5 percent of the total agricultural acreage that existed in 2002. Part of the loss of agricultural acreage can be attributed to the annexation of land into adjacent cities, and another part can be attributed to the conversion of agricultural land to residential lots.

A challenge for the viability of agriculture in the area is that as many of the legacy farming families propagate, the legacy farm is divided amongst heirs. Each division makes each resulting parcel smaller, leading to less contiguous agricultural acreage. Without sufficient contiguous agricultural acreage, the local farm industry does not have the same economy of scale needed to compete with big-agriculture. In turn, in order to make ends meet many larger landowners supplement their farm income by dividing and selling parts of their lands. As the legacy farms are divided and dispersed, even those in the area who are still able to profit from farming are faced with the challenge

of making their agricultural operations coexist in harmony with newly emerging residential subdivisions. An agricultural economy of scale needed to compete with big-agriculture requires scaled-up operations and equipment that can inadvertently slip an agricultural use into a community impact more akin to industrial operations. While the agricultural heritage of the community should be preserved, current trends will result in the waning of agricultural operations in Weber County.

There are methods to support the longevity of agricultural uses in the area. First and foremost, areas that are suitable for long-term agricultural operations and sufficiently buffered from residential encroachment should be identified. Second, a program that enables the residential land rights to be moved or retired from the agricultural land in exchange for reasonable landowner compensation should be established. This will enable a landowner to supplement farm income without giving up land. To compensate the land owner for the reduction of the development rights there are several revenue generating options available. A locally run nonprofit land trust could be formed to raise funds for the purchase of development rights; the county could require developers to purchase a percentage of their development rights from a willing seller; or, if supported by residents, the county or another local governing entity (like a municipality or the parks district) could impose an open space tax for the purpose of compensating the retirement of development rights.

Another method of support is the clustering of lots in exchange for preservation and conservation of meaningful agricultural open spaces. This is what the County’s current cluster subdivision ordinance is intended to do; however, the ordinance is resulting in parcels that are still too small to reasonably farm, and, by the very nature of the development, exasperating the problem by packing housing in close proximity to what may otherwise be viable agricultural operations. It seems in order for the cluster subdivision ordinance to support agricultural uses, a greater amount of land should be required to be preserved for agriculture – perhaps even in an area that is removed from the residential component of the development.

Residential land uses

The West Central Weber County General estimated 1,318 dwelling units in 2002. County Assessor data shows that increased by 30 percent in the past two decades to 1,719. Additionally, there are more than 200 vacant residential lots on record, most of which have been recorded within the past five years. Some of the vacant lots are ready to be built on, others are still in some stage of subdivision development and will be available to build on soon.

TABLE X: UNINCORPORATED WESTERN WEBER RESIDENTIAL UNIT CHANGE, 2002-2022.

	2002 Count	2022 Count	20-Year Percent Change
Dwelling Units	1,318	1,719	30%

Source: 2003 West Central Weber County General Plan and Weber County Assessor’s Office. Table excludes Uintah Highlands and unincorporated islands

Large-sized residential lots. The majority of the 4,693 acres held in residential land uses are large-sized residential lots of half-acre or greater. In the areas west of the urbanized Wasatch Front, most of these are at least one acre in area, while in the Uintah Highlands most of the large-sized lots are half-acre or greater. These lots have their place in the Western Weber Planning Area, however, the expense they generate to the County in terms of service expenditures compared to tax revenue is significantly disproportionate considering other land use types. Currently, in order to provide the level of services that the County provides in the Western Weber Planning Area, the cost of those services have to be supplemented by taxpayers living elsewhere. For the community to be financially sustainable and independent, considering the growing support for incorporation amongst land owners in the area, this land use type must be offset with revenue-generating land uses. While smaller single-family residential lots still yield a net negative tax-base generally, the concentration of dwelling units in proximity to transportation corridors creates a market-base for the provision of commercial services. In turn, the retail and property taxes from these commercial services provide the necessary funding to cover the cost for services to residents. The County should be cautious and thoughtful about where large-sized residential lots are located in relation to other

land uses and market forces. The future land use map shows that this lot size is to be preserved as-is in the Uintah Highlands. In the area west of the Urbanized Wasatch Front, the land use map does not directly anticipate lots of this size, however, the current one-acre zoning will prevail unless or until land is rezoned.

Medium-sized residential lots. When reviewing the future land use map, the biggest proposed land acreage change is in the area west of the urbanized Wasatch Front. Most of the area is proposed to become medium-sized residential. Rezoning property to this zone is not intended to be a by-right

Mixed use residential and the “missing middle.”

Master planned development.

Clustered Development. The current version of the cluster subdivision code was adopted in 2017. Only two subdivisions have been approved in Western Weber under this development pattern, both meeting stiff resistance from neighbors and decision-makers due to the resulting small lot sizes. However, both subdivisions have been successful at providing significant agricultural open space contributions -- which is what the leading legislative goal was when this version of the cluster code was adopted. Both subdivisions have farmers who will farm the land.

It appears now that public perception has shifted. Rather than focusing on retaining farmland, the desires fleshed out during the public process of this plan is to preserve large useable recreation spaces alongside new residential lots, and not focus on the preservation of agricultural uses in residential areas.

Flag lots. The county’s current ordinances do not allow flag lots that are less than three acres. As the area develops, finding ways to fill in the larger parcels in the interior of residential blocks will prove challenging. Many of these areas will remain as a result of building placement under the one-acre development ordinances. Many existing one-acre residential lots were not planned with future resubdivision possibilities in mind. As landowners become desirous to resubdivide under small lot-area requirements, many will have sufficient acreage but lack the frontage and access requirements of current development rules. Flag lot standards should be reduced to address this concern.

Density averaging... Provide a variety of housing options through lot-averaging or density-averaging.

Uintah Highlands:

One notion fleshed out of the public involvement process in the Uintah Highlands is that if new single-family residential housing is separated similar to existing development, then even if the lot areas are reduced in some locations the appearance of the neighborhoods will generally remain the same when viewed from the public street. The effect of doing this will result in the creation of shallower lots of the same or substantially similar width. The market is already showing support for lots that are wider than they are deep. Homebuilders are finding that homes that occupy more street frontage tend to be more popular. This is likely because they appear larger from the street than a narrower home of the same area. For example, under the current 40,000 square-foot minimum lot standard of the A-1 zone the minimum lot width is 150 feet. This produces a lot that is approximately 290 feet deep, or nearly twice the width of the lot. If the minimum lot area is reduced to 20,000 square feet and maintains a minimum of 150 feet of width, this would produce a lot that is approximately 133 feet deep. Using the standard front and rear setback of 30 feet and the standard side setback of 10 feet, a flat lot with no other encumbrances can provide a buildable area of 130 feet wide and 73 feet deep. This yields approximately 9,490 square feet of buildable area. This is more than sufficient for a wide variety of single-family housing styles.

Mixed use commercial and residential land uses

Commercial land uses

Vehicle oriented commercial

Heavy commercial

Business or Tech Park land uses

Industrial land uses

[buffer other land uses]

Open space land uses

[explain wetlands issues and wetland banking. Need to create a location for wetland banking.]

Goals, Principles & Implementation Actions

Land Use Goal 1, Residential: As residential growth occurs, a goal of Weber County is to ensure it is deliberately and thoughtfully planned in patterns that support efficient organization of infrastructure and services, provide for a variety of housing options and familial situations and, in tandem with **Transportation Goal 1**, is implemented in a manner in which infrastructure keeps pace with growth rather than stimulating leap-frog development patterns.

Land Use Principle 1.1, Residential: Areas planned for agricultural land uses should be lands that are far removed from sewer infrastructure, but are prime for agricultural pursuits.

Land Use Action Item 1.1.1, Residential: In areas planned for agriculture, the county should strive encourage a lot or parcel to be no less than **two** acres.

Land Use Action Item 1.1.2, Residential: Larger lots or parcels should be encouraged by creating a transferable or purchasable development right overlay ordinance and applying it to land that is prime for agricultural crop production.

Land Use Principle 1.2, Residential: Areas planned for large residential lots should be the areas that are on the general periphery of sewer services but too far removed at the time of their development to justify extending sewer to the lot(s).

Land Use Action Item 1.2.1, Residential: In areas planned for large lots, a lot that is less than 20,000 square feet in area should not be allowed.

Land Use Principle 1.3, Residential: Areas planned for medium-sized residential lots should be the areas that have access to sewer services or, with installation of sewer infrastructure at the sole expense of the developer, can be given access to sewer services.

Land Use Action Item 1.3.1, Residential: In areas planned for medium-sized lots, the County should consider rezoning property to allow 15,000 square-foot lots. Generally, this coincides with the RE-15 zone. A rezone of this nature should only be allowed if smart-growth implementation strategies are volunteered by the developer, as provided in **Land Use Principle 2.6.2**.

Land Use Action Item 1.3.2, Residential: Smaller lot sizes, as small as ¼ acre on average, in areas planned for medium-sized lots could be allowed for master planned communities, lot averaged subdivisions, connectivity incentivized subdivisions, cluster or conservation subdivisions, and other developments that propose to implement exemplary smart-growth principles, as provided in Land Use Action Item.

Land Use Action Item 1.3.3, Residential: In the Uintah Highlands, if located along a major neighborhood or minor collector street, lot width requirements should be at least 100 feet to cut down on street access.

Land Use Principle 1.4, Residential: In areas planned for mixed-use residential, as illustrated on the Future Land Use Map, a variety of housing types and lot designs should be allowed.

Land Use Action Item 1.4.1, Residential: Create a mixed-use residential zone, or similar development regulatory tool such as a form-based code, that allows a wide variety of housing options. A variety of housing options can be created by substantially reducing lot development standards. Allow more than one residential unit per lot, and allow zero or very low side-yard setbacks, and increase building height allowances. Establish building height allowances that are sensitive to the surrounding existing and future planned land use and development.

Land Use Action Item 1.4.2, Residential: With the creation of the mixed-use residential zone or similar, create building design standards that will support context appropriate scale and help avoid unsightly appearing mobile-home or tiny-home developments. Ensure shear-wall massing, and vertical and horizontal planes or lines are broken at certain intervals to avoid buildings that appear uninteresting. Continue to support a minimum width requirement for a single-family dwelling.

Land Use Action Item 1.4.3, Residential: Create a development tool such as or similar to a planned unit development that will enable administrative approval of a wide variety of housing types, styles, and options.

Land Use Principle 1.5, Residential: Smart-growth principles should be implemented prior to or in tandem with rezones being approved. The County should not entitle new growth without the overarching guidance of smart-growth principles.

Land Use Action Item 1.5.1, Residential: Amend the subdivision ordinance to create a basic smart-growth implementation policy prior to making significant changes to the zoning map.

Land Use Action Item 1.5.2, Residential: A rezone that will yield twice as many residential housing units, or a rezone that will result in commercial or manufacturing zoning, should only be considered with a concept plan that demonstrates smart-growth principles. A rezone that is based on a concept plan should be implemented with a zoning development agreement that reverts the zone to the prior zone if the development does not come to fruition within a specified period of time.

Land Use Action Item 1.5.3, Residential: Street infrastructure should be implemented on a human scale. See Transportation Action Item y.x.x for more information.

Land Use Action Item 1.5.4, Residential: Additional density allowances should be considered for implementation of exemplary smart growth development principles. Exemplary smart growth should include provisions for a wide variety of housing options, use of lot-averaging to create smaller lots/housing that respond to needed moderate income housing, strong trail network with excellent trail connectivity, strong street connectivity and neighborhood connections, and large

areas of open space with parks, recreation, farmland, etc., and the fostering of attractive communities that create a distinctive sense of place.

Land Use Action Item 1.5.5, Residential: Amend the cluster subdivision code to require no less than 50 percent open space. Require that the open space be developed as a public park and offered to the park district or other jurisdictional agency for operations and maintenance. If no park is desirable or acceptable at this time, then allow the open space to be either owned and operated by the subdivision's homeowner's association, or held privately as agricultural conservation land. If owned as agricultural conservation land, require a larger amount of minimum acreage to be held as contiguous agricultural open space, and encourage third-party conservation easement ownership. Consider allowing greater residential lot or unit bonuses for a cluster subdivision that preserves at least 20 acres of agriculturally viable open space. Amend the code to also ensure that "agriculturally viable" also includes at least the minimum amount of water needed to ensure the land does not create fugitive dust.

Land Use Action Item 1.5.6, Residential: To encourage a variety of housing options, lot-averaging requirements should be amended to allow lots that are no less than 50 percent of the minimum lot area and width allowed in the development, provided the total averages the same density otherwise allowed.

Land Use Action Item 1.5.7, Residential: Reduce the county's flag lot standards to be no less than twice the area otherwise required for a lot in the development. Area of a flag lot should not be counted toward lot averaging.

Land Use Principle 1.6, Residential: Buffer uses that are dissimilar or will be disharmonious adjacent to each other.

Land Use Action Item 1.6.1, Residential: As provided on the Future Land Use Map, provide land use buffers between dissimilar uses. Commercial areas should be buffered from single-family residential areas with mixed-use residential. Heavier commercial or manufacturing uses should be buffered from residential uses with uses that gradually increase in intensity.

Land Use Goal 2, Commercial: As growth occurs, the Weber County will ensure that sufficient commercial opportunities are available to keep pace with market demands. Weber County will provide locations in the Western Weber Unincorporated areas for commercial ventures that will help provide for the "work" and "play" needs of the area's residents.

Land Use Principle 2.1, Commercial: Steer commercial land uses to the walkable village areas before considering commercial zoning outside the villages.

Land Use Action Item 2.1.1, Commercial: Except for compelling public interests otherwise, do not undermine the creation of walkable villages by allocating commercial zoning outside of the walkable village areas ahead of market-demands.

Land Use Principle 2.2, Commercial: In areas planned for mixed-use commercial, provide zoning or other regulatory tools that enable the creation of a community village that offers a wide variety of multi-family housing and commercial opportunities, and is focuses on attractive building, site, and street design more than land uses.

Land Use Action Item 2.2.1, Commercial: Enable the creation of a mixed-use commercial regulatory tool in areas generally depicted in the Future Land Use Map. Consider using a form-based code to help shape the general appearance of buildings and provide appropriate street

design requirements. Explore the form and function of each area during the small area planning specified in **Community Character Action Item 2.1.1**.

Land Use Action Item 2.2.2, Commercial: Ensure that residential development does not overwhelm or undermine future street-level commercial opportunities. Consider building setbacks for residential buildings that preserve street frontage for future street-level commercial buildings and uses.

Land Use Principle, 2.4, Commercial: In areas planned for vehicle-oriented commercial land uses, provide zoning or other regulatory tools that enable the creation of vehicle-oriented commercial opportunities.

Land Use Action Item 2.4.1, Commercial: Enable the creation of vehicle-oriented commercial land uses in areas generally depicted in the **Future Land Use Map**. In concert with mixed-use commercial **Land Use Action Item X.X.X**, consider using a form-based code to help shape the general appearance of buildings and provide appropriate street design requirements. Explore the form and function of each area during the small area planning specified in **Community Character Action Item 2.1.1**.

Land Use Principle, 2.5, Commercial: In areas planned for heavy commercial land uses, rezone properties to a commercial zone that supports the heaviest types of commerce in the industry. Heavy commercial may include retail operations, but it is also intended to provide a transitional zone between vehicle oriented commercial uses and light manufacturing uses. Most heavy commercial is not a good fit to be located in close proximity to mixed use or multi-family housing.

Land Use Action Item 2.5.1, Commercial: Rezone properties depicted on the Future Land Use Map as heavy commercial to a commercial zone that supports the heaviest types of commerce in the industry.

Land Use Action Item 2.5.2, Commercial: Buffer heavy commercial from residential uses by utilizing natural or man-made features to create a hard edge between the two, or by placing a zone between them that can exist in harmony with both, such as an office or tech park, open space, or agriculture.

Land Use Goal 3, Business, Tech, and Industry: As part of the County's economic growth strategy, the County will pursue options to bring basic sector jobs to the area. In appropriate locations, Weber County will strive to attract a diversity of basic sector jobs, including tech, innovation jobs, industrial, and manufacturing jobs.

Land Use Principle 3.1, Business, Tech, and Industry: Provide reasonable locations for basic sector jobs to be located. Encourage the creation of an industrial megasite and pursue opportunities to bring in tech-oriented jobs.

Land Use Action Item 3.1.1: Enable the creation of an industrial megasite west of 8300 West. Ensure adequacy of land use separations between industrial and manufacturing uses and residential and mixed-use commercial area.

Land Use Action Item 3.1.2: Provide adequate locations for an office or tech park. As provided in Land Use Action Item X.X.X, Commercial, because of the quiet nature of an office or tech park, this use can buffer heavier commercial or industrial uses from residential area or mixed-use village areas.

Land Use Goal 4, Agriculture: Agricultural uses should be located in appropriate areas that are harmonious with adjacent land uses.

Land Use Principle 4.1: Heavy and medium intensity agricultural uses should only be allowed in areas designated for agriculture on the Future Land Use Map, or as otherwise mapped during small-area planning specified in **Community Character Action Item 2.1.1.**

Land Use Action Item 4.1.1: Encourage new agricultural pursuits to be located in areas planned for agriculture.

Land Use Action Item 4.1.2: During small area planning, as **provided in Community Character Item 2.1.1,** identify with farm-operators the lands that should be preserved for agricultural uses. In concert with **Land Use Principle 5.1,** pursue a transfer or purchase of development rights program to permanently remove the density from the farmland and transfer it into village areas or other more appropriate areas.

Land Use Principle 4.2: Light agricultural uses should be encouraged and preserved in residential areas.

Land Use Action Item 4.2.1: Encourage and support the preservation of light agricultural uses in residential areas, provided the agricultural uses are operated and maintained in a manner that is keeping with the quiet peace and enjoyment of the area. This may include hobby-farming and community gardens, but should not include agricultural uses that spray chemicals, require night-operations, or use equipment larger than is typical for a residential street.

Land Use Goal 5 (Open Space): Provide for the health, well-being, and community character by fostering the creation of preservation, conservation, and appropriate maintenance of valuable open spaces.

Land Use Principle 5.1: Open spaces are an integral component of a healthy and well-balanced community that should be encouraged and supported.

Land Use Action Item 5.1.1: Encourage the grass-roots creation of a local land trust to purchase the development rights from a landowner's property, and place a permanent and perpetual no-build easement on it.

Land Use Action Item 5.1.2: Create a transferable development rights program in which bonus densities are offered to a developer for purchasing development rights from a large landowner. create a means of prioritizing lands most critical to protect.

Land Use Action Item 5.1.3: Continue to monitor the public's support for the creation of a special assessment tax for the purpose of compensating farmers for not developing.

Land Use Principle 5.2: Provide for open space areas within residential areas as a means of breaking up development and to provide recreational opportunities and enhance visual aesthetics of a neighborhood. See also **Parks and Recreation Principle 1.3 and applicable Parks and Recreation Action Items.**

Land Use Principle 5.3: In tandem with **Parks and Recreation [Goal/principle X],** provide a regional parks and trails system along the Weber River. See **Park and Recreation Goal X** for more information.

Land Use Principle 5.4: Natural open lands should be preserved for their natural resources and support for local wildlife.

Land Use Action Item 5.4.1: Support the use of floodplain areas as natural parks. Natural parks should remain predominantly native, but walkways, benches, interpretive signage, and other improvements that provide a public use benefit should be considered.

Land Use Action Item 5.4.2: Support the creation of a wetland preservation area in one or more of the parks to allow for wetland mitigation pursuant to Army Corps of Engineers requirements.

Land Use Action Item 5.4.3: Continue to support the preservation of the lakeshore area as open space and wildlife habitat.