

WEBER COUNTY
ORDINANCE NUMBER 2024-~~10~~-21

AN AMENDMENT TO VARIOUS SECTIONS OF THE COUNTY'S LAND USE CODE TO UPDATE THE STANDARD RESIDENTIAL ZONES AND RELATED PROVISIONS AND STANDARDS, STREET AND PATHWAY CONNECTIVITY AND IMPROVEMENT REQUIREMENTS, AND RELATED CLERICAL AMENDMENTS.

WHEREAS, The Board of Weber County Commissioners has heretofore adopted land use regulations that govern the uses and development of land in unincorporated Weber County; and

WHEREAS, The Western Weber General Plan recommends development patterns and outcomes that the County's current land use regulations are not likely to optimally provide; and

WHEREAS, The Board of Weber County Commissioners desire to implement land use and development regulations and guidance that will help achieve the goals and objectives of the new Western Weber General Plan; and

WHEREAS, on September 17, 2024, the Western Weber Planning Commission, after appropriate notice, held a public hearing to consider public comments regarding the proposed amendments to the Weber County Land Use Code and offered a positive recommendation to the Board of Weber County Commissioners for the proposed amendments; and

WHEREAS, on November 5, 2024, the Board of Weber County Commissioners, after appropriate notice, held a public hearing to consider public comments on the same; and

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

WHEREAS, the Board of Weber County 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

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TITLE 101 General Provisions

...

Chapter 101-2 Definitions

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Sec 101-2-5 D Definitions

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Dwelling. The term "dwelling" means a building or portion thereof, which is constructed in compliance with the county's adopted building codes and designed as a place for human habitation. This does not include a hotel or hotel room, condominium rental apartment (condo-tel), boardinghouse, lodging house, tourist court or apartment court.

Dwelling, four-family. The term "four-family dwelling," also referred to as a "quadplex," means a building arranged or designed to contain only four dwelling units with approximately the same floor area, and occupying one lot or parcel.

Dwelling, group. The term "group dwelling" means two or more dwellings arranged around a court.

Dwelling, multiple-family (multi-family). The term "multiple-family dwelling," also referred to as a "multi-family dwelling," means a building or portion thereof arranged or designed to contain more than four dwelling units, including an apartment building and condominium building.

Dwelling, primary. The term "primary dwelling" means a single-family dwelling comprising a single building, not attached to other buildings, and is the building designed to be the main dwelling on the lot. Typically, the main dwelling is in the building that is most visually prominent when viewed from the front lot line.

Dwelling, single-family. The term "single-family dwelling," [also referred to as "single-family detached dwelling."](#) means a building or portion thereof arranged or designed to exclusively contain only one dwelling unit, unless specified otherwise by this Land Use Code, and occupying one lot or parcel.

Dwelling, single-family attached. The term "single-family attached dwelling" means a building containing two or more dwelling units attached by a common wall or walls, where each dwelling unit is located on a separate lot. This is traditionally known as a townhome or townhouse.

[Dwelling, single-family detached. See "single-family dwelling."](#)

Dwelling, three-family. The term "three-family dwelling," also referred to as a "triplex," means a building arranged or designed to contain only three dwelling units with approximately the same floor area, and occupying one lot or parcel.

Dwelling, two-family. The term "two-family dwelling" also referred to as a "duplex," means a building arranged or designed to contain only two dwelling units with approximately the same floor area, and occupying one lot or parcel.

Dwelling unit. The term "dwelling unit" means any building or portion thereof that contains living facilities, including provisions for sleeping, eating, cooking and sanitation, for not more than one family.

Dwelling unit, accessory. The term "accessory dwelling unit," also referred to as an "ADU," means a dwelling unit, as defined by this chapter, that is incidental and accessory to a main use of a lot or parcel, as may be allowed in this Land Use Code.

Dwelling unit, condominium. See "condominium dwelling unit."

Dwelling unit, detached accessory. The phrase "detached accessory dwelling unit" means an accessory dwelling unit that is located in an accessory building.

Dwelling unit, internal accessory. The phrase "internal accessory dwelling unit" means an accessory dwelling unit that is created within the footprint of a primary dwelling unit for the purpose of offering a long-term rental.

Dwelling unit, owner occupied. The phrase "owner occupied dwelling unit" means a dwelling unit that is occupied by the owner of record for a minimum of seven months of the calendar year, except that temporary leave for religious, military, or other legitimate purposes does not disqualify owner occupancy. A primary dwelling, as designated by the County Assessor, qualifies as an owner occupied dwelling unit, unless clear evidence exists to the contrary.

Dwelling unit, townhome. See "single-family attached dwelling."

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TITLE 104 ZONES

Chapter 104-1 In General

Sec 104-1-1 Establishment Of Zones

For the purpose of this title, the Territory of Weber County to which this title applies is divided into classes of zones as follows:

ZONE DISTRICT	ZONE CATEGORY	ZONE NAME	
Gravel Zone	Gravel	G	
Agricultural Zones	Agricultural		A-1
		A	A-2
			A-3
	Agricultural Valley	AV	AV-3
Forest Zones	Forest		F-5
		F	F-10
			F-40
	Forest Valley	FV	FV-3
Shoreline Zone	Shoreline	S	S-1
Residential Zones	Residential Estates		RE-15
		RE	RE-20
	Single-Family		R1-15
		R1	R1-12
			R1-10

	Two-Family	R2	R1-5 R2
	Multi-Family	R3	R3-A R3-S
	Forest Single-Family	FR	FR-1
	Forest Multi-Family		FR-3
	Mobile/Manufactured Home Park	RMH	RMHP
	Manufactured Home		RMH-1-6
Commercial Zones	Neighborhood Commercial		C-1
	Community Commercial	C	C-2
	Regional Commercial		C-3
	Neighborhood Commercial Valley	CV	CV-1
	Community Commercial Valley		CV-2
Manufacturing Zones	Manufacturing and Technology		M-T
	Light Manufacturing	M	M-1
	Medium Manufacturing		M-2
	Heavy Manufacturing		M-3
	Valley Manufacturing	MV	MV-1
Form-Based Zone	Form-Based		FB
Open Space Zone	Open Space		O-1
Master Planned Development Overlay Zone	Master Planned Development		MPDOZ
Ogden Valley Sensitive Lands Overlay Zone	Sensitive Lands		SLOZ
Recreation Resort Zones	Commercial Valley Resort Recreation		CVR-1

	Ogden Valley Destination and Recreation Resort	DRR-1
Large Solar Energy System Overlay Zone	Solar Energy	SOZ

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Chapter 104-12 Residential Zones R1, R2, and R3

Sec 104-12-1 Purpose And Intent

- (a) The purpose of the R1 zone is to provide regulated areas for Single-Family Dwelling uses at ~~three-four~~ different low-~~to-medium~~- density levels. The R1 zone includes the R1-15, R1-12, ~~and R1-10, and R1-5~~ zones. Any R-1-12 and R-1-10 zones shown on the zoning map or elsewhere in the Land Use Code are ~~synonymous-with~~[references to](#) the R1-12 and R1-10 zones, respectively.
- (b) The purpose of the R2 Zone classification is to accommodate a need for moderate density residential districts incorporating both Single-Family Dwellings and Two-Family Dwellings. Any R-2 zone shown on the zoning map or elsewhere in the Land Use Code is ~~synonymous-with~~ [a reference to](#) the R2 zone.
- (c) The purpose of the R3 Zone classification is to provide residential areas that will accommodate the development of [a wide variety of](#) dwelling types, [ranging](#) from Single-Family Dwellings through Multiple-Family Dwellings with their associated necessary public services and activities. [The R3 zone includes the R3-A and R3-S zones. The "A" in R3-A stands for attached and generally allows all types of residential dwellings except stacked residences. The "S" in R3-S stands for stacked and generally allows all types of residential dwellings, including stacked, but excluding single-family detached. It.](#) The [R3 zone](#) is also to provide an orderly transition from less intensive, lower density uses to more intensive, higher density uses. Any R-3 zone shown on the zoning map or elsewhere in the Land Use Code is ~~synonymous-with~~ [a reference to](#) the R3 zone.

Sec 104-12-2 (Reserved)

83 **Sec 104-12-3 Land Use Table**

84 The following tables display the uses permitted, conditionally permitted, or not permitted in these Residential Zones. The letter "P" indicates a permitted use
 85 in the zone. The letter "C" indicates a use that requires a conditional use permit, as governed by Title 108, Chapter 4, in the zone. The letter "N" indicates a
 86 use that is prohibited in the zone. A use listed is a main use, unless specifically listed as an accessory use.

87 (a) **Accessory uses.** An accessory use is prohibited unless located on the same Lot or Parcel as the main use to which it is accessory.

	R1				R2	R3		SPECIAL REGULATIONS
ACCESSORY USES	R1-15	R1-12	R1-10	R1-5		R3-A	R3-S	
Accessory building , when accessory and incidental to the use of a main building and when not otherwise specified in this table.	P	P	P	P	P	P	P	
Accessory Dwelling Unit.	P	P	P	P	P	P	N	See Title 108, Chapter 19. This use is only allowed when accessory to one Single-Family Dwelling per Lot.
Accessory use , when accessory and incidental to a permitted or conditional use and when not otherwise specified in this table.	P	P	P	P	P	P	P	
Accessory uses for a cemetery , including but not limited to a mortuary, crematory, staff housing, service shop and chapel.	N	N	N	N	P	P	P	
Home occupation , when accessory to a residential use.	P	P	P	P	P	P	P	See Title 108, Chapter 13.
Household pets , when accessory to a residential use.	P	P	P	P	P	P	P	

Main building, which is accessory to, and designed or used to accommodate, a main use.

P P P P P P P

Parking lot, when accessory to a main use allowed in the zone.

P P P P P P P

Temporary building or use, accessory and incidental to onsite construction work typical for the area.

P P P P P P P

The building or use shall be removed upon completion or abandonment of the construction work.

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89 (b) **Agricultural uses, non-animal**

	R1				R2	R3		SPECIAL REGULATIONS
AGRICULTURAL USES, NON-ANIMAL	R1-15	R1-12	R1-10	<u>R1-5</u>		<u>R3-A</u>	<u>R3-S</u>	
Agriculture, limited.	P	P	P	<u>P</u>	P	P	<u>P</u>	Limited to noncommercial crop production in private or community gardens no greater than one acre.

90

91 (c) **(Reserved)**

92 (d) **Commercial uses.** The following are uses that typically generate customer-oriented traffic to the Lot or Parcel.

	R1				R2	R3		SPECIAL REGULATIONS
COMMERCIAL USES	R1-15	R1-12	R1-10	<u>R1-5</u>		<u>R3-A</u>	<u>R3-S</u>	
Child day care.	C	C	C	<u>C</u>	C	C	<u>C</u>	

93 (e) *Institutional or governmental uses.*

	R1				R2	R3		SPECIAL REGULATIONS
INSTITUTIONAL OR GOVERNMENTAL USES	R1-15	R1-12	R1-10	<u>R1-5</u>		<u>R3-A</u>	<u>R3-S</u>	
Cemetery.	P	P	P	<u>P</u>	P	P	<u>P</u>	At least half an acre devoted to the cemetery shall be provided.
Church, synagogue, or similar building used for regular religious worship.	P	P	P	<u>P</u>	P	P	<u>P</u>	
Convalescent or rest home.	N	N	N	<u>N</u>	P	P	<u>P</u>	
Private park, playground or recreation area. Fees collected, if any, shall be devoted to operations and maintenance of the park. No commercial venture allowed.	C	C	C	<u>C</u>	C	C	<u>C</u>	A private park and related infrastructure approved as part of a subdivision or development agreement shall be a permitted use provided compliance with the standards of Title 108, Chapter 4.
Public building. A building used by a governmental agency, or a nonprofit entity that provides typical governmental or government-sponsored functions.	P	P	P	<u>P</u>	P	P	<u>P</u>	
Public park, recreation grounds and associated buildings.	P	P	P	<u>P</u>	P	P	<u>P</u>	
Public school, or private educational institution having a curriculum similar to that ordinarily given in public schools.	P	P	P	<u>P</u>	P	P	<u>P</u>	

94 (f) *Residential uses.*

RESIDENTIAL USES	R1				R2	R3		SPECIAL REGULATIONS
	R1-15	R1-12	R1-10	R1-5		R3-A	R3-S	
<i>Dwelling, Group.</i> A group dwelling, as defined by Title 101, Chapter 2.	N	N	N	N	P	P	P	See Section 108-7-11. No more than 24 Dwelling units allowed per Lot.
<i>Dwelling, Single-Family.</i> A Single-Family Dwelling, as defined by Title 101, Chapter 2.	P	P	P	P	P	P	N	
<i>Dwelling, Single-Family Attached.</i> A Single-Family Attached Dwelling, as defined by Title 101, Chapter 2.	N	N	N	N	P	P	P	In the R2 zone, no more than two dwelling units allowed per Lot.
<i>Dwelling, Two-Family.</i> A Two-Family Dwelling, as defined by Title 101, Chapter 2.	N	N	N	N	P	P	P	See Section 104-12-4
<i>Dwelling, Three-Family.</i> A Three-Family Dwelling, as defined by Title 101, Chapter 2.	N	N	N	N	N	P	P	See Section 104-12-4
<i>Dwelling, Four-Family.</i> A Four-Family Dwelling, as defined by Title 101, Chapter 2.	N	N	N	N	N	P	P	See Section 104-12-4
<i>Dwelling, Multi-Family.</i> A Multi-Family Dwelling, as defined by Title 101, Chapter 2.	N	N	N	N	N	P	P	See Section 104-12-4
<i>Residential facility for elderly persons.</i>	P	P	P	P	P	P	P	See Section 108-7-15.
<i>Residential facility for handicapped persons.</i>	P	P	P	P	P	P	P	See Section 108-7-13.
<i>Residential facility for troubled youth.</i>	P	P	P	P	P	P	P	See Section 108-7-14.
<i>Short-term rental.</i> A short-term rental.	N	N	N	N	N	N	N	See Section 108-7-11.

95

96 (g) **Utility uses.**

UTILITY USES	R1				R2	R3		SPECIAL REGULATIONS
	R1-15	R1-12	R1-10	R1-5		R3-A	R3-S	
Public utility substations.	C	C	C	C	C	C	C	See Section 108-10-2.
Water storage reservoir , when developed by a utility service provider.	C	C	C	C	C	C	C	See Title 108, Chapter 10.

97

98 **Sec 104-12-4 (Reserved) Special Regulations**

99 The uses listed below correspond with certain uses listed in the Land Use Table in Section 104-12-3. Due to the nature of the use, each shall be further
 100 regulated as follows:

101 (a) **Dwelling unit design standards.** All Dwellings except for a Single Family Detached Dwelling shall be designed in accordance with the following minimum
 102 design standards:

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

104 (2) **Building massing.** The wall massing of building facades shall be broken at least every 30 feet with no less than a six inch shift in the plane of
 105 adjacent walls.

106 (3) **Building material.** Each building facade that faces the street shall consist of brick, stone, or wood, or a faux material, such as fiber cement, that is
 107 hard for the Land Use Authority to distinguish from real brick, stone, or wood. Metal may be used for accent material covering less than 25 percent
 108 of any facade, excluding area for window and door openings. At least one of the building materials used on the building facade shall also be used on
 109 all other sides of the building.

110 (4) **Colors.** At least two muted earth-tone colors generally visible from the site are required.

111 (5) **Repetitious building facades.** When multiple Dwelling Units with substantially similar floor plans will be located on the same Street Block, whether
 112 mirrored or not, no less than seven unique Dwelling Unit facade patterns that use unique architectural design features and materials shall be used
 113 and distributed in a manner that avoids the obvious repetition of the same pattern, whether mirrored or not, within visual proximity of another. This
 114 provision shall not apply to a stacked Multi-Family Dwelling or to any Dwelling Unit within a building that has one common street-facing front entrance
 115 and a street-facing facade that gives the visual appearance of a Single-Family Dwelling.

116 (b) **Temporary building or use.** The building or use shall be removed upon completion or abandonment of the construction work.

117

118 **Sec 104-12-5 Site Development Standards**

119 The following site development standards apply to the Residential Zones R1, R2, and R3, unless specified otherwise in this Land Use Code

120 **(a) Allowed density:**

	<u>R1</u>				<u>R2</u>	<u>R3</u>		<u>SPECIAL REGULATIONS</u>
<u>ALLOWED DWELLING UNIT DENSITY</u>	<u>R1-15</u>	<u>R1-12</u>	<u>R1-10</u>	<u>R1-5</u>		<u>R3-A</u>	<u>R3-S</u>	
<u>Total allowed units.</u> The total number of dwelling units allowed in any given area shall be no more than the gross area divided by:	<u>15,000</u> <u>square</u> <u>feet</u>	<u>12,000</u> <u>square</u> <u>feet</u>	<u>10,000</u> <u>square</u> <u>feet</u>	<u>5,000</u> <u>square</u> <u>feet</u>	<u>4,000</u> <u>square</u> <u>feet</u>	<u>3,000</u> <u>square</u> <u>feet</u>	<u>1,800</u> <u>square</u> <u>feet</u>	
<u>Maximum allowed units per acre.</u> Maximum allowed dwelling units per acre:	<u>2.90</u>	<u>3.63</u>	<u>4.36</u>	<u>8.71</u>	<u>10.9</u>	<u>14.5</u>	<u>24.2</u>	<u>Accessory dwelling units in compliance with Title 108 Chapter 19 shall not be included in the maximum allowed units per acre.</u>

121

122 (a)(b) Lot area:

LOT AREA	R1				R2	R3		SPECIAL REGULATIONS
	R1-15	R1-12	R1-10	R1-5		R3-A	R3-S	
Minimum Lot area, Single-Family Dwelling. The minimum Lot area for a Single-Family Dwelling shall be:	15,000-square feet	12,000-square feet	10,000-square feet		6,000-square feet	3,000-square feet		See alternative Lot area allowances elsewhere in this Land Use Code for cluster subdivisions, lot-averaged subdivisions, and connectivity-incentivized subdivisions
Minimum Lot area, non-Single-Family Dwelling. The minimum Lot area for all Dwelling s other than a Single-Family Dwelling:	NA	NA	NA		9,000-square feet	8,000-square feet		A development with multiple Dwellings per Lot shall provide the minimum Lot area per building. An additional 2,000-square feet of Lot area is required for each Dwelling Unit in excess of two per building.
<u>Dwelling:</u> The minimum Lot Area for a Dwelling:	<u>6,000 square feet</u>	<u>5,000 square feet</u>	<u>4,000 square feet</u>	<u>2,500 square feet</u>	<u>2,500 square feet</u>	<u>No minimum</u>		<u>See Note 1.</u> <u>If a flag lot, see Section 106-4-4.010 for alternative development standards.</u>
<u>Public utility substation:</u>								<u>See Section 108-10-2 for public utility substation site development standards.</u>
Other main building or use. The minimum Lot Area for a main building <u>or use</u> other than a Dwelling:	15,000 square feet	12,000 square feet	10,000 square feet	<u>9,000 square feet</u>	9,000 square feet	8,000 square feet		

123 ¹ This minimum lot area notwithstanding, at no time shall any subdivision or other development project have a Dwelling Unit density greater than specified in
124 Subsection (a) of this Section. After a subdivision or development project has received final approval under these standards, all excess Dwelling Unit density
125 not included in the approval shall be forfeited unless the density in the entire original project area is reconsidered for compliance with density regulations
126 specified in Subsection (a) and all owners within the area consent to the reconsideration. Accessory dwelling units in compliance with Title 108 Chapter 19
127 shall not be included in the maximum allowed units per acre.

128

129 (b)(c) Lot ~~w~~Width and Lot Frontage:

		R1				R2	R3		SPECIAL REGULATIONS
<u>MINIMUM LOT WIDTH AND LOT FRONTAGE</u>		R1-15	R1-12	R1-10	<u>R1-5</u>		<u>R3-A</u>	<u>R3-S</u>	
Minimum Lot width:		80	70	60		50	50		Unless located at least 30 feet behind the front most part of the Dwelling, one or more front-facing garage door(s) shall have a cumulative width no greater than 18 percent of the width of the Lot.
<u>Dwelling:</u>	<u>Lot Width:</u> The minimum Lot Width for a Dwelling:	<u>60 feet</u>	<u>50 feet</u>	<u>40 feet</u>	<u>40 feet</u>	<u>30 feet</u>	<u>No minimum</u>		
	<u>Lot Frontage:</u> The minimum Lot Frontage for a Dwelling:	The minimum Lot Frontage shall be the same as the minimum Lot Width, except if the Lot Frontage is on the outside curve of a street right-of-way the minimum Lot Frontage shall be reduced by one-third.							If a flag lot, see Section 106-4-4.010 for alternative development standards.
<u>Other main building or use.</u> The minimum Lot Width and Street Frontage for a main building or use other than a Dwelling:		<u>100 feet</u>	<u>90 feet</u>	<u>80 feet</u>	<u>70 feet</u>	<u>60 feet</u>	<u>50 feet</u>		
<u>Public utility substation:</u>									See Section 108-10-2 for public utility substation site development standards.

130

131 (e)(d) Yard setbacks:132 (1) Front ~~y~~Yard ~~s~~Setback:

R1	R2	R3	SPECIAL REGULATIONS
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FRONT YARD SETBACK	R1-15	R1-12	R1-10	R1-5		R3-A	R3-S
<p>Minimum for Single-, Two-, Three-, and Four-Family Dwelling:</p> <p><u>Dwelling:</u> The minimum Front Yard Setback for a Dwelling:</p> <p><u>Garage door facing a public street:</u> The minimum Front Yard Setback for a public street-facing garage door or doors with a cumulative width that is:</p> <p><u>30 percent of the Lot Width or greater:</u></p> <p><u>less than 30 percent of the Lot Width:</u></p> <p>Minimum for Multi-Family Dwelling:</p>	<p>20 feet, except 15 feet if the Lot's only vehicle access is over a side or rear Lot Line adjacent to an Alley⁴.</p> <p>15 feet</p> <p>30 feet</p> <p>N/A</p>	<p>15 feet</p> <p>30 feet</p> <p>N/A</p>	<p>15 feet</p> <p>20 feet</p>	<p>15 feet</p> <p>25 feet</p> <p>30 feet</p>	<p>12 feet</p> <p>20 feet</p>	<p>10 feet</p> <p>20 feet</p> <p>45</p>	<p>No parking area, pad, or driveway within the front setback shall be less than 20 feet deep when measured from the Front Lot Line.</p> <p>In the R3-S zone, the required parking, if surface parking, shall be located on the opposite side of the building than the Public Street on which the building fronts; if a Corner Lot, the predominant Public Street shall be used.</p> <p>At no time shall the cumulative width of a public street-facing garage door or doors be greater than 50 percent of the width of the dwelling's façade when viewed from the public street.</p> <p>Parking shall be located on the opposite side of the building than the Public Street on which the building fronts; if a Corner Lot, the predominant Public Street.</p>
<p><u>Other main building:</u> The minimum Front Yard Setback for other main building:</p>				30 feet			
<p><u>Accessory building:</u> The minimum Front Yard Setback for an accessory building:</p>				30 feet			

Public utility substation:

See Section 108-10-2 for public utility substation site development standards.

~~+To qualify for the reduced setback, the Alley shall first comply with Section 106-2-2.100.~~

(2) Side yYard sSetback:

	R1				R2	R3		SPECIAL REGULATIONS
SIDE YARD SETBACK	R1-15	R1-12	R1-10	<u>R1-5</u>		<u>R3-A</u>	<u>R3-S</u>	
Minimum for Dwellings other than multi-family Dwellings:	5 feet on one side, 10 feet on the other.					5 feet		Both sides may be 5 feet if the Lot's only vehicle access is over a side or rear Lot Line adjacent to an Alley¹. No parking area, pad, or driveway shall be provided within the 15-foot front setback.
<u>Dwelling: The minimum Side Yard Setback for a Dwelling:</u>	<u>5 feet for single story; 7 feet for more than one story¹; 10 feet for an attached garage.</u>				<u>5 feet</u>	<u>No minimum</u>		<u>In the R3 zones, the minimum distance between buildings, both onsite and off, shall be 10 feet.</u>
Minimum for Multi-Family Dwelling:	N/A				NA	8 feet ²		Parking shall be located on the opposite side of the building than the Public Street on which the building fronts; if a Corner Lot, the predominant Public Street.
Minimum for o <u>Other main building: The minimum Side Yard Setback for other main building:</u>					20 feet			

Minimum for side fronting street on Corner Lot:	15-foot	
<u>Corner Lot:</u> The minimum Side Yard Setback for a side fronting on a street:	Front Yard Setback regulations apply.	
Accessory building: The minimum Side Yard Setback for an accessory building.	Same as main building, except 1 foot if located at least 6 feet in rear of main building. ²	If an accessory building greater than 1000 square feet, see Section 108-7-16 for sSide Yard sSetback requirements.
<u>Public utility substation:</u>	No minimum	See Section 108-10-2 for public utility substation site development standards.

¹ More than one story is when any part of a second story exists behind the façade wall that faces the Side Yard, excluding area within a basement. For example, if a second story is under a gabled roof, and the gable faces the subject Side Yard, then that side of the building is more than one story, but if the gable faces the Rear Yard or Front Yard, and all of the second story on the façade that faces the subject Side Yard is above the roof's eave, then that side of the building is one story.

² No minimum Side Yard Setback is required for a detached garage that shares a common wall with a similarly proportioned and appearing garage on the adjacent lot, as long as both garages are built at the same time.

~~To qualify for the reduced setback, the Alley shall first comply with Section 106-2-2.100.~~

~~²This shall be increased to 18 feet for a side adjacent to a Lot that has an existing Single, Two, Three, or Four-Family Dwelling.~~

(3) Rear yYard sSetback:

	R1				R2	R3		SPECIAL REGULATIONS
REAR YARD SETBACK	R1-15	R1-12	R1-10	<u>R1-5</u>		<u>R3-A</u>	<u>R3-S</u>	
Minimum rear yard setback for main building:	30-foot				20-foot			

<u>Dwelling:</u> The minimum Rear Yard Setback for a Dwelling:	<u>20 feet</u>	
<u>Garage door facing Alley or Shared Private Lane:</u> The minimum Rear Yard Setback for a garage door that faces an Alley or Shared Private Lane:	<u>5 feet</u>	
<u>Other main building:</u> The minimum Rear Yard Setback for other main building:	<u>30 feet</u>	
Minimum rear yard setback for accessory building:	1 foot, except 10 feet when on a corner Lot and adjacent to the adjoining Lot's front yard.	The entrance of an Alley-facing garage, carport, or similar shall be setback from the Alley right-of-way no less than 15 feet.
<u>Accessory building:</u> The minimum Rear Yard Setback for an accessory building:	<u>1 foot, except 10 feet when on a corner Lot and adjacent to the adjoining Lot's front yard.</u>	
<u>Public utility substation:</u>		<u>See Section 108-10-2 for public utility substation site development standards.</u>

147

148 (d)(e) Building Height:

	R1				R2	R3		SPECIAL REGULATIONS
BUILDING HEIGHT	R1-15	R1-12	R1-10	<u>R1-5</u>		<u>R3-A</u>	<u>R3-S</u>	
<u>Minimum building height:</u> The minimum building height for a main building:	1 story							

Maximum building height for main building	35 feet				
<u>Maximum building height:</u> The maximum building height for a main building:	35 feet	40 feet	45 feet	50 feet	See also Section 108-7-5.
Maximum building height for accessory building:	25 feet				See Section 108-7-16 for an accessory building\$ over 1,000 sq. ft.

149

150 (e)(f) Lot coverage Building Width:

	R1				R2	R3		SPECIAL REGULATIONS
LOT COVERAGE <u>BUILDING WIDTH</u>	R1-15	R1-12	R1-10	<u>R1-5</u>		<u>R3-A</u>	<u>R3-S</u>	
Maximum percent of Lot coverage by buildings:	Not applicable				40-percent			
<u>Maximum dwelling width: The maximum width of any dwelling shall be the lesser of:</u>	<u>No maximum</u>				<u>8 attached units or 240 feet</u>		<u>The minimum distance between buildings on the same lot shall be ten feet.</u>	
<u>Maximum width of other main building: The maximum width of a main building other than a dwelling shall be:</u>	<u>240 feet</u>							

151

152 (f)(g) Floor to Area Ratio:

	R1				R2	R3		SPECIAL REGULATIONS
FLOOR AREA RATIO	R1-15	R1-12	R1-10	<u>R1-5</u>		<u>R3-A</u>	<u>R3-S</u>	

Maximum ratio of total floor-area of buildings to Lot area:

Maximum floor area ratio: The maximum floor to area ratio, found by dividing the entire floor area of all buildings by the site area:

N/A	4:1
<u>Not applicable</u>	<u>1.5</u> <u>2.0</u>



...

TITLE 106 SUBDIVISIONS

...

Chapter 106-2 Subdivision Standards

Sec 106-2-1 Street Configuration and Circulation

Sec 106-2-1.010 Street Configuration Generally

A subdivision shall be designed to follow the street configuration requirements herein and elsewhere in this Land Use Code. Where this code allows an applicant flexibility on street location or configuration, that flexibility shall not be construed to relieve the applicant from requirements of this section.

(a) **General street configuration and alignment.** The configuration of streets in a new subdivision shall:

- (1) Ensure the continuation of existing streets that can logically and reasonably be connected along the same street alignment;
- (2) Provide for the continuation of new streets into adjoining undeveloped land;
- (3) Be designed to consider the block length specified in Section 106-2-3, as it relates to both the subject property and adjoining property;
- (4) Not avoid the requirements of this section by shifting the responsibility of providing a street onto landowners of adjacent undeveloped or underdeveloped parcels; and
- (5) Not create an unnecessary hardship to providing street connections on or to other parcels in the general area, as deemed appropriate by the Land Use Authority.

(b) **Master planned street.** A street shown in an applicable general plan, small area plan, master streets plan, development agreement, or similar adopted planning document, shall be installed by the applicant in the general location depicted in the planning document.

(c) **Section line and quarter section line street.** A street shall be installed by the applicant along the general alignment of a section line and quarter section line, in compliance with the following:

- (1) **Minor deviations from section lines.** The alignment of a section line or quarter section line street may be adjusted up to 400 feet so the applicant may gain lots on both sides of the street, provided that the radii of the curves are appropriate for the type of street, as determined by the County Engineer. The street shall realign at some point downstreet with the same section line or quarter section line, or a previously created street or dedicated street right-of-way intended to be or become the same section line or quarter section line street.
- (2) **Alternative street alignment.** The Land Use Authority may, but is not required to, allow a street's alignment to be rerouted or, if it does not violate the terminal street requirements of Section 106-2-2.4, terminated if strict compliance with this subsection is inappropriate for the following reasons:
 - a. It will result in unreasonable public costs for operations or maintenance of the street;
 - b. It will conflict with a railway, waterway, wetland, critical wildlife habitat, or other environmental concern that cannot be mitigated with reasonable effort;
 - c. It will result in a conflict with another section of this Land Use Code; or
 - d. It will advance a goal of a general plan, small area plan, or similar planning document applicable to the land.

(d) **Angle of intersecting streets.** Any street approaching an arterial or collector street shall approach at an angle of not less than 80 degrees.

(e) **Half-street.** A half-street shall be governed as follows:

- (1) **Within a subdivision.** A half-street is not allowed within a subdivision except as more specifically provided in this Land Use Code.

(2) **On a subdivision boundary.** Where a subdivision's boundary shares a common line with undeveloped land, an approximate half-width street right-of-way is allowed as long as:

- a. The required street improvements include half of what is otherwise typically required for the type of street plus at least a 20-foot wide vehicle travel surface, designed to specifications of the County Engineer; and
- b. The street right-of-way within the bounds of the subdivision is wide enough to accommodate these street improvements.

Sec 106-2-1.020 Street Connectivity and Circulation

(a) **Intent.** The intent of this section is to provide efficient, convenient, logical, and frequent street and pathway connections to, within, through, and out of a proposed subdivision in a manner that other provisions of this Land Use Code do not. In all allowed zones, in exchange for providing the additional infrastructure, the applicant may use the acreage otherwise occupied by streets and pathways as credit toward creating Lots.

(b) Mandatory and Voluntary compliance.

(1) Mandatory compliance. The provisions of this section are mandatory in the R1, R2, and R3 zones.

(b)(2) Voluntary compliance: connectivity-incentivized subdivision. In allowed zones, as listed in Subsection (b)(2)b of this section, the provisions of this section offer a voluntary alternative to traditional and typical Lot development standards otherwise set forth in the applicable zone. An applicant shall not be allowed to use this section unless the applicant volunteers to comply with all provisions herein. Applying for a connectivity-incentivized subdivision constitutes the applicant's agreement to be governed by this section, and constitutes the applicant's acknowledgement that the discretionary authority this section offers to the Land Use Authority may result in a decision contrary to the applicant's initial intent. The applicant accepts all risk, including lost time and money, for voluntarily applying for subdivision review under these provisions. Otherwise, the applicant shall use other development types authorized by this Land Use Code to subdivide their land.

(e)a. Maximum allowed density. If the applicant provides a street and pathway layout that complies with this section and is approved at the discretion of the Land Use Authority after receiving a favorable recommendation from staff, the applicant may use the Base Density calculation, as defined in Section 101-2-3, to compute the maximum allowed Lots in the subdivision. Further, when calculating the Base Density, the area of the subdivision proposed to be occupied by public improvements is not required to be omitted from the net developable acreage.

(d)b. Allowed zones. A connectivity-incentivized subdivision is allowed only in the following zones: S-1, F-5, AV-3, FV-3, A-3, A-2, A-1, RE-20, RE-15, ~~R1-15, R1-12, R1-10, R2, R3, FR-3,~~ and CVR-1.

(4)1. Unless excepted in Subsection ~~(d)(2)b.2.~~ of this ~~section~~ Subsection (b)(2), at no time shall the Lot Area and Lot Width of any residential Lot be less than provided in this table:

		S-1	F-5	AV-3	FV-3	A-3	A-2	A-1	RE-20	RE-15	FR-3	R1	R2	R3	CVR-1
Reduced minimum Lot area:												6000 ¹ -square feet	80-percent of the zone's minimum.	No minimum.	
Reduced minimum Lot width:												60 feet			

~~¹Each Lot adjacent to a Lot in another subdivision, including across a street, shall be no smaller than the lesser of: 80 percent of the square footage specified for the maximum allowed density; or the actual Lot area of the Lot or Lots to which it is adjacent.~~

(1)2. The following are exceptions to the Lot Area and Lot Width provisions of Subsection (db)(1)b.1. of this Subsection (b)(2):

a.i. A lot in a cluster subdivision shall not be reduced to less than 90 percent of the lot area and lot width standards of the cluster subdivision ordinance.

b.ii. A pre-existing nonconforming lot of record that is smaller than fifty-percent of the lot area or lot width may continue with smaller dimensions as long it is not made more nonconforming.

(b)(c) **Public-s**Street layout. Nothing here shall waive the minimum street or pathway requirements as provided elsewhere in this Land Use Code. A subdivision shall be designed in a manner that prioritizes circulation efficiencies both within the subdivision and to adjacent neighborhoods. Priority shall be given to both vehicular and pedestrian connectivity. ~~To this end, a connectivity incentivized subdivision is only allowed if it meets t~~The following minimum standards are required:-

(1) **Street-Block.** A Street-Block, as defined in Section 101-2-20 shall have a length of no greater than ~~660-800~~ feet. The Land Use Authority may, but is not obligated to, approve an exception to this rule if a Street-Block cannot be formed as a result of one or more of the following. However, in each case the applicant shall provide a Street-Block or a connection that will help form a future Street-Block as near as is otherwise reasonably practicable:

- a. The adjacent area to which a street could otherwise be extended is built-out such that no reasonable street connection can be made thereto;
- b. The adjacent area to which a street could otherwise be extended has characteristics that significantly reduce the likelihood the Street-Block will be needed, as determined by the Land Use Authority. These characteristics include, but are not limited to, sensitive lands such as geologic hazards, riverways, floodplains, wetlands, and slopes on which no reasonable street configuration can be created that complies with allowed street grades;
- c. The adjacent area to which a street could otherwise be extended has culturally or locally important lands that can, are, or will be permanently preserved in a manner that benefits the general public. The Land Use Authority may require the applicant to secure the permanent preservation in a manner satisfactory to the Land Use Authority;
- d. Adherence to the maximum Street-Block length will interrupt a regionally significant pedestrian pathway delineated in the area's general plan or similar planning document; or
- e. Strict adherence to the maximum Street-Block length will result in a Street-Block that is less than ~~200-300~~ feet in length.

~~(2) **Street efficiency.** A street or street segment shall provide the shortest connection reasonably possible without compromising the buildability of adjoining lots given compliance with other requirements of this Land Use Code.~~

(3)(2) **Intersections.** Street intersections shall be four-way intersections wherever possible.

(4)(3) **Directional continuity.** A Major Neighborhood Street, Collector Street, and Arterial Streets shall provide directional continuity. Regardless of how a street may wind through a subdivision, whenever possible it shall exit the subdivision in the same general direction it entered so that it provides users a consistent direction of travel along the same street.

(5)(4) **Permanently terminal streets.** Cul-de-sac and dead end streets shall be avoided. A cul-de-sac or dead end street may be allowed in rare circumstances if the same or similar characteristics as specified in the exceptions of Subsection (e)(1) of this section are present.

~~(6)~~(5) **Alignment and connection to other streets.** Whenever possible, streets shall connect or be aligned to provide a future connection to other existing streets in the general area, with special deference for connecting to existing stubbed streets.

~~(e)~~(d) **Pathway location and design standards.** Nothing here shall waive the minimum street or pathway requirements as provided elsewhere in this Land Use Code. A subdivision shall be designed in a manner that prioritizes circulation efficiencies both within the subdivision and to adjacent neighborhoods. Priority shall be given to both vehicular and pedestrian connectivity. ~~To this end, a connectivity incentivized subdivision is only allowed if it meets t~~he following minimum standards are required:-

(1) **Pathways and sidewalks, generally.**

- a. Each development shall be configured so that the maximum pathway or sidewalk walking-distance between a pathway or sidewalk intersection is 400 feet.
 1. This distance may be increased for a segment of a pathway that travels through a permanently preserved open space area or an area very unlikely to ever develop, as determined by the Land Use Authority.
 2. A pathway or sidewalk intersection is where a pathway or sidewalk intersects with another pathway, sidewalk, or street that has pedestrian facilities, or an alley or shared private lane, provided each are perpetually open for use by the general public for non-automobile purposes.
- b. Pathway and sidewalk layout shall be designed in a manner that prioritizes efficiency of non-motorized modes of transportation.
- c. Pathways shall connect to each other using shortest distance reasonably possible.
- d. Pathway and sidewalk layout shall provide for the continuation of existing pathways or sidewalks in the general area, and for future planned pathways, as shown on an adopted pathway plan, general plan, master trails plan, or other applicable adopted planning document.
- e. A pathway or sidewalk stubbed from an adjacent property shall be connected to a pathway or sidewalk within the subdivision.
- f. Continuation of a pathway or sidewalk to adjacent undeveloped property shall be provided with a stub to the subdivision boundary.
- g. Pathway and sidewalk arrangement shall not cause any unnecessary hardship for creating convenient and efficient access to nearby Lots or Parcels that are likely to eventually be developed.

(2) **Street-adjacent pathway.** Along each Arterial Street, Collector Street, and Major Neighborhood Street, as provided in an adopted general plan, master streets plan, or similar adopted document, or along a section line street as provided in Section 106-2-1, a 10-foot wide hard-surfaced pathway shall be installed.

- a. When determining which side of the street the pathway is required, preference shall be given to the side of the street that has optimal sun exposure during winter months.
- b. The Planning Director may require a pathway be located on the other side of the street to support pathway connectivity based on other factors such as existing or planned future pathways in the vicinity and potential pedestrian conflicts.
- c. The pathway shall be located within the street right-of-way unless expressly authorized otherwise by the County Engineer. If not located within the street right-of-way, a pathway easement is required.
- d. Unless required otherwise by the County Engineer, the pathway shall have an asphalt width of at least nine feet and be bounded on both sides by a six-inch concrete ribbon that is flush with the top of asphalt travel surface. The pathway shall be constructed of three inches of asphalt on eight inches of base-course. Greater thickness may be required where it intersects a vehicle-way.

e. Example of street-adjacent pathway:



e.

- (3) **Non-street-adjacent pathway.** Where generally depicted on a map or in the text of an applicable street regulating plan, general plan, master streets plan, or when otherwise required herein or in a development agreement, a 10-foot wide hard-surfaced pathway shall be installed through the development.
- Where a pathway runs between buildings or fenced Lots, a minimum 30-foot wide pathway public right-of-way is required. The pathway shall run down the center of the 30-foot wide right-of-way. The width of the pathway right-of-way may be reduced to 15 feet if both of the adjoining Lots or Parcels are or will be used for Single-Family Dwellings, and are deed-restricted to:
 - Only allow a solid fence that is no greater than four-feet; or
 - Only allow a fence that is 30 percent open with the openings evenly distributed.
 - The adjoining land owners are responsible for the maintenance and upkeep of vegetation and waste on the half of the pathway right-of-way that is adjacent to their Lot or Parcel.
 - Example: Non-Street-Adjacent Pathway:



4.

(e) Final plat note. Except for subdivisions in the R1, R2, or R3 zones, Pursuant to Section 106-1-8.020, a subtitle and plat note regarding connectivity-incentivized subdivision shall be placed on the final plat.

Sec 106-2-2 Street Standards

Sec 106-2-2.010 Public Street Requirement

The standard method of ensuring ease of access, efficient mobility, reduced response time for first responders, effective emergency management, strong neighborhood relationships through interconnectivity, and a more equitable means of access to community opportunities, is by requiring Public Streets and Public Street connectivity at the time new development is proposed. As such, the default requirement for each subdivision Lot is to provide Lot Frontage on a street dedicated to the County as a public right-of-way and thoroughfare.

(a) **Public Street dedication.** Each street in a subdivision shall be dedicated to the county as a Public Street, except when a Private Street is allowed or required as provided in this section.

(b) **Standard street cross-sections.** All proposed Public Streets shall conform to the county street cross-section standards, unless explicitly specified otherwise.

Sec 106-2-2.020 Private Street Option

The provisions of Section 106-2-2.010 notwithstanding, the County, and in some cases the applicant, may find benefit from a street being temporarily or permanently private. In those cases, the Land Use Authority may require or an applicant may volunteer a proposed street to be privately owned or privately operated and maintained. Development of or along a Private Street shall comply with the following:

(a) **Private Street open for general public use.** A private street that is perpetually open to the public for use and through-passage is allowed only under the following circumstances:

(1) The Private Street shall never be closed to the public and no signage shall be erected to indicate or insinuate that the street is not open for public use and passage, except to allow for occasional and routine maintenance necessary to ensure the longevity of the street.

(2) The Private Street shall be owned, operated, and maintained in perpetuity by a homeowner's association that has at least 40 Dwelling Units as evidenced by an approved preliminary subdivision

plat and recorded homeowner's declaration. If final plat recordation is phased, the homeowner's association declaration shall be recorded to the entire legal description of the preliminary subdivision plat at the time the first plat is recorded. The declaration shall include the approved preliminary plat. Special provisions or deviations from this requirement may be approved in a development agreement.

(3) At no time shall a Private Street conflict with, or create non-routine operations and maintenance demand on, any Public Street.

(4) A Private Street that complies with this Subsection (a) shall be allowed to count as a Public Street for the purposes of creating a Street Block pursuant to Section 106-2-3 or other Street Block regulations in this Land Use Code.

(b) Private Street not open for general public use.

(1) **No entitlement.** An applicant is not entitled to make a street private. The Land Use Authority has full discretion, subject to the regulations herein, to allow or require a street to be private.

(2) **Prohibition.** A Private Street shall not be allowed if:

- a. It creates a hardship for other landowners in the area to provide access to develop their land in accordance with the provisions of this Land Use Code, or
- b. A Public Street is needed in the location of the proposed Private Street, as determined by the Land Use Authority.
- c. It is in the Western Weber Planning Area and is not a permanently terminal street, as provided in Subsection (g) of this section.

~~(b)~~(3) **Responsibility for construction.** The applicant shall pay for and construct the Private Street.

~~(e)~~(4) **Ownership.** The final plat shall dedicate the land under the Private Street to the County for the purpose of future conversion to a Public Street at a time the governing body determines a Public Street is necessary, if ever.

~~(1)~~a. **Street-Parcel dedication waiver.** The Land Use Authority may waive this requirement if development or further development on adjacent Lots or Parcels to which the street could be extended is extremely unlikely, or to which future public access offers very little public benefit, or future development benefit, as determined by the Land Use Authority.

a.1. **No Street-Block waiver.** A street needed to satisfy the Street-Block requirements of Section 106-2-3 is not eligible for this waiver unless there is no way in which that street can be configured in the subdivision to support the creation of the Street-Block.

~~b.~~2. **Pathway in lieu waiver.** In circumstances where current or future public access by vehicle is unwarranted, the Land Use Authority may grant a waiver and in lieu require the dedication and installation of a 12-foot wide public easement and pathway or trail connection. The minimum pathway or trail design shall provide for either a 10-foot wide hard-surface pathway with a maximum average grade of 10 percent, or a single-track dirt trail with a maximum average grade of 18 percent.

~~e.~~3. **Waiver requires joint ownership.** If a waiver is granted, the street-Parcel shall be held in joint ownership of the owners of all Lots that gain access from it.

~~(2)~~b. **Street-Parcel configuration.** The Parcel being dedicated to the county shall be the length of the Private Street and extend to adjacent developable land or another street regardless of whether the Private Street infrastructure does. The Parcel shall be the same width required for a Public Street right-of-way, and be configured at a grade that will not create an unreasonable burden for future street-building and connectivity given typical grading and construction methods.

~~(3)~~c. **Transfer of street-Parcel.** If adjacent Parcels to which the Private Street could connect reach full build-out or otherwise change in a manner that renders a future Public Street connection extremely unlikely, or if future public access to those Parcels offers very little public

benefit, the county, at its sole option, may transfer the land, in accordance with all legal requirements, to the joint ownership of the owners of all Lots that gain access from it.

(d)(5) Operation, maintenance, and use. Except after the county assumes responsibility for the street, if ever, the operations and maintenance of the installed Private Street improvements shall be the sole responsibility of the owners of each Lot gaining access from the Private Street or a homeowner's association. The Land Use Authority may allow these owners to restrict access to the street by the general public, except county officials conducting official county business on a county-owned street-Parcel.

(e)(6) Building setback standards. The minimum building setbacks shall be measured from the boundary of the county-owned street-Parcel.

(f)(7) Private Street required. Unless the County Engineer or the Land Use Authority authorizes otherwise based on the public benefit outweighing the long term operations and maintenance expense, a Public Street is not allowed in the following circumstances:

(1)a. Permanent terminal street. A non-temporary terminal street;

(2)b. Geologic hazards. A street that traverses a geologic hazards study area shall be a Private Street, unless the hazards study, as required by Title 108, Chapter 22, provides compelling evidence that demonstrates the hazard risk to a Public Street is low.

(g)(8) Construction standards. Unless otherwise required by the local Fire Authority or County Engineer, a Private Street shall be constructed to Public Street standards.

(h)(9) Plat notes. On the final plat, the county-owned street-Parcel, where applicable, shall be labeled and noted as required by Section 106-1-8.020.

(i)(10) Recording requirements. At the time of final plat recording, the applicant shall record a covenant to run with the land that provides that:

(1)a. The owners of all Lots that gain access from the Private Street are solely and equally responsible for operations and maintenance of the street.

(2)b. If applicable, that by purchasing a Lot that gains access from a Private Street, the owner acknowledges that the street-Parcel is owned in fee by the governing body for possible future Public Street purposes, but that the governing body assumes no responsibility or liability for the street or for the uses thereof or thereon until and unless, if applicable, the governing body assumes responsibility for it.

(3)c. The owner is responsible for disclosing the nature of the street to prospective purchasers, renters, or lessees.

(4)d. The landowner of record or authorized representative agree to pay a proportionate amount of the costs associated with improving or restoring the street to operational Public Street standards at the time the governing body assumes responsibility for it; and agrees to not protest the creation of a special assessment area or other similar revenue generating mechanism the governing body deems necessary to bring the Private Street to operational Public Street standards.

Sec 106-2-2.030 Shared Private Lane

Shared private lane. Unless specified otherwise in this section a shared private lane is only allowed in locations where a street or street connection is not otherwise required or planned as provided in the applicable general plan, and where its placement will not violate the applicable Street-Block requirement of Section 106-2-3. Construction of a shared private lane is a subdivision improvement requirement and shall comply with the relevant sections of Title 106, Chapter 4 of this Land Use Code.

(a) Shared private lane design, configuration, and construction requirements. A shared private lane shall be:

- (1) Designed and constructed to have a minimum right-of-way width of 24 feet, with a minimum improved surface width of 20 feet. A greater right-of-way width may be required by the County Engineer for a cross-slope easement.

- (2) Configured and constructed so that any curve will safely facilitate the turning radius and weight of the Fire Authority's largest fire apparatus.
- (3) Constructed of all-weather material, have a grade of no greater than ten percent, a clearance no less than 14 and a half feet. In a development with an average density that is greater than one unit per acre, the lane shall be hard-surfaced.
- (4) Be on a Parcel that is held in common ownership by a homeowner's association that governs the Lots that gain access therefrom, or be an easement recorded in favor of the owners of all Lots that gain access therefrom.
- (5) If terminal, the shared private lane shall be no longer than
- a. 200 feet in the Western Weber Planning Area, and provide access to no more than seven Dwelling Units.
 - b. 600 feet in the Ogden Valley Planning Area, and provide access to no more than 15 Dwelling Units. However, if longer than 200 feet in length it shall be designed with a fire apparatus turn-around approved by the local fire authority at the end.
- (b) **Shared private lane temporarily in lieu of street.** As long as development on other properties in the general area to which a street could extend is not imminent, a private lane may be installed in place of a required public or Private Street, and in the Ogden Valley it may be longer than 600 feet in length, under the following circumstances:
- (1) **No interruption of street connectivity.** Doing so shall not disrupt the orderly build-out or inhibit the future street connectivity of the area.
 - (2) **Compliance with general plan.** It shall not be contrary to the General Plan's recommendations that are specifically applicable to the area.
 - (3) **Easement required.** With the final plat, an easement shall be given over the shared private lane to Weber County for the purpose of reserving an area that can become a future Public Street right-of-way at a time the governing body determines that a Public Street is necessary, if ever.
 - a. The easement being dedicated to the county shall be the length of the Private Street and extend to adjacent developable land or another street regardless of whether the Private Street infrastructure does.
 - b. The easement shall be the same width required for a Public Street right-of-way, and be configured at a grade that will not create an unreasonable burden for future street-building and connectivity given typical grading and construction methods.
 - (4) **Operation, maintenance, and use.** The operations and maintenance of the shared private lane shall be the sole responsibility of the owners of each Lot gaining access from it.
 - (5) **Building setback standards.** The minimum front building setback shall be 33 feet greater than otherwise required, and shall be measured from the centerline of the shared private lane.
 - (6) **Plat note.** On the final plat, the area of the county-owned easement shall be labeled and noted as required by Section 106-1-8.020.
 - (7) **Recording requirements.** At the time of final plat recording, the applicant shall record a covenant to run with the land that provides for the following:
 - a. The owners of all Lots that gain access from the shared private lane are solely and equally responsible for operations and maintenance of the lane.
 - b. If applicable, that by purchasing a Lot that gains access from a Shared Private Street, the owner acknowledges that the lane easement is owned by the governing body for possible future Public Street purposes, but that the governing body assumes no responsibility or liability for the lane or for the uses thereof or thereon until and unless, if applicable, the governing body assumes responsibility for it.
 - c. The owner is responsible for disclosing the nature of the lane to prospective purchasers, renters, or lessees.

517 d. The landowner of record or authorized representative agree to pay a proportionate amount of
518 the costs associated with improving or restoring the street to operational Public Street
519 standards at the time the governing body assumes responsibility for it; and agrees to not protest
520 the creation of a special assessment area or other similar revenue generating mechanism the
521 governing body deems necessary to bring the shared private lane to operational Public Street
522 standards.

523 ...

524 **Sec 106-2-4.030 Connectivity-Incentivized Subdivision**

525 [Alternative minimum Lot standards for a connectivity-incentivized subdivision can be found in Section](#)
526 [106-2-1.020.](#)

527 ...

PASSED AND ADOPTED BY THE WEBER COUNTY BOARD OF COMMISSIONERS ON THIS 5th
DAY OF November, 2024.

AYE

NAY

ABSENT

ABSTAIN

James Harvey

Gage Froerer

Sharon Arrington Bolos

Presiding Officer

Attest


James Harvey, Chair


Ricky D. Hatch, CPA, Clerk/Auditor

