



Staff Report
Kamas City Council
January 13, 2026

APPLICANT: Berg Engineering – Ballerina Farm, LLC
REQUEST: Application for Code Amendment to §15.22.030 to Reduce Wetlands Setback in AT Zone
PROPERTY ADDRESS: 1476 West 200 South
PARCEL NUMBER: KT-582-A
ZONING DISTRICT: Agricultural Tourism
PUBLIC HEARING: November 18, 2025

BACKGROUND INFORMATION

The property located at 1476 West 200 South, is zoned Agricultural Tourism. The applicant, Paul Berg – Ballerina Farm, LLC, is proposing development on the property that would be constrained by the current wetlands setback requirement of 50 feet. They are requesting a code amendment to reduce the required wetlands setback to 15 ft within the agricultural tourism zone in Kamas City. The Planning Commission held a public hearing on November 18, 2025 at which time it was decided to table the discussion. The amendment was discussed by the Planning Commission again on Jan 6, 2026 and they are forwarding a positive recommendation to City Council to reduce the wetlands setback to 25 feet in all zones in Kamas City and prohibit all permanent structures from the wetlands setbacks of 25 feet.

APPLICABLE REGULATIONS

The U.S. Army Corps of Engineers (USACE) does not mandate specific wetland setbacks, but it does require developers to avoid and minimize impacts to wetlands when planning a project. Any specific setback requirements for wetlands are enforced by local governments in the State of Utah.

Kamas City code §15.22.030.4.a.iii regulates the setbacks for wetlands at “a minimum of 50 feet outward from the delineated wetland edge.” This wetlands setback currently applies to all zones within city limits.

DESCRIPTION

The property is currently being used as an agricultural tourism business by Ballerina Farm, LLC. They currently operate retail sales on site. There are existing animal pens, chicken coop, barn, and greenhouses also on the property. The company is proposing a new point of sale retail center, creamery, restaurant, cooking school, raised gardens, walkways, parking, and possibly business office, and amphitheater.

Parcel KT-582-A has 13.96 acres. Of that 13.96 acres, 4.42 acres are designated as wetlands per the delineation by Bowen Collins in July 2024. A 50' setback would take up another 4.98 acres, leaving 4.56 acres for development. A 15' setback would take up 1.63 acres, leaving 7.91 acres for development. The current wetlands setback of 50' would considerably hinder the development potential of this parcel.

After speaking with legal council, staff granted the applicant permission to build parking and temporary structures, such as raised gardens, within the 50' setbacks. If a reduction is granted, it must be decided if parking, or temporary structures will be allowed or not within the reduced wetlands.

Kamas City Agricultural Tourism Code §15.38.020.2 allows the zone to “concentrate all “tourism” uses and activities into a developed activity center(s). The area within a developed activity center(s) may not exceed 50 percent, up to a maximum of ten acres of a farm's overall gross acreage. The remaining acreage shown outside of all activity center(s), shall be maintained in an agriculturally productive manner that is consistent with the farm's main agricultural uses.” This calculation would allow the applicant to develop 6.98 acres into a “developed activity center(s).”

All surrounding parcels are zoned Ag 5.

STAFF RECOMMENDATION

Staff recommends that the City Council adopt the ordinance reducing the wetlands setback to 25 feet within all zones of Kamas City, with the conditions that all permanent development, including buildings, accessory structures, parking lots, greenhouses, etc., not be allowed in the wetlands setback.

CITY COUNCIL OPTIONS:

Adopt Ordinance: Approve the ordinance amending KMC §15.22.030 to reduce the wetlands setback to 25 feet in all zones, with the condition that no permanent development (including buildings, accessory structures, parking lots, greenhouses, or other permanent improvements) shall be allowed within the wetlands setback.

Adopt Ordinance with Modifications: Approve the ordinance amending Kamas City Code §15.22.030 with modifications as directed by City Council, which may include:

- Reducing the wetlands setback to 15 feet within the Agricultural Tourism (AT) Zone only, or
- Allowing or prohibiting specific uses (e.g., parking, temporary or seasonal structures, raised gardens, walkways) within the reduced setback, or
- Establishing additional performance standards or mitigation requirements.

Reject Ordinance: Deny the ordinance amendment and retain the existing 50 foot wetlands setback in all zones.

ATTACHMENTS:

- (A) Proposed Code Amendment
- (B) Comparison Chart
- (C) 50' Wetlands Setback
- (D) 15' Wetlands Setback
- (E) Applicant's Submittal Letter
- (F) Applicant's Proposed Code Amendment
- (G) Master Plan 2024
- (H) Master Plan 2025