



## Staff Report to the Western Weber Planning Commission

Weber County Planning Division

### Synopsis

#### Application Information

**Application Request:** Public hearing to discuss and take comment on a proposal to amend the following sections of Weber County Code: Definitions (§101-1-7), Conditional uses (§104-22-3, §104-23-3, §104-24-3, §104-25-3) to define Outdoor Storage and to include it as a conditional use in the M-1, MV-1, M-2, and M-3 zones.

**Agenda Date:** Tuesday, December 12, 2017  
**Staff Report Date:** Tuesday, December 5, 2017  
**Applicant:** Weber County Planning Division  
**File Number:** ZTA 2017-16

#### Staff Information

**Report Presenter:** Steve Burton  
sburton@co.weber.ut.us  
801-399-8766  
**Report Reviewer:** CE

### Applicable Ordinances

- Weber County Land Use Code, Sec. 101-1-7 (Definitions).
- Weber County Land Use Code, Title 104, Chapter 22 (Manufacturing Zone M-1).
- Weber County Land Use Code, Title 104, Chapter 23 (Ogden Valley Manufacturing Zone MV-1).
- Weber County Land Use Code, Title 104, Chapter 24 (Manufacturing Zone M-2).
- Weber County Land Use Code, Title 104, Chapter 25 (Manufacturing Zone M-3).

### Legislative Decisions

Decision on this item is a legislative action. When the Planning Commission is acting on a legislative item it is acting as a recommending body to the County Commission. Legislative decisions have wide discretion. Examples of legislative actions are general plan, zoning map, and land use code amendments. Typically, the criterion for providing a recommendation on a legislative matter suggests a review for compatibility with the general plan and existing ordinances.

### Summary and Background

The current Weber County Land Use Code does not define "Outdoor Storage" and does not specify its permissibility in each zone. A recent change to the County Land Use, Development, and Management Act (H.B. 232) states "If a land use regulation does not plainly restrict a land use application, the land use authority shall interpret and apply the land use regulation to favor the land use application." By defining and permitting the use in certain zones the county will be able to regulate where outdoor storage is permitted. The proposed text amendment will allow "Outdoor Storage" only when authorized by a conditional use permit within the M-1, MV-1, M-2, and M-3 zones.

### Policy Analysis

The permitted uses within the manufacturing zones often require the storage of materials outside for a period greater than 24 hours. By conditionally permitting outdoor storage within the manufacturing zones the county will be able to regulate each application for outdoor storage by incorporating design review considerations as well as conditions related to the other requirements of the Land Use Code. Including outdoor storage as a use only in the manufacturing zones will indicate that it is not permitted in any other zones.

### Conformance to the General Plan

The West Central Weber General Plan identifies the M-1, M-2, and M-3 zones as the only industrial areas intended for manufacturing uses. Because outdoor storage is associated with manufacturing uses, conditionally

allowing it only within the manufacturing zones is in conformance with the West Central Weber General Plan.

### **Past Action on this Item**

No action has occurred on this item.

### **Noticing Compliance**

A hearing for this item was published in compliance with UCA §17-27a-205 and UCA §17-27a-502 in the following manners:

Posted on the County's Official Website

Posted on the Utah Public Notice Website

Published in a local newspaper

### **Staff Recommendation**

Staff recommends that the Western Weber Planning Commission recommend approval of the text included as Exhibit A and Exhibit B of this staff report based on the following findings:

1. The changes cause no adverse effect on the intent of the general plans.
2. The changes will provide for a more efficient administration of the Land Use Code.
3. The changes will enhance the general welfare of County residents.

### **Exhibits**

- A. Proposed Ordinance – Clean Copy.
- B. Proposed Ordinance – Track Change Copy.

1 **TITLE 101 - GENERAL PROVISIONS**

2 ...

3 **Sec. 101-1-7. - Definitions.**

4 ...

5 *Outdoor Storage.* The term "Outdoor Storage" means items for sale, storage, or display, for  
6 commercial or manufacturing purposes, which are not in an enclosed building, for a period greater  
7 than 24 hours.

8 ...

9 **TITLE 104 - ZONES**

10 ...

11 **CHAPTER 22. - MANUFACTURING ZONE M-1**

12 ...

13 **Sec. 104-22-3. - Conditional uses.**

14 ...

15 (24) Water storage reservoir developed by a public agency and meeting the requirements  
16 of title 108, chapter 10 of this Land Use Code.

17 (25) Outdoor storage.

18 ...

19 **CHAPTER 23. - OGDEN VALLEY MANUFACTURING ZONE MV-1**

20 ...

21 **Sec. 104-23-3. - Conditional uses.**

22 ...

23 (11) Dwelling unit for proprietor or employee, who also serves as night watchman and his  
24 immediate family, provided that an additional 3,000 square feet of landscaped area is  
25 provided for the residential use. As a conditional use, the planning commission, for the  
26 planning area in which the application is made, shall have the discretion to approve either  
27 an attached or a detached dwelling, based upon the primary manufacturing use and  
28 architectural design to protect the noise levels and privacy of the resident.

29 (12) Outdoor storage.

30 ...

31 **CHAPTER 24. - MANUFACTURING ZONE M-2**

32 ...

33 **Sec. 104-24-3. - Conditional uses.**

34 ...

35 (17) Dwelling unit for proprietor or employee, who also serves as night watchman, and their  
36 immediate family, provided that an additional 3,000 square feet of landscaped area is  
37 provided for the residential use. As a conditional use, the planning commission, for the  
38 planning area in which the application is made, shall have the discretion to approve either

39 an attached or a detached dwelling, based upon the primary manufacturing use and  
40 architectural design to protect the noise levels and privacy of the residents.

41 (18) Outdoor storage.

42 ...

43 **CHAPTER 25. - MANUFACTURING ZONE M-3**

44 ...

45 **Sec. 104-25-3. - Conditional uses.**

46 ...

47 (18) Storage of petroleum.

48 (19) Outdoor storage.

49 ...

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31 **CHAPTER 24. - MANUFACTURING ZONE M-2**

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43 **CHAPTER 25. - MANUFACTURING ZONE M-3**

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45 **Sec. 104-25-3. - Conditional uses.**

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47 (18) Storage of petroleum.

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