



Staff Report to the Weber County Commission

Weber County Planning Division

Synopsis

Application Information

Application Request:	Public hearing to discuss and/or take action on a county-initiated ordinance to amend various sections of the County's land use code to adjust and clarify permitted and conditional uses and site development standards in the manufacturing zones (MV-1, M-1, M-2, & M-3), together with administrative and clerical adjustments including an amendment the definition of a "Lot of Record"
Agenda Date:	Tuesday, March 29, 2022
Applicant:	Weber County Planning Division
File Number:	ZTA 2021-08

Staff Information

Report Presenter:	Scott Perkes sperkes@webercountyutah.gov (801) 399-8772
Report Reviewer:	CE

Applicable Ordinances

- Weber County Land Use Code Title 101 (General Provisions); Chapter 2 (Definitions)
- Weber County Land Use Code Title 102 (Administration); Chapter 5 (Rezoning Procedures); Section 4 (Application Requirements)
- Weber County Land Use Code Title 104 (Zones); Chapter 21 (Manufacturing Zones MV-1, M-1, M-2, & M-3)
- Weber County Land Use Code Title 108 (Standards; Chapter 1 (Design Review)
- Weber County Land Use Code Title 108 (Standards); Chapter 3 (Cluster Subdivisions); Section 7 (Lot Development Standards)

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

This County-driven text amendment (see **Exhibit A**) has been undertaken primarily due to interest having been shown from a food processing and manufacturing company that is looking to potentially locate in the Manufacturing zoned areas of western Weber County. However, certain provisions of the existing manufacturing zoning ordinance have been identified as concerns for a potential food processing/manufacturing operation. As such, staff have combed through the existing ordinance and identified several amendments and clarifications needed to not only facilitate a food processing/manufacturing operation, but to also prepare for other potential mixed-uses that are likely to locate within the manufacturing areas of west Weber County. In addition to the food processing/manufacturing provisions and protections, other general improvements, clarifications, and desired formatting have been proposed to allow the manufacturing zoning ordinance to be consistent with updating efforts that have already been done with the agricultural zoning ordinance, and that which is desired for the commercial zoning ordinance through future amendments.

Summary of Past Action

- The proposal received a positive recommendation from the Western Weber Planning Commission in their November 9, 2021 regular meeting.
- The proposal received a positive recommendation from the Ogden Valley Planning Commission during their January 25, 2022.

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:

1. Posted on the County's Official Website
2. Posted on the Utah Public Notice Website
3. Published in a local newspaper

Staff Recommendation

State code requires the County Commission to review the version of an ordinance that the planning commission/s recommended. State code further allows the County Commission to modify the proposal prior to adopting it. Staff are recommending adoption of the version provided in the attached ordinance (Attachment A) with the following findings:

1. The changes are supported by the 2003 West Central Weber General Plan and 2016 Oden Valley General Plan.
2. The changes are necessary to address the growing needs of manufacturing uses looking to locate in Weber County.
3. The changes will enhance the general health and welfare of County residents.

Attachment

- A. Proposed Ordinance

**WEBER COUNTY
ORDINANCE 2021-[TEMP -- MFG AMDS]**

**AN AMENDMENT TO VARIOUS SECTIONS OF THE COUNTY'S LAND USE
CODE TO FACILITATE DEVELOPMENT IN THE MANUFACTURING ZONES**

WHEREAS, the Board of Weber County Commissioners has heretofore adopted land use regulations governing uses of land in unincorporated Weber County; and

WHEREAS, these land use regulations include manufacturing zones (MV-1, M-1, M-2, & M-3), that govern the establishment of land uses and site development standards in the County's manufacturing areas; and

WHEREAS, the Board of Weber County Commissioners wishes to create an inviting regulatory framework to support a wide variety of manufacturing uses, while also protecting food manufacturers/processors from negative impacts potentially arising from adjacent land uses; and

WHEREAS, certain provisions of the existing manufacturing zoning ordinance and land use code may unintentionally disincentivize the establishment of food manufacturing and processing operations from successfully siting and operating in Weber County; and

WHEREAS, the West Central Weber County General Plan favors industrial and manufacturing uses that are non-polluting and which do not harm the environment, the health and safety of residents, or create nuisances for nearby property owners within the established manufacturing areas; and

WHEREAS, the Board of Weber County Commissioners has received a positive recommendation from the Western Weber Planning Commission in their November 9, 2021 regular meeting as well as a positive recommendation from the Ogden Valley Planning Commission during their January 25, 2022 regular meeting, for the amendments proposed herein;

NOW THEREFORE, be it ordained by the Board of County Commissioners of Weber County, in the State of Utah, as follows: The Weber County Code is hereby amended as provided below.

SECTION 1: **AMENDMENT** "Sec 101-2-13 Lot Definitions" of the Weber County Code is hereby *amended* as follows:

A M E N D M E N T

Sec 101-2-13 Lot Definitions

Lot. The term "lot" means a parcel of land capable of being occupied by an allowed use, building or group of buildings (main or accessory), and approved for human occupancy either full- or part-time; together with such yards, open spaces, parking spaces and other areas required by this title and the Land Use Code. Such parcel shall also have frontage on a street or on a right-of-way approved by the planning director. Except for group dwellings and guest houses, not more than one dwelling structure shall occupy any one lot.

Lot area. The term "lot area" means the area contained within the boundary of a lot.

Lot, corner. The term "corner lot" means a lot abutting on two intersecting or intercepting streets, where the interior angle of intersection or interception does not exceed 135 degrees.

Lot coverage. The term "lot coverage" means the percentage of the lot area which is occupied by all building, and other covered structures and impervious surfaces.

Lot, double frontage. The term "double frontage lot" means any building lot which has both the front and rear yard lot line abutting a street.

Lot, flag. The term "flag lot" means an "L" shaped lot comprised of a narrow access strip connected to a street (staff portion) which opens into the lot area (flag portion).

Lot, frontage. The term "~~frontage~~ lot frontage," also referred to herein as "street frontage" or "street frontage of a lot," means the yard lot line abutting one side of a street right-of-way. all the property fronting or abutting one side of the street and/or right-of-way. No lot shall utilize any part of the temporary end or dead end of a street for frontage. At no point shall the frontage be less than 50 feet, and shall meet the lot width at the front yard setback.

Lot, interior. The term "lot, interior" means any building lot other than a corner lot.

Lot, irregular shaped. The term "irregular shaped lot" means any building lot whose boundaries are:

- (a) Comprised of three or more than four lot lines;
- (b) A lot in which the side lot lines are not radial or perpendicular to the front lot line; or
- (c) In which the rear lot line is not parallel to the front lot line.
- (d) Where an irregular shaped lot occurs, the interior angle of intercepting lot lines with an angle of 135 degrees or greater shall be considered the same lot line and yard designation. If the angle is less than 135 degrees, the yard designation shall be determined to be different and the applicable yard requirements would apply.

Lot line adjustment. The term "lot line adjustment" means the relocation of the property boundary line in a subdivision between two adjoining lots with the consent of the owners of record. An amended plat is required to do a lot line adjustment.

Lot, lot line. The term "lot line lot" means the boundary of a lot traditionally prescribed with a front, a rear and two sides. Where two lot lines converge and the lot's line bearing changes, the interior angle of which will determine, if it is greater than 135 degrees, whether the lot line may continue with the same yard designation. When the interior angle is 135 degrees or less, then the lot lines designation shall be different.

Lot line, front. The term "front lot line" means the boundary line of the lot which abuts a public dedicated street or other legal access from which the front yard setback is measured which determines the lot width and where ingress and egress generally is made to the lot.

Lot line, front for flag lot. The term "lot line, front for flag lot" means the front lot line of a flag lot which is the lot line parallel to a dedicated public street and at the end of the stem.

Lot line, rear. The term "rear lot line" means the boundary of a lot which is most distant from, and is most parallel to the front lot line; except that in the case of an irregular shaped lot, the rear lot line is the line within the lot parallel to and at a maximum distance from the front lot line, having a length of not less than ten feet.

Lot line, side, for corner lots. The term "side lot line for corner lots" means all interior lot lines for multi-frontage lots. For other corner lots, that interior lot line which has been designated as the side lot line by the lot owner previously demonstrated by placement of structures.

Lot line, side, for interior lots. The term "side lot line for interior lots" means those interior lines laying opposite each other, running between the front and rear lot lines.

Lot, nonconforming. The term "nonconforming lot" means a lot or parcel that complied with lot standards in effect at the time of the lot's creation and, because of subsequent changes to the Land Use Code, does not conform to the current lot standards. Applicable standards include lot standards of the zone in which the lot is located, lot standards of the subdivision ordinance, and other lot standards of this Land Use Code.

Lot, restricted. The term "restricted lot" means a lot or parcel of land which has an average slope of 25 percent or more and does not contain a buildable area as defined in this section.

Lot of record. A lot of record is defined as any one of the following circumstances:

- (a) A parcel of real property identified as a building lot on an unrecorded subdivision plat that has been approved by Weber County and is on file in the Weber County Planning Office; or
- (b) A parcel of real property identified as a building lot on a subdivision plat that has been approved by Weber County and recorded in the office of the Weber County Recorder; or
- (c) A parcel or lot described in a deed, sales contract or survey that was recorded in the office of the Weber County Recorder before January 1, 1966; or
- (d) A parcel or lot described in a deed, sales contract or survey that was recorded in the office of the Weber County Recorder ~~in between January 1, 1966, and June 30~~ on or

before December 31, 1992, which complied with the zoning requirements in effect at the time of its creation and was shown to be the first or second division of a larger parent parcel on the same date; or

- (e) A parcel or lot that was created in its current size and configuration and contained a lawfully permitted single-family dwelling prior to ~~July 1~~December 31, 1992; ~~or~~
- (f) A parcel of real property that contains at least 100 acres;
- (g) A parcel/lot that does not fall within any one of the previously listed circumstances but has received a variance from the Weber County Board of Adjustment which has otherwise deemed a particular parcel/lot as a lot of record; or:
- (h) A reconfigured parcel or lot that met any one of (a) through (g) of this definition prior its reconfiguration, as long as:
 - (1) The reconfiguration did not make the parcel or lot more nonconforming;
 - (2) No new lot or parcel was created; and
 - (3) All affected property was outside of a platted subdivision.

Lot right-of-way. The term "lot right-of-way" means a strip of land of not less than 16 feet wide connecting a lot to a street for use as private access to that lot.

SECTION 2: AMENDMENT “Sec 102-5-4 Application Requirements” of the Weber County County Code is hereby *amended* as follows:

AMENDMENT

Sec 102-5-4 Application Requirements

- (a) A rezoning application may be initiated by an owner of any property or any person, firm, or corporation with the written consent of the owner of the property, or be county-initiated.
- (b) An application for a rezoning shall be prepared and submitted on forms provided by the planning division. The application shall be accompanied with the following information:
 - (1) The application shall be signed by the landowner or their duly authorized representative and shall be accompanied by the necessary fee as shown within the applicable fee schedule.
 - (2) A proposed rezone ~~to any zone~~ may be required to be accompanied by a concept development plan, ~~may be required~~ in accordance with Section 102-5-5 of this chapter. A detailed site plan, in lieu of a concept development plan, may be required.
 - (3) ~~Letters of feasibility from the appropriate state or county agencies for water and wastewater.~~ A narrative explaining the planned or potential future access to culinary and secondary water facilities, and wastewater disposal facilities.
 - (4) If the land is located within an existing or future service area of a local water or sewer service provider, a letter of acknowledgement and conditions of

future service.

- (5) A narrative from the project engineer discussing the feasibility for the mitigation of stormwater runoff.
- (6) The applicant shall provide a narrative addressing the following information:
 - a. How is the change in compliance with the general plan?
 - b. Why should the present zoning be changed to allow this proposal?
 - c. How is the change in the public interest?
 - d. What conditions and circumstances have taken place in the general area since the general plan was adopted to warrant such a change?
 - e. How does this proposal promote the health, safety and welfare of the inhabitants of the county?
 - f. Project narrative describing the project vision.
- (c) Destination and recreation resort zone supplementary requirements.
 - (1) Due to the anticipated scale and potential impact of a destination and recreation resort on the county and other surrounding areas, additional information, shall be required to accompany any application submitted for consideration of a destination and recreation resort zone approval. The additional information shall consist of the following:
 - a. Concept development plan showing sensitive land areas as described/mapped in [Title 104, Chapter 28](#), Ogden Valley Sensitive Lands Overlay Zone.
 - b. Traffic impact analysis.
 - c. Cost benefit analysis.
 - d. Recreation facilities plan.
 - e. Seasonal workforce housing plan.
 - f. Emergency services plan including a letter of feasibility from the Weber fire district and Weber County sheriff's office.
 - g. Letter of feasibility from the electrical power provider.
 - h. Density calculation table showing proposed density calculations.
 - i. Thematic renderings demonstrating the general vision and character of the proposed development.
- (d) All documents submitted as part of the application shall be accompanied by a corresponding PDF formatted file.

(Ord. of 1956, § 35-4; Ord. No. 2009-29)

SECTION 3: **AMENDMENT** “Sec 102-5-5 Concept Development Plan” of the Weber County County Code is hereby *amended* as follows:

AMENDMENT

Sec 102-5-5 Concept Development Plan

- (a) A concept development plan may be required to be submitted with a rezoning application to any zone, as provided in Section 102-5-6. The concept development plan shall supply sufficient information about the development to assist the Planning Commission and County Commission in making a decision on the rezoning application. ~~A copy of plans shall be submitted on 11 by 17-inch paper and on 24 by 36-inch paper, at a readable scale. All concept plans (including but not limited to architectural elevations/renderings, etc.), and subsequent submittals and revisions, shall be accompanied by a full-scale set of PDF, DWF and JPEG files of the respective plans.~~ Information supplied shall include text and illustration identifying or showing:
- (1) Inventory of general land use types located within the project and the surrounding area.
 - (2) Approximate locations and arrangements of buildings, structures, facilities and open space.
 - (3) Architectural rendering of proposed buildings, structures, facilities and open space within the project.
 - (4) Access and traffic circulation patterns and approximate location of parking.
 - (5) A written description explaining how the project is compatible with surrounding land uses.
 - (6) The existing site characteristics (e.g., terrain, vegetation, watercourses, and wetlands, etc.).
 - (7) Existing and proposed infrastructure.
 - ~~(8) Written explanation and visual illustration showing p~~Project density and mass/scale in comparison to the existing developed area adjacent to the proposed rezone.
 - (9) Legal description of the property being proposed for rezone.
- (b) The applicant/owner, and any assignee or successor in interest, is required to develop only in accordance with the proposals outlined in the plan. Any materially different concept, use, building arrangement, etc., will not be approved nor will building permits be issued by the county until such plan is amended by the county commission after recommendation of the planning commission. Minor changes may be approved by the planning director. If the county denies such changes or amendments and/or the concept plan is abandoned, the county may institute steps to revert the zoning to its former or other appropriate zone. The information shown on the concept plan may vary in detail depending on the size of projects.

(Ord. of 1956, § 35-5; Ord. No. 2009-29; Ord. No. 2017-14, Exh. A, 5-9-2017)

SECTION 4: AMENDMENT “Sec 102-5-7 Approved Development Proposals” of the Weber County County Code is hereby *amended* as follows:

AMENDMENT

Sec 102-5-7 Approved Development Proposals

After rezoning is granted, applications for development within the rezoned area shall be reviewed as required by the Land Use Code. The development plans shall be ~~in~~ accordance consistent with the approved concept development plan or development agreement, if applicable.

(Ord. of 1956, § 35-7; Ord. No. 2009-29)

SECTION 5: AMENDMENT “Sec 102-5-9 Reserved” of the Weber County County Code is hereby *amended* as follows:

AMENDMENT

~~See 102-5-9 Reserved (Repealed)~~

SECTION 6: ADOPTION “Sec 102-5-9 Rezone Expiration And Reversion” of the Weber County County Code is hereby *added* as follows:

ADOPTION

Sec 102-5-9 Rezone Expiration And Reversion(*Added*)

- (a) Unless authorized otherwise in an adopted development agreement, a rezone that is approved based on a concept development plan, as provided in Section 102-5-5, shall by default expire after three years of no substantial construction action toward installing the improvements depicted in the development plan. For the purpose of this section, “substantial construction action” shall mean the actual installation, inspection, and acceptance by the County Engineer of a subdivision or development improvement, as provided in Title 106, Chapter 4.
- (b) A request for an extension, if applicable, shall be submitted to the Planning Division in writing with a new rezone fee. After receiving recommendation from the Planning Commission, the County Commission may extend the rezone expiration timeframe if the County Commission determines that nothing has substantially changed since the original approval that would alter the outcome of a resubmittal of the same rezone application and concept development plan.
- (c) Upon expiration, the zone shall immediately and automatically revert back to the zone or zones that existed prior to the rezone approval.
- (d) The concept plan, and the expiration and zone reversion, shall be specified in the ordinance that adopts the rezone, and the ordinance shall be recorded to the title of the property.
- (e) Nothing in this part shall be construed to limit the County Commission’s legislative

- authority to rezone the property in the future.
 (f) This section shall not affect a rezone that is not conditioned on a concept development plan.

SECTION 7: REPEAL “Sec 104-21-3 Land Use Table” of the Weber County County Code is hereby *repealed* as follows:

REPEAL

~~Sec 104-21-3 Land Use Table (Repealed)~~

USE	MV-1	M-1	M-2	M-3	SPECIAL PROVISIONS
Accessory use customarily incidental to a main use, including an accessory building incidental to the use of a main building, and a main building designed or used to accommodate the main use to which the premises are devoted.	P	P	P	P	
Acetylene gas manufacturing, compounding, processing, packing, treatment, and/or storage.	N	N	C	C	
Aircraft engine testing, including jet, missile and chemical engines.	N	N	N	C	
Aircraft or aircraft parts manufacturing.	N	N	P	P	In the M-2 zone, this use shall be located at least 600 feet from any zone boundary.
Airport.	N	P	P	P	
Any permitted use in a C-3 Zone, except dwelling unit.	P	P	P	P	

Any conditional use allowed in a C-3 Zone, except dwelling unit.	C	C	C	C	
Animal feeding operation. An animal feeding operation, as defined in Section 101-2.	N	N	N	C	See Section 104-21-4.5-acre use.
Animal feeding operation, large concentrated. A large concentrated animal feeding operation, as defined in Section 101-2.	N	N	N	C	See Section 104-21-4.5-acre use.
Animal grazing. Animal grazing, as defined in Section 101-2.	P	P	P	P	See Section 104-21-4.5-acre use.
Animal hospital.	P	P	P	P	
Apiary.	P	P	P	P	
Automobile or automobile part manufacturing.	N	N	P	P	In the M-2 zone, this use shall be located at least 600 feet from any zone boundary.
Automobile recycling (parts dismantling).	N	N	C	C	See Section 104-21-4.
Automobile repair, auto body and fender work.	C	P	P	P	The use shall be conducted within an enclosed

					building.
Automobile wrecking yard.	N	N	C	C	The use shall be enclosed within a seven foot high solid fence or wall. In the M-2 zone, this use shall be located at least 600 feet from any zone boundary.
Aviary.	P	P	P	P	
Battery manufacture.	N	C	C	C	
Blacksmith shop.	N	C	P	P	
Blast furnace.	N	N	C	C	In the M-2 zone, this use shall be located at least 600 feet from any zone boundary.
Boat building.	N	P	P	P	
Bookbinding.	N	P	P	P	
Bottling works, soft drinks.	N	P	P	P	
Brewery, small.	P	P	P	P	

Building materials sale yard.	N	C	P	P	See Section 108-7-34. See Section 104-21-4.
Cannabis production establishment.	N	P	P	P	
Carnival or other transient amusement enterprise.	N	C	C	C	
Carpenter shop, cabinet shop.	P	P	P	P	
Carpet and rug cleaning and dyeing.	N	P	P	P	
Cement batch plants.	C	C	C	C	See Section 104-21-4.
Cement, mortar, plaster or paving material, central mixing plant.	N	N	C	C	In the M-2 zone, this use shall be located at least 600 feet from any zone boundary.
Coal, fuel and wood yards.	N	P	P	P	The use shall be enclosed within a building or by a solid fence of not less than six feet in height.
Construction of buildings to be sold and moved off the premises.	N	P	P	P	

Contractor's equipment storage yard or rental of equipment used by contractors.	P	C	P	P	
Dairy.	N	P	P	P	
Disposal, reduction, or dumping of animal by product, plant, garbage, offal or dead animals.	N	N	C	C	In the M-2 zone, this use shall be located at least 600 feet from any zone boundary.
Dry cleaning plant.	N	P	P	P	
Dwelling unit for night watchman or guard and family.	P	P	P	P	See Section 104-21-4.
Egg handling, processing and sales.	N	P	P	P	
Electric appliances and/or electronic instruments assembling.	N	P	P	P	
Express office.	N	P	P	P	
Family food production.	N	P	P	P	
Farm implement sales.	P	P	P	P	
Fat rendering.	N	C	C	C	In the M-2 zone, this use shall be located at least 600 feet from any zone boundary.
Feed, cereal or flour mill.	N	N	N	C	

Fertilizer and soil conditioner manufacture, processing and/or sales.	N	E	E	E	Limited to non-animal products and by-products.
Food processing, small batch artisan.	P	P	P	P	Limited to food for human consumption, e.g., baked goods, confectioneries, and craft cheese.
Foundry, casting light weight, non-ferrous metal without causing noxious odors or fumes.	N	E	E	E	
Foundry or forage plant.	N	N	N	E	
Garage, public.	N	P	P	P	
Garden supplies and plant material sales.	P	P	P	P	
Gravel pit, quarry, or mine.	N	N	E	E	In the M-2 zone, this use shall be located at least 600 feet from any zone boundary.
Greenhouse and nursery.	P	P	P	P	
Gymnasium.	P	P	P	P	
Honey extraction.	P	P	P	P	

Ice manufacturing and storage.	N	P	P	P	
Incinerator.	N	N	C	C	No objectionable fumes and odors shall emitted.
Kennel.	N	P	P	P	
Knitting mill.	N	P	P	P	
Laboratory.	N	P	P	P	
Lawn mower sales and/or service.	P	P	P	P	
Laundry.	P	P	P	P	
Machine shop.	P	P	P	P	
Manufacturing, compounding, processing, packing and treatment of bakery goods, candy, dairy products, and pharmaceuticals.	N	P	P	P	
Manufacturing, compounding, assembling and treatment of articles of merchandise from the following previously prepared materials: cellophane, canvas, cloth, cork, felt, shell, straw, textile, wood, and yarn.	N	P	P	P	
Manufacturing, compounding, processing, packing and treatment of the products: cosmetics; food products, excluding the following: fish, sauerkraut, pickles, vinegar; yeast; toiletries.	N	C	C	C	
Manufacturing, compounding and treatment of articles or merchandise from the following previously prepared material: bone; feathers; Fiber; fish; glass; hair; horn; leather; paint; paper; plastic; rubber; tobacco.	N	C	C	C	
Manufacturing, fabrication, assembly, canning, compounding, packaging process treatment, storage and/or					

maintenance of the following: alcohol; brass, brick; candles, cast stone products, cement and cinder products, copper, ceramic products, clay products; dyestuff; feathers, felt, fiber, fish, fish food products, and film; glass, glucose, gypsum; hair; ink, iron; lampblack, linoleum, lime; malt, meats; oilecloth, oiled rubber goods; paper, paint, pulp, pickles, plaster, plaster of paris, plastic; sauerkraut, sheet metal, shellac, shoddy, shoe polish, stove polish soap and detergent, soda, starch, steel; terracotta, tile, turpentine; varnish, vinegar; yeast.	N	N	E	E	
Manufacturing, fabrication, assembly, canning, compounding, packaging process, treatment, storage and/or maintenance of the following: automobile and parts; cans; emery cloth excelsior; hardware; machinery; matches; oxygen; salt.	N	N	P	P	
Manufacturing, fabrication, assembly, compounding, process, treatment and storage of products made from the family of metals and carbons, including but not limited to the following: brass; iron; copper; steel; graphite and their substitutes.	N	E	E	E	
Manufacturing, processing, refining, treatment, distillation, storage or compounding of the following: Acid, ammonia, asphalt, bleaching powder and chlorine, bone, chemicals of an objectionable or dangerous nature, coal or wood, creosote, disinfectants or insecticides, fat, fireworks or explosives, fur, gas, gelatin or size, glue, hide, ore, plastic, potash, pyroxylin, roofing or waterproofing materials, rubber or guttapercha, tallow grease or lard, tar, wood, roofing or waterproofing materials, furs, wool, hides, or metals crushing for salvage.	N	N	E	E	In the M-2 zone, this use shall be located at least 600 feet from any zone boundary.
Manufacturing and maintenance of the					

following: business machines; cameras and photographic equipment; electric and neon sign, billboards and/or commercial advertising structures; light sheet metal products, including heating and ventilating ducts and equipment; musical instruments; novelties; rubber and metal stamps; and toys.	N	P	P	P	
Manufacturing of brick and all clay, ceramic, cinder, concrete, synthetic, cast stone, plastic and pumice stone products, including the manufacture of fabrication of building blocks, tile or pipe from raw material for use in building construction or for sewer or drainage purposes, and including rock or gravel crushings or raw materials which is incidental to the manufacture or fabrication of the above described products, and provided that such crushing facilities shall be located not closer than 200 feet to any property line.	N	E	E	E	
Meat custom cutting and wrapping.	P	P	P	P	No slaughtering allowed.
Meat products smoking, curing and packing, provided that no objectionable fumes are emitted.	N	E	E	E	
Metals and metal products treatment and processing.	N	N	E	E	
Metals extraction. The extraction, processing and manufacturing of magnesium chloride, magnesium, potassium, sodium, lithium, boron, bromine and their salts or chemical derivatives.	N	N	N	E	
Missiles and missile parts.	N	N	N	E	
Monument works or sales.	P	P	P	P	
Motion picture studio.	N	P	P	P	
Motor vehicles, trailers, bicycles and					

machinery repairing, rentals, sales and reconditioning.	N	P	P	P	
Oil or lubricating grease compounding.	N	N	C	C	
Ore beneficiation, smelting, or refining of metal materials.	N	N	C	C	In the M-2 zone, this use shall be located at least 600 feet from any zone boundary.
Ornamental iron sales or repair.	P	P	P	P	
Outdoor storage.	N	N	C	C	
Parking lot.	N	P	P	P	
Pest control.	P	P	P	P	
Petroleum refining and storage.	N	N	C	C	
Planing mill.	N	P	P	P	
Plumbing shop.	P	P	P	P	
Printing services.	P	P	P	P	
Public and quasi public uses.	P	P	P	P	
Public safety training facility.	N	C	C	C	
Public transit yards.	N	P	P	P	
Public utility substations.	C	C	C	C	
Racing, go cart racing or drag strip.	N	N	C	C	
Radio and television transmitting towers.	N	P	P	P	
Railroad yards, shop and/or roundhouse.	N	N	C	C	
Recreation area, private.	N	N	N	C	
Recreation center.	P	P	P	P	
Recreation center daycare. A daycare accessory to a recreation center.	P	P	P	P	

Recreational vehicle storage.	P	P	P	P	
Rental shop, home and garden equipment.	P	P	P	P	
Retail sales, limited.	P	P	P	P	See Section 104-21-4.
Rock crusher.	N	N	C	C	
Roofing sales or shop.	P	P	P	P	
Rubber welding.	N	P	P	P	
Sand blasting.	N	P	P	P	
Self-storage. Indoor self storage units for personal and household items.	P	P	P	P	
Service station.	N	P	P	P	
Shooting range or training course, indoor or outdoor.	N	N	N	C	See Section 104-21-4.
Sign painting shop.	P	P	P	P	
Site leveling and preparation for future development.	C	C	C	C	
Smelting or refining of materials.	N	N	C	C	In the M-2 zone, this use shall be located at least 600 feet from any zone boundary.
Soil and lawn service.	P	P	P	P	
Space craft and space craft parts manufacturing.	N	N	N	C	
					In the M-2

Steel or iron mill mines.	N	N	C	C	zone, this use shall be located at least 600 feet from any zone boundary.
Stockyards, slaughterhouse.	N	N	C	C	In the M-2 zone, this use shall be located at least 600 feet from any zone boundary.
Taxidermist.	P	P	P	P	
Temporary building for uses incidental to construction work.	P	P	P	P	The buildings must be removed upon completion or abandonment of the construction work.
Tire retreading and/or vulcanizing.	N	P	P	P	
					Accessory concession stand, picnic

Track or trails for motorcycle and off road vehicle.	N	E	E	E	area, park and playground facilities are allowed.
Trade or industrial school.	P	P	P	P	
Transfer company.	N	P	P	P	
Truck service station.	N	P	P	P	
Trucking terminal.	N	P	P	P	
Upholstering, including mattress manufacturing, rebuilding and renovating.	P	P	P	P	
Used car lot.	N	P	P	P	
Ventilating equipment sales and service.	P	P	P	P	
Veterinarian and small animal grooming.	N	P	P	P	
Warehouse.	P	P	P	P	
Wastewater treatment or disposal facility.	E	E	E	E	
Water storage reservoir.	E	E	E	E	Only allowed when developed by a public agency and meeting the requirements of Title 108, Chapter 10 of this Land Use Code.

Weaving.	N	P	P	P	
Welding shop.	N	P	P	P	
Wholesale business.	N	P	P	P	
Window washing establishment.	P	P	P	P	
Wrecked car sales.	N	N	C	C	

SECTION 8: ADOPTION “Sec 104-21-3* Land Use Table M-1, M-2, M-3” of the Weber County County Code is hereby *added* as follows:

ADOPTION

Sec 104-21-3* Land Use Table M-1, M-2, M-3(*Added*)

In the following tables of possible uses, a use designated in any zone as "P" is a permitted use. A use designated in any zone as "C" will be allowed only when authorized by a conditional use permit obtained as provided in Title 108, Chapter 4 of this Land Use Code. Uses designated as "N" will not be allowed in that respective zone. Unless more specifically regulated in the following table, any use listed as "P" in the C-3 zone is a permitted use in the M-1, M-2, and M-3 zones, and any use listed as "C" in the C-3 zone is a conditional use. Likewise, any use listed as a "P" in the CV-2 zone is a permitted use in the MV-1 zone, and any use listed as "C" in the CV-2 zone is a conditional use. All uses listed are indoor uses unless explicitly stated otherwise with the terms "outdoor" or "yard." When a use fits more than one use listed in these tables, the more specific or more restrictive provision applies. In all manufacturing zones, any manufacturing process that will result in odors, dust, fumes, or other airborne contaminants that have the potential of negatively affecting the manufacturing of products, or the work environment in which this manufacturing occurs, shall provide mechanisms, by installation or otherwise, that will keep the airborne contaminants from leaving the site.

(a) ***Aeronautical, Space-Based, or Defense-Based Manufacturing.***

	<u>—</u> <u>—</u>	<u>MV</u> <u>-1</u>	<u>M-1</u>	<u>M-2</u>	<u>M-3</u>	SPECIAL PROVISIONS
<i><u>Aircraft engine testing, including jet, missile and chemical engines.</u></i>	—	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>This use shall be located at least 600 feet from any zone boundary.</u>
<i><u>Aircraft or aircraft parts manufacturing.</u></i>	—	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>In the M-2 zone, this use shall be located at least 600 feet from any zone boundary.</u>
<i><u>Missiles and missile parts.</u></i>	—	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>This use shall be located at least 600 feet from any zone boundary.</u>
<i><u>Space craft and space craft parts manufacturing.</u></i>	—	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>This use shall be located at least 600 feet from any zone boundary.</u>

(b) *Animal Byproduct Harvesting, Processing, or Refining.*

	<u>—</u> <u>—</u>	<u>MV</u> <u>-1</u>	<u>M-1</u>	<u>M-2</u>	<u>M-3</u>	SPECIAL PROVISIONS
<i><u>Animal byproduct manufacturing, generally.</u></i>	—	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>This use shall be located at least 600 feet from any zone boundary.</u>
<i><u>Fat rendering.</u></i>	—	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>This use shall be located at least 600 feet from any zone boundary.</u>

(c) *Animal-Related Uses.*

	<u>—</u>	<u>MV</u> <u>-1</u>	<u>M-1</u>	<u>M-2</u>	<u>M-3</u>	SPECIAL PROVISIONS
<i><u>Animal feeding operation. An animal feeding operation, as defined in Section 101-2.</u></i>		<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	

<u><i>Animal feeding operation, large concentrated.</i></u> A large concentrated animal feeding operation, as defined in Section 101-2.		<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	
<u><i>Animal grazing.</i></u> Animal grazing, as defined in Section 101-2.		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u><i>Animal hospital.</i></u>	—	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u><i>Apiary.</i></u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u><i>Aviary.</i></u>		<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u><i>Farm for the raising and grazing of horses, cattle, sheep or goats.</i></u>	—	<u>N</u>	<u>N</u>	<u>C</u>	<u>C</u>	
<u><i>Kennel.</i></u>	—	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u><i>Stockyards.</i></u>	—	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>This use shall be located at least 600 feet from any zone boundary.</u>
<u><i>Slaughterhouse.</i></u>	—	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>This use shall be located at least 600 feet from any zone boundary.</u>
<u><i>Veterinarian and small animal grooming.</i></u>	—	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	

(d) *Commercial Services.*

	<u>—</u> <u>—</u>	<u>MV</u> <u>-1</u>	<u>M-1</u>	<u>M-2</u>	<u>M-3</u>	<u>SPECIAL</u> <u>PROVISIONS</u>
<u>Building material sales yard.</u>	<u>—</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>See Section 104-21-4</u>
<u>Contractor's equipment storage yard or rental of equipment used by contractors (indoor or outdoor).</u>	<u>—</u>	<u>C</u>	<u>C</u>	<u>P</u>	<u>P</u>	
<u>Fertilizer and soil conditioner manufacturing or processing (indoor or outdoor).</u>	<u>—</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>No animal products or by-products allowed to be used.</u>
<u>Gas station or convenience store. A gas station or convenience store, with accessory and incidental outdoor uses.</u>	<u>—</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Laboratory.</u>	<u>—</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Machine shop.</u>	<u>—</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Metal working, shaping, or assembling shop.</u>	<u>—</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Motion picture studio.</u>	<u>—</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Motion picture studio, outdoor.</u>	<u>—</u>	<u>N</u>	<u>C</u>	<u>C</u>	<u>P</u>	
<u>Repairing or reconditioning of motor vehicles, trailers, bicycles, boats, and similar.</u>	<u>—</u>	<u>C</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Sand blasting.</u>	<u>—</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	

(e) Commercial Sales.

	<u>—</u> <u>—</u>	<u>MV</u> <u>-1</u>	<u>M-1</u>	<u>M-2</u>	<u>M-3</u>	<u>SPECIAL</u> <u>PROVISIONS</u>
<i><u>Fertilizer and soil conditioner sales (indoor or outdoor).</u></i>	—	<u>N</u>	C	C	C	
<i><u>Wrecked car sales (indoor or outdoor).</u></i>	—	<u>N</u>	N	C	C	

(f) *Construction Material Manufacturing, Temporary.*

	<u>—</u> <u>—</u>	<u>MV</u> <u>-1</u>	<u>M-1</u>	<u>M-2</u>	<u>M-3</u>	<u>SPECIAL</u> <u>PROVISIONS</u>
<i><u>Mixing facility for asphalt or concrete, temporary (indoor or outdoor). An onsite asphalt or concrete mixing facility, incidental to large site development.</u></i>	—	<u>N</u>	C	C	C	<u>See Section 104-21-4.</u>
<i><u>Rock crusher, temporary (indoor or outdoor). A mobile rock crushing operation incidental to large site development.</u></i>	—	<u>N</u>	C	C	C	

(g) *Food Manufacturing and Packaging.*

	<u>—</u> <u>—</u>	<u>MV</u> <u>-1</u>	<u>M-1</u>	<u>M-2</u>	<u>M-3</u>	SPECIAL PROVISIONS
<i><u>Alcohol distillery.</u></i>	—	P	P	P	P	
<i><u>Bakery goods manufacturing.</u></i>	—	P	P	P	P	
<i><u>Brewery.</u></i>	—	P	P	P	P	
<i><u>Dairy and dairy product processing.</u></i>	—	N	P	P	P	
<i><u>Fat rendering.</u></i>	—	N	N	N	C	This use shall be located at least 600 feet from any zone boundary.
<i><u>Food products, small-batch artisan.</u></i>	—	P	P	P	P	Limited to food for human consumption, e.g., baked goods, confectioneries, and craft cheese.
<i><u>Food products manufacturing.</u></i> The manufacturing of food products may include use of potentially hazardous chemicals incidental and accessory to the processing of the food onsite.	—	N	C	P	P	
<i><u>Meat custom cutting and wrapping, excluding slaughtering.</u></i>	—	P	P	P	P	
<i><u>Meat products smoking, curing and packing.</u></i>	—	N	C	C	C	
<i><u>Packaging and distribution of food products produced onsite.</u></i>	—	P	P	P	P	
<i><u>Packaging and distribution of food products produced offsite.</u></i>		N	P	P	P	
<i><u>Tobacco manufacturing.</u></i>	—	N	N	N	C	

(h) *Gaseous or Liquid Nonfood Manufacturing.*

	<u>—</u> <u>—</u>	<u>MV</u> <u>-1</u>	<u>M-1</u>	<u>M-2</u>	<u>M-3</u>	<u>SPECIAL</u> <u>PROVISIONS</u>
<u><i>Hazardous products.</i></u> Chemicals, paints, inks, and other products that are or have potential of being combustibile, explosive, oxidizers, organic peroxides, poisonous or infectious, radioactive, or otherwise hazardous or capable of posing a risk to health, safety, property or environment.	—	<u>N</u>	N	N	C	This use shall be located at least 600 feet from any zone boundary.
<u><i>Nonhazardous products.</i></u>	—	<u>C</u>	C	P	P	

(i) *Mining, Rock, or Gravel Production.*

	<u>—</u> <u>—</u>	<u>MV</u> <u>-1</u>	<u>M-1</u>	<u>M-2</u>	<u>M-3</u>	<u>SPECIAL</u> <u>PROVISIONS</u>
<u><i>Mining or extraction of metals or other minerals (indoor or outdoor).</i></u>	—	<u>N</u>	N	N	C	This use shall be located at least 600 feet from any zone boundary.
<u><i>Gravel extraction (indoor or outdoor).</i></u>	—	<u>N</u>	N	N	C	This use shall be located at least 600 feet from any zone boundary.
<u><i>Rock crusher (indoor or outdoor).</i></u>	—	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	

(j) *Pharmaceutical.*

	<u>—</u> <u>—</u>	<u>MV</u> <u>-1</u>	<u>M-1</u>	<u>M-2</u>	<u>M-3</u>	<u>SPECIAL</u> <u>PROVISIONS</u>
<u><i>Cannabis cultivation establishment.</i></u>	—	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>See Section 108-7-34.</u>
<u><i>Cannabis production establishment.</i></u>	—	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>See Section 108-7-34.</u>
<u><i>Pharmaceuticals, generally.</i></u>	—	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	

(k) *Processing or Refining of Raw Material Into the Basic Material From Which a Final or Semi-Final Nonfood Product Can be Made.*

	<u>—</u> <u>—</u>	<u>MV</u> <u>-1</u>	<u>M-1</u>	<u>M-2</u>	<u>M-3</u>	<u>SPECIAL</u> <u>PROVISIONS</u>
<u><i>Metals processing or refining, hazardous metals.</i></u> Products that are or have potential of being <u>combustible, explosive, oxidizers, organic peroxides, poisonous or infectious, radioactive, or otherwise hazardous or capable of posing a risk to health, safety, property or environment.</u>	—	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>This use shall be located at least 600 feet from any zone boundary.</u>
<u><i>Metals processing or refining, nonhazardous metals.</i></u>	—	<u>N</u>	<u>N</u>	<u>C</u>	<u>P</u>	
<u><i>Metals processing or refining, large foundry or forage plant.</i></u>	—	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	
<u><i>Metals processing or refining, small foundry for light weight and non-ferrous metals.</i></u>	—	<u>N</u>	<u>C</u>	<u>C</u>	<u>P</u>	
<u><i>Plastic processing or refining.</i></u>	—	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	
<u><i>Organics processing or refining, hazardous organics.</i></u> Products that are or have potential of being <u>combustible, explosive, oxidizers, organic peroxides, poisonous or infectious, radioactive, or otherwise hazardous or capable of posing a risk to health, safety, property or environment.</u>	—	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>This use shall be located at least 600 feet from any zone boundary.</u>
<u><i>Organics processing or refining, nonhazardous organics.</i></u>	—	<u>N</u>	<u>N</u>	<u>C</u>	<u>C</u>	

(l) ***Processing, Compounding, Assembling, or Fabricating of a Final or Semi-Final Product From Solid Materials Previously Processed or Refined.***

	<u>—</u> <u>—</u>	<u>MV</u> <u>-1</u>	<u>M-1</u>	<u>M-2</u>	<u>M-3</u>	<u>SPECIAL</u> <u>PROVISIONS</u>
<i>Batteries.</i> The compounding, assembling, or fabricating of batteries or battery parts.	—	<u>N</u>	<u>C</u>	<u>C</u>	<u>C</u>	
<i>Mixing plant for certain construction material (indoor or outdoor).</i> A mixing or batching plant for cement, cinder, mortar, brick, plaster, paving or similar construction material or products.	—	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>See Section 104-21-4.</u>
<i>Motor vehicle, trailer, bicycle, boat, and similar manufacturing, including parts thereof.</i>	—	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>In the M-2 zone, this use shall be located at least 600 feet from any zone boundary.</u>
<i>Products, hazardous.</i> Products that are or have potential of being combustible, explosive, oxidizers, organic peroxides, poisonous or infectious, radioactive, or otherwise hazardous or capable of posing a risk to health, safety, property or environment.	—	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	
<i>Products, nonhazardous.</i> The creation of nonhazardous products.	—	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<i>Rubber products.</i> The compounding, assembling, or fabricating of real or synthetic rubber products.	—	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>This use shall be located at least 600 feet from any zone boundary.</u>

(m) ***Public, Quasipublic, and Institutional.***

	<u>---</u> <u>-</u>	<u>MV</u> <u>-1</u>	<u>M-1</u>	<u>M-2</u>	<u>M-3</u>	<u>SPECIAL</u> <u>PROVISIONS</u>
<i><u>Public and quasi public uses, including public buildings (indoor or outdoor).</u></i>	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<i><u>Public safety training facility (indoor or outdoor).</u></i>	-	<u>N</u>	<u>C</u>	<u>C</u>	<u>C</u>	
<i><u>Public transit storage or maintenance facility (indoor or outdoor).</u></i>	-	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<i><u>Recreation center. May also include a daycare center as an incidental and accessory use.</u></i>	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	

(n) *Recreational.*

	<u>---</u> <u>-</u>	<u>MV</u> <u>-1</u>	<u>M-1</u>	<u>M-2</u>	<u>M-3</u>	<u>SPECIAL</u> <u>PROVISIONS</u>
<i><u>Racing, go cart racing or drag strip; indoor.</u></i>	-	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<i><u>Racing, go cart racing or drag strip; outdoor.</u></i>	-	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	
<i><u>Recreation area, private; outdoor.</u></i>	-	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	
<i><u>Shooting range or training course; indoor or outdoor.</u></i>	-	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>See Section 104-21-4.</u>
<i><u>Track or course for motor vehicle competition; indoor</u></i>	-	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<i><u>Track or course for motor vehicle competition; outdoor with spectators</u></i>	-	<u>N</u>	<u>N</u>	<u>C</u>	<u>P</u>	
<i><u>Track or course for motor vehicle competition; outdoor without spectators</u></i>	-	<u>N</u>	<u>C</u>	<u>P</u>	<u>P</u>	
<i><u>Track or course for off road vehicles; indoor</u></i>	-	<u>N</u>	<u>C</u>	<u>C</u>	<u>C</u>	

(o) *Storage.*

	<u>—</u> <u>—</u>	<u>MV</u> <u>-1</u>	<u>M-1</u>	<u>M-2</u>	<u>M-3</u>	<u>SPECIAL</u> <u>PROVISIONS</u>
<i>Self-storage. Indoor self storage units for personal and household items.</i>	—	<u>P</u>	P	P	P	
<i>Recreational vehicle storage, indoor.</i>	—	<u>P</u>	P	P	P	
<i>Outdoor storage.</i>	—	<u>N</u>	<u>N</u>	<u>C</u>	<u>C</u>	

(p) *Textiles.*

	<u>—</u> <u>—</u>	<u>MV</u> <u>-1</u>	<u>M-1</u>	<u>M-2</u>	<u>M-3</u>	<u>SPECIAL</u> <u>PROVISIONS</u>
<i>Carpet and rug manufacturing and dyeing.</i>	—	<u>N</u>	P	P	P	
<i>Dry cleaning plant.</i>	—	<u>N</u>	P	P	P	
<i>Textile manufacturing or maintenance.</i>	—	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<i>Upholstering, including furniture manufacturing, rebuilding and renovating.</i>	—	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	

(q) *Transportation, Nonmanufacturing.*

	<u>—</u> <u>—</u>	<u>MV</u> <u>-1</u>	<u>M-1</u>	<u>M-2</u>	<u>M-3</u>	<u>SPECIAL</u> <u>PROVISIONS</u>
<i><u>Airport.</u></i>	—	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<i><u>Freight transfer, indoor.</u></i>	—	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<i><u>Freight transfer, outdoor.</u></i>	—	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	
<i><u>Parking lot, outdoor.</u></i>	—	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<i><u>Parking structure.</u></i>	—	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<i><u>Railroad yards, shop and/or roundhouse (indoor or outdoor).</u></i>	—	<u>N</u>	<u>N</u>	<u>C</u>	<u>C</u>	
<i><u>Truck service station.</u></i>	—	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	

(r) *Waste Disposal and Recycling.*

	<u>—</u> <u>—</u>	<u>MV</u> <u>-1</u>	<u>M-1</u>	<u>M-2</u>	<u>M-3</u>	<u>SPECIAL</u> <u>PROVISIONS</u>
<i><u>Automobile wrecking yard or junkyard. (Indoor or outdoor)</u></i>	—	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>See Section 104-21-4</u>
<i><u>Automobile recycling and parts dismantling.</u></i>	—	<u>N</u>	<u>N</u>	<u>C</u>	<u>C</u>	<u>See Section 104-21-4</u>
<i><u>Disposal, reduction, or dumping of animal by-product, plant, garbage, offal or dead animals. (Indoor or outdoor)</u></i>	—	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	
<i><u>Incinerator.</u></i>	—	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	
<i><u>Solid waste dump. (Indoor or outdoor)</u></i>	—	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	
<i><u>Radioactive waste disposal.</u></i>	—	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	
<i><u>Recycling facility. The recycling of metals, plastics, paper, or glass.</u></i>	—	<u>N</u>	<u>C</u>	<u>C</u>	<u>P</u>	

SECTION 9: **AMENDMENT** “Sec 104-21-4 Special Regulations” of the Weber County County Code is hereby *amended* as follows:

AMENDMENT

Sec 104-21-4 Special Regulations

The uses listed below correspond with certain uses listed in the Land Use Table in Section 104-21-3. Due to the nature of the use, each shall be further regulated as follows:

- (a) ***Animal grazing.*** This use shall not include the supplementary or full feeding of the animals, except when in compliance with the following:
 - (1) It may only be carried on during times that are reasonable and necessary due to lack of natural growing feed as a result of seasonal changes or extreme and temporary meteorological events.
 - (2) It shall not exceed a density of 25 head per acre of used land in the AV-3 and A-1 zones, and 40 head per acre of used land in the A-2 and A-3 zones; and
 - (3) It shall not be closer than 75 feet to any dwelling, public or semi-public building on an adjoining parcel of land.
- (b) ***Animal feeding operation.*** This use may include supplemental or full feeding. However, it is prohibited to feed animals any market refuse, house refuse, garbage, or offal that was not produced on the premises. The following additional standards apply for hog feeding:
 - (1) All pens and housing for hogs shall be concrete and maintained in a sanitary manner.
 - (2) Drainage structures and disposal of animal waste shall be provided and properly maintained as required by the local health department.
- (c) ***Animal feeding operation, large concentrated.*** A large concentrated animal feeding operation shall not be located within a half-mile of a zone boundary, unless the boundary is shared with another zone in which this use is allowed. Additionally, the area of confinement devoted to the feeding of the animals in any new large concentrated animal feeding operation shall be set back at least one quarter-mile from every property boundary.
- (d) ***Automobile recycling (parts dismantling).*** This use shall be conducted within a completely enclosed building. In the M-2 zone, the recycling facility shall have no more than 40 automobiles at the site at any one time. Any automobile recycling

vehicle storage area must be enclosed by a solid wall or fence of not less than seven feet in height.

- (e) Automobile wrecking yard or junkyard. This use shall be conducted within a completely enclosed building. In the M-2 zone, this use shall be located at least 600 feet from any zone boundary.
- (f) **Building material sales yard.** In the M-1 zone, a building material sales yard may include the sale of rock, sand, gravel and the like, as an incidental part of the main business, but shall exclude concrete mixing except as such concrete mixing is necessary in the preparation and manufacture of any of the products specified in this section.
- (g) Mixing plant for certain construction material. ~~Cement batch plants.~~ The following standards apply to a ~~ceement batch~~ mixing plant:
- (1) The cement silo mixer shall not be larger than 300 barrels ~~in the M-1, M-2, and M-3 zones, and 200 barrel in the MV-1 zone.~~
 - (2) There shall be a 15-foot landscape buffer with a six-foot-high earth berm planted with six feet or larger evergreen trees. The trees shall be Canada Hemlock, Scotch Pines, Douglas Fir, or Blue Spruce. The trees shall be planted every 15 feet on center. The evergreen shrubs shall be Junipers, Mugo Pines, or Spreading Yew. The shrubs shall be 36 inches high and there shall be 15 shrubs per 100 feet. There shall be five canopy trees per 100 feet. These trees shall be Maples, Linden, Quaking Aspens, Cottonless Cottonwood, Honey Locust, or Birch trees. These trees shall be a minimum of two-inch caliper. This landscaping shall be planted on the crest of the six-foot berm when the property abuts agricultural or residential zones.
 - (3) There shall be no more than three cement trucks, and no more than two other semi-trucks and trailers used with this operation stored on site.
 - (4) There shall be no more than 40 yards of sand and gravel mix stored on this site. The sand and gravel mix shall be stored in a three-wall bin and covered when not in use.
 - (5) All cement product on site shall be stored within the silo. At least 15,000 square feet of the lot shall be dedicated for this use.
 - (6) The property shall be at least one acre in size.
 - (7) A vehicle/trailer washout area is required. A detailed plan for the washout area shall be submitted with the permit application.
- (h) Mixing facility for asphalt or concrete, temporary. The following standards apply to a temporary mixing facility:
- (1) The cement silo mixer shall not be larger than 200 barrels.
 - (2) There shall be no more than two cement trucks, and not more than two other semi-trucks and trailers used with this operation stored onsite.
 - (3) Evaluation of the storing of 40 yards or more of sand and gravel mix onsite shall be subject to additional review for detrimental effects through a conditional use permitting process. The sand and gravel mix shall be stored in a three-wall bin and covered when not in use.
 - (4) All cement product onsite shall be stored within the silo. At least 15,000

square feet of the lot shall be dedicated for this use.

(5) The project site shall be at least ten acres in size.

(6) A vehicle/trailer washout area is required. A detailed plan for the washout area shall be submitted with the permit application.

- (i) ***Dwelling unit for night watchman or guard and family.*** The dwelling unit shall be for the exclusive use of a night watchman or guard and his or her immediate family. The site shall provide an additional 3,000 square feet of landscaped area for the residential use.
- (j) ***Retail sales, limited.*** This use is limited to the sales of products produced by, developed in conjunction with, or normally required and used in the performance of a commercial or manufacturing operation permitted in this zone, and provided the retail sales is clearly an accessory use to the main permitted use and is conducted within the same building or, if the main use is not a building, then on the same property. No retail sale of products may be made in conjunction with a warehousing or wholesale business.
- (k) ***Shooting range or training course, indoor or outdoor.*** The facility shall provide designated shooting positions for which ballistic backstops are designed. No shooting is allowed except in these designated shooting positions. All sides down range of a shooting position shall have a non-ricochet ballistic backstop, including overhead and on the ground or floor, capable of containing all errant bullets. For an outdoor range, the overhead backstop may be a series of baffles. Approval shall be subject to the requirements and conditions of the local fire authority. The range operator shall be onsite at all times shooting is occurring.

~~Reserved:~~

(Ord. of 1956, § 18B-4; Ord. No. 2011-5, § 18B-4, 3-15-2011; Ord. No. 2012-17, § 18B-4, 10-23-2012; Ord. No. 2016-10, Exh. A, 8-23-2016)

SECTION 10: AMENDMENT “Sec 104-21-5 Site Development Standards” of the Weber County County Code is hereby *amended* as follows:

AMENDMENT

Sec 104-21-5 Site Development Standards

The following site development standards shall apply to the Manufacturing Zones:

- (a) Lot area:

	MV-1	M-1	M-2	M-3	ADDITIONAL RESTRICTION
Minimum lot area:	None	None	None	20,000 square feet	Except minimum required by health department if not connected to sewer system.

(b) Lot width:

	MV-1	M-1	M-2	M-3	ADDITIONAL RESTRICTION
Minimum lot width:	None 100 feet	None 100 feet	None 100 feet	None 100 feet	

(c) Yard Setbacks

(1) Front yard setbacks:

	MV-1	M-1	M-2	M-3	ADDITIONAL RESTRICTION
Minimum front yard setback	30 feet	30 feet	30 feet	50 feet	Except 50 feet if on a street <u>right-of-ways that is or is planned to become</u> 80 feet or wider.

(2) Side yard setbacks:

	MV-1	M-1	M-2	M-3	ADDITIONAL RESTRICTION
Minimum side yard setback	None	None	None	None	Except 20 feet where <u>the lot is</u> adjacent to <u>a</u> residential zone, or for a side yard on a corner lot.

(3) Rear yard setback:

	MV-1	M-1	M-2	M-3	ADDITIONAL RESTRICTION
Minimum rear yard setback	None	None	None	None	Except 30 feet where <u>building</u> <u>the lot</u> rears on a residential zone.

(d) Building height:

	MV-1	M-1	M-2	M-3	ADDITIONAL RESTRICTION
Minimum building height	1 story	1 story	1 story	1 story	
Maximum building height	50 feet	None	None	None	

(e) Lot coverage:

	MV-1	M-1	M-2	M-3	ADDITIONAL RESTRICTION
Maximum lot coverage by buildings	10,000 square feet	80 percent	80 percent	80 percent	

Editors note: This section was previously devoted to the CV-1 and CV-2 zones. Ordinance No. 2020-24 consolidated the CV-1 and CV-2 zones into Chapter 104-20.

(Ord. of 1956, § 18B-2; Ord. No. 2011-5, § 18B-2, 3-15-2011; Ord. No. 2012-17, § 18B-2, 10-23-2012; Ord. No. 2016-10, Exh. A, 8-23-2016)

SECTION 11: AMENDMENT “Sec 108-1-2 Application And Review” of the Weber County County Code is hereby *amended* as follows:

AMENDMENT

Sec 108-1-2 Application And Review

- (a) All applications for occupancy permits or building permits for all multifamily (over eight) dwellings, recreation resort uses, public and quasi-public uses, business, commercial and manufacturing buildings, structures and uses and their accessory buildings, shall be accompanied by architectural elevations and site development plans to scale, which shall show building locations, major exterior elevations, exterior building materials and color schemes, landscaping, prominent existing trees, ground treatment, fences, off-street parking, vehicle and pedestrian circulation, adjacent

buildings, streets and property lines, and existing grades and proposed new grades. All plans shall be reviewed and approved by the planning commission with the exception that small buildings or additions with a total footprint of less than 10,000 square feet, and which impact an area of less than one acre may be reviewed and approved by the planning director after meeting the requirements of all applicable ordinances. In the Ogden Valley Destination and Recreation Resort Zone at elevations of at least 6,200 feet above sea level, the buildings with a total footprint of less than 75,000 square feet may be reviewed and approved by the planning director after meeting the requirements of all applicable ordinances and/or the intent of the applicable master plan. All of the above required architectural and site development plans shall be reviewed and approved prior to the issuing of any land use, occupancy or building permit.

- (b) All documents submitted in the application shall be accompanied by a PDF file of the respective document. All plans (including but not limited to site plans, architectural elevations/renderings, etc.), and subsequent submittals and revisions, shall be accompanied by a full scale set of PDF files of the respective plans.
- (c) The applicability of the provisions of this chapter may be waived or modified by the County Commission by means of an executed and recorded development agreement. The specific waiver or modification shall be explicitly stated in the development agreement. The specific waiver or modification is subject to a public hearing with, and recommendation from, the Planning Commission prior to County Commission final decision.

(Ord. of 1956, § 36-2; Ord. No. 2009-3; Ord. No. 2014-6, § 1, 4-1-2014; Ord. No. 2016-4, Exh. C2, 5-24-2016)

SECTION 12: AMENDMENT “Sec 108-3-7 Lot Development Standards” of the Weber County County Code is hereby *amended* as follows:

AMENDMENT

Sec 108-3-7 Lot Development Standards

Unless otherwise provided for in this section, residential building lots shall be developed in a manner that meets all applicable standards, including but not limited to those found in the Weber County Land Use Code and the requirements and standards of the Weber-Morgan Health Department, if applicable. The following specific site development standards apply to lots in cluster subdivisions:

- (a) *Lot area.* Unless otherwise regulated by the Weber-Morgan Health Department, a lot located within a cluster subdivision shall contain an area of not less than 9,000 square feet, unless otherwise provided in section 108-3-8.
- (b) *Lot width.* Unless otherwise regulated by the Weber-Morgan Health Department, the minimum lot width in a cluster subdivision is as follows:

Zone	Lot Width
F-40 and F-10 zones:	100 feet
FR-1, F-5, and AV-3 zones:	80 feet
RE-15, RE-20 zones:	60 feet
A-1, A-2, and A-3 zones:	60 feet
FR-3 zone:	50 feet
DRR-1 zone:	50 feet

(c) *Yard setbacks.* The minimum yard setbacks in a cluster subdivision are as follows:

(1) Front yard setbacks:

	Setback
Front:	20 feet

(2) Side yard setbacks:

Side:	Setback
Dwelling or other main building:	8 feet
Accessory building:	8 feet; except one foot if located at least six feet in rear of dwelling
Accessory building over 1,000 square feet:	See section 108-7-16
Corner lot side facing street:	20 feet

(3) Rear yard setbacks:

Rear:	Setback
<u>Dwelling or other main building</u> Rear:	20 feet
<u>Accessory building:</u>	<u>1 foot except 10 feet where accessory building on a corner lot rears on side yard of an adjacent lot</u>

(d) *Building height.* The maximum height for a building in a cluster subdivision is as follows:

Building	Height
Dwelling:	40 feet
Accessory building:	30 feet

(Ord. No. 2018-6, Exh. A, 5-8-2018)

PASSED AND ADOPTED BY THE WEBER COUNTY BOARD OF COUNTY COMMISSIONERS _____.

	AYE	NAY	ABSENT	ABSTAIN
Gage Froerer	_____	_____	_____	_____
Jim "H" Harvey	_____	_____	_____	_____
Scott K. Jenkins	_____	_____	_____	_____

Presiding Officer

Attest

James H. Harvey, Board of Commissioners Chair, Weber County

Ricky D. Hatch, CPA, Clerk/Auditor Weber County