



Staff Report to the Western Weber Planning 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 manufacturing zoning ordinance regarding the prohibition of intensive land uses including, but not limited to, garbage dumps, landfills, incinerators, transfer stations, and automobile wrecking or junk yards.
Agenda Date:	Tuesday, May 10, 2022
Applicant:	Weber County Planning Division
File Number:	ZTA 2022-01

Staff Information

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

Applicable Ordinances

- Weber County Land Use Code Title 104 (Zones); Chapter 21 (Manufacturing Zones MV-1, M-1, M-2, & M-3)

Summary and Background

This County-driven text amendment (see **Exhibit A**) has been undertaken primarily due to concern regarding the solid waste dump, automobile wrecking or junkyard, incinerator, or waste transfer station land uses currently listed in the land use tables of the manufacturing zoning ordinance. The majority of the previously listed uses are listed as conditionally permitted uses in the M-3 zone. These uses do not fit in with the long-range goals of the "Mega Site" (manufacturing zoned area of far west Weber County) as the County continues to work on long-range planning and marketing efforts of the area.

In brief summary, the proposed text amendments changes these uses from 'conditionally permitted' in the M-3 zone, to 'not permitted' in any zone. As detailed below in the General Plan analysis sections, these uses do not fit in well with the community vision as detailed in the current 2003 general plan or the upcoming 2022 general plan regarding land uses in the manufacturing areas of far western Weber County.

Analysis of the 2003 West Central Weber County General Plan

The 2003 West Central Weber County General Plan address a preferred approach regarding manufacturing uses. As a policy, the general plan indicates that "industrial 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 are favored."

The 2003 general plan also speaks to the need for clean, light industry within existing areas as a means to increase and stabilize the tax base, which in-turn would provide funding for parks and open spaces. The proposed amendments make special provisions to ensure varying manufacturing uses are clean, self-contained, and non-intrusive to adjacent uses and land owners.

Analysis of the draft Western Weber Futures 2022 General Plan Update

Draft language in Chapter 3, Land Use, addresses the "far western part of the Western Weber County Planning Area (west of 8300 West) indicating that the area has long been planned as a large industrial site. At this time, the Weber County Commissioners are pursuing certification of the area as an industrial mega site by the Economic Development Corporation of Utah... Weber County desires this area to build-out as an industrial, manufacturing, innovation, and tech mega site that provides jobs for current and future residents of Weber County, especially the growing population of the Western Weber Planning Area. In order to attract diverse employers that offer a wide range of jobs and salaries, the area should be designed in a manner that is attractive and well kempt... The area should have a layout... that provides opportunities for employees to

walk to local feed establishments or enjoy the outdoors during breaks.”

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 (Standard Examiner)
- Published on the Weber County Frontier Website

Staff Recommendation

Staff recommends that the Western Weber Planning Commission pass a positive recommendation regarding the propose text amendments to the County Commission. Should the County Commission be comfortable with the proposal, it could be approved based on the following findings:

1. The changes are supported by the 2003 West Central Weber General Plan.
2. The changes are supported by the current draft of the soon-to-be adopted 2022 Western Weber Futures General Plan.
3. The changes are necessary to address the growing needs of manufacturing and adjacent residential uses looking to locate in the western portions of Weber County.
4. The changes will enhance the general health and welfare of County residents.

Exhibits

- A. Proposed Ordinance Redline

Exhibit A

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Chapter 104-21 Manufacturing Zones MV-1, M-1, M-2, And M-3

[Sec 104-21-1](#)

[Purpose And Intent Sec 104-21-2 \(Reserved\)](#)

[Sec 104-21-3 Land Use](#)

[Tables Sec 104-21-4 Special](#)

[Regulations](#)

[Sec 104-21-5 Site](#)

[Development Standards](#)

[Sec 104-21-6 Sign Regulations](#)

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Sec 104-21-1 Purpose And Intent

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Sec 104-21-2 (Reserved)

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Sec 104-21-3 Land Use Tables

[Sec 104-21-3.010 Aeronautical, Space-Based, Or Defense-Based Manufacturing Table](#) [Sec 104-21-3.020 Animal Byproduct Harvesting, Processing, Or Refining Table](#)

[Sec 104-21-3.030 Animal-Related Uses Table](#) [Sec](#)

[104-21-3.040 Commercial Services Table](#) [Sec 104-21-](#)

[3.050 Commercial Sales Table](#)

[Sec 104-21-3.060 Temporary Construction Material Manufacturing Table](#) [Sec 104-21-3.070 Food](#)

[Manufacturing And Packaging Table](#)

[Sec 104-21-3.080 Gaseous Or Liquid Nonfood Manufacturing Table](#) [Sec 104-21-3.090 Mining,](#)

[Rock, Or Gravel Production Table](#)

[Sec 104-21-3.100 Pharmaceutical Table](#)

[Sec 104-21-3.110 Basic Materials](#)

[Manufacturing Table](#) [Sec 104-21-](#)

[3.120 Final Product Manufacturing Table](#)

Exhibit A

- 49 [Sec 104 21-3.130 Public, Quasi-Public, And](#)
- 50 [Institutional Table Sec 104-21-3.140](#)
- 51 [Recreational Table](#)
- 52 [Sec 104-21-](#)
- 53 [3.150 Storage](#)
- 54 [Table Sec 104-](#)
- 55 [21-3.160](#)
- 56 [Textiles Table](#)
- 57 [Sec 104-21-3.170 Transportation Table](#)
- 58 [Sec 104-21-3.180 Waste Disposal And Recycling](#)

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60 In the following tables of possible uses, a use designated in any zone as "P" is a

61 permitted use. A use designated in any zone as "C" will be allowed only when

62 authorized by a conditional use permit obtained as provided in Title 108, Chapter 4 of

63 this Land Use Code. Uses designated as "N" will not be allowed in that respective zone.

64 Unless more specifically regulated in the following table, any use listed as "P" in the C-

65 3 zone is a permitted use in the M-1, M-2, and M-3 zones, and any use listed as "C" in

66 the C-3 zone is a conditional use. Likewise, any use listed as "P" in the CV-2 zone is a

67 permitted use in the MV- 1 zone, and any use listed as "C" in the CV-2 zone is a

68 conditional use. All uses listed are indoor uses, unless explicitly stated otherwise with

69 the terms "outdoor" or "yard." When a use fits more than one use listed in these tables,

70 the more specific or more restrictive provision applies. In all manufacturing zones, any

71 manufacturing process that will result in odors, dust, fumes, or other airborne

72 contaminants that have the potential of negatively affecting the manufacturing of

73 products, or the work environment in which this manufacturing occurs, shall provide

74 mechanisms, by installation or otherwise, that keep the airborne contaminants from

75 leaving the site.

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78 **Sec 104-21-3.010 Aeronautical, Space-Based, Or Defense-Based Manufacturing**

79 **Table**

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83 **Sec 104-21-3.020 Animal Byproduct Harvesting, Processing, Or Refining Table**

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87 **Sec 104-21-3.030 Animal-Related Uses Table**

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91 **Sec 104-21-3.040 Commercial Services Table**

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95 **Sec 104-21-3.050 Commercial Sales Table**

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Exhibit A

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Sec 104-21-3.060 Temporary Construction Material Manufacturing Table

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Sec 104-21-3.070 Food Manufacturing And Packaging Table

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Sec 104-21-3.080 Gaseous Or Liquid Nonfood Manufacturing Table

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Sec 104-21-3.090 Mining, Rock, Or Gravel Production Table

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Sec 104-21-3.100 Pharmaceutical Table

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Sec 104-21-3.110 Basic Materials Manufacturing Table

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Sec 104-21-3.120 Final Product Manufacturing Table

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Sec 104 21-3.130 Public, Quasi-Public, And Institutional Table

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Sec 104-21-3.140 Recreational Table

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Sec 104-21-3.150 Storage Table

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Sec 104-21-3.160 Textiles Table

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Exhibit A

154 **Sec 104-21-3.170 Transportation Table**

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USE	MV-1	M-1	M-2	M-3	SPECIAL REGULATIONS
Airport. An airport	N	P	P	P	
Freight transfer, indoor. The indoor transfer of freight.	N	P	P	P	
Freight transfer, outdoor. The outdoor transfer of freight.	N	P	P	P	
<u>Waste transfer, indoor.</u> The indoor transfer of solid waste, animal byproduct, plant, garbage, offal, or dead animals.	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	
<u>Waste transfer, outdoor.</u> The outdoor transfer of solid waste, animal byproduct, plant, garbage, offal, or dead animals.	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	
Parking lot. An outdoor parking lot.	P	P	P	P	
Parking structure. A parking structure.	P	P	P	P	
Railroad yard. A railroad yard, which may include a shop and/or a roundhouse. (Indoor or outdoor)	N	N	C	C	
Truck service station. A truck service station.	N	P	P	P	

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Exhibit A

181 Sec 104-21-3.180 Waste Disposal And Recycling

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USE	MV-1	M-1	M-2	M-3	SPECIAL REGULATIONS
Automobile wrecking yard or junkyard. A junkyard or automobile wrecking yard. (Indoor or outdoor)	N	N	N	<u>NG</u>	See Section 104-21-4.
Automobile recycling and parts dismantling. The dismantling and recycling of automobile or automobile parts.	N	N	C	C	See Section 104-21-4.
Dump. The disposal, reduction, or dumping of animal byproduct, plant, garbage, offal, or dead animals.	N	N	N	G	
Incinerator. An incinerator.	N	N	N	<u>NG</u>	
Solid waste dump. A dump for solid waste. <u>waste or the disposal, reduction, or dumping of animal byproduct, plants, garbage, offal, or dead animals.</u> (Indoor or outdoor)	N	N	N	<u>NG</u>	
Radioactive waste disposal. The disposal of radioactive waste.	N	N	N	N	
Recycling facility. The recycling of metals, plastics, paper, or glass.	N	C	C	P	

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184 HISTORY

185 Amended by Ord. [2022-09](#) on 3/29/2022

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187 Sec 104-21-4 Special Regulations

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

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192 (a) **Animal grazing.** This use shall not include the supplementary or full feeding of
 193 the animals, except when in compliance with the following:

194 (1) It may only be carried on during times that are reasonable and
 195 necessary due to lack of natural growing feed as a result of seasonal
 196 changes or extreme and temporary meteorological events.

197 (2) It shall not exceed a density of 25 head per acre of used land in the AV-
 198 3 and A-1 zones, and 40 head per acre of used land in the A-2 and A-3
 199 zones; and

200 (3) It shall not be closer than 75 feet to any dwelling, public or semi-public
 201 building on an adjoining parcel of land.

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Exhibit A

- 203 (b) **Animal feeding operation.** This use may include supplemental or full feeding.
 204 However, it is prohibited to feed animals any market refuse, house refuse,
 205 garbage, or offal that was not produced on the premises. The following
 206 additional standards apply for hog feeding:
- 207 (1) All pens and housing for hogs shall be concrete and maintained in a
 208 sanitary manner.
- 209 (2) Drainage structures and disposal of animal waste shall be provided
 210 and properly
 211 maintained as required by the local health department.
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- 213 (c) **Animal feeding operation, large concentrated.** A large concentrated animal
 214 feeding operation shall not be located within a half-mile of a zone boundary,
 215 unless the boundary is shared with another zone in which this use is allowed.
 216 Additionally, the area of confinement devoted to the feeding of the animals in
 217 any new large concentrated animal feeding operation shall be set back at least
 218 one quarter-mile from every property boundary.
- 219 (d) **Automobile recycling (parts dismantling).** This use shall be conducted within
 220 a completely enclosed building. In the M-2 zone, the recycling facility shall have
 221 no more than 40 automobiles at the site at any one time. Any automobile
 222 recycling vehicle storage area must be enclosed by a solid wall or fence of not
 223 less than seven feet in height
- 224 ~~(e) **Automobile wrecking yard or junkyard.** This use shall be conducted within a~~
 225 ~~completely enclosed building. In the M-2 zone, this use shall be located at least~~
 226 ~~600 feet from any zone boundary.~~
- 227 (f)(e) **Building material sales yard.** In the M-1 zone, a building material sales
 228 yard may include the sale of rock, sand, gravel and the like, as an incidental
 229 part of the main business, but shall exclude concrete mixing except as such
 230 concrete mixing is necessary in the preparation and manufacture of any of the
 231 products specified in this section.
- 232 (g)(f) **Mixing plant for certain construction materials.** The following
 233 standards apply to a mixing plant:
- 234 (1) The cement silo mixer shall not be larger than 300 barrels.
- 235 (2) There shall be a 15-foot landscape buffer with a six-foot-high earth berm
 236 planted with six feet or larger evergreen trees. The trees shall be
 237 Canada Hemlock, Scotch Pines, Douglas Fir, or Blue Spruce. The trees
 238 shall be planted every 15 feet on center. The evergreen shrubs shall be
 239 Junipers, Mugo Pines, or Spreading Yew. The shrubs shall be 36 inches
 240 high and there shall be 15 shrubs per 100 feet. There shall be five
 241 canopy trees per 100 feet. These trees shall be Maples, Linden, Quaking
 242 Aspens, Cottonless Cottonwood, Honey Locust, or Birch trees. These
 243 trees shall be a minimum of two-inch caliper. This landscaping shall be
 244 planted on the crest of the six-foot berm when the property abuts
 245 agricultural or residential zones.

Exhibit A

246 (3) There shall be no more than three cement trucks, and no more than two
247 other semi-trucks and trailers used with this operation stored on site.

248 (4) There shall be no more than 40 yards of sand and gravel mix stored on
249 this site. The sand and gravel mix shall be stored in a three-wall bin and
250 covered when not in use.

251 (5) All cement product on site shall be stored within the silo. At least 15,000
252 square feet of the lot shall be dedicated for this use.

253 (6) The property shall be at least one acre in size.

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

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257 ~~(h)~~(g) **Mixing facility for asphalt or concrete, temporary.** The following
258 standards apply to a temporary mixing facility:

259 (1) The cement silo mixer shall not be greater than 200 barrels.

260 (2) There shall be no more than two cement trucks, and not more than two
261 other semi-trucks and trailers used with this operation stored onsite.

262 (3) Evaluation of the storing of 40 yards or more of sand and gravel mix
263 onsite shall be

264 subject to additional review for detrimental effects through a conditional
265 use permitting process. The sand and gravel mix shall be stored in a
266 three-wall bin and covered when not in use.

267 (4) All cement products onsite shall be stored within the silo. At least 15,000
268 square feet of the lot or parcel shall be dedicated for this use.

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

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

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273 ~~(h)~~(h) **Dwelling unit for night watchman or guard and family.** The dwelling
274 unit shall be for the exclusive use of a night watchman or guard and his or her
275 immediate family. The site shall provide an additional 3,000 square feet of
276 landscaped area for the residential use.

277 ~~(i)~~(i) **Retail sales, limited.** This use is limited to the sales of products produced
278 by, developed in conjunction with, or normally required and used in the
279 performance of a commercial or manufacturing operation permitted in this zone,
280 and provided the retail sales is clearly an accessory use to the main permitted
281 use and is conducted within the same building or, if the main use is not a
282 building, then on the same property. No retail sale of products may be made in
283 conjunction with a warehousing or wholesale business.

284 ~~(k)~~(i) **Shooting range or training course, indoor or outdoor.** The facility shall
285 provide designated shooting positions for which ballistic backstops are

Exhibit A

286 designed. No shooting is allowed except in these designated shooting positions.
 287 All sides down range of a shooting position shall have a non-ricochet ballistic
 288 backstop, including overhead and on the ground or floor, capable of containing
 289 all errant bullets. For an outdoor range, the overhead backstop may be a series
 290 of baffles. Approval shall be subject to the requirements and conditions of the
 291 local fire authority. The range operator shall be onsite at all times shooting is
 292 occurring.

293
 294 (Ord. of 1956, § 18B-4; Ord. No. 2011-5, § 18B-4, 3-15-2011; Ord. No. 2012-17, §
 295 18B-4, 10-23-2012; Ord. No. 2016-10, Exh. A, 8-23-2016)

296
 297 HISTORY
 298 *Amended by Ord.*
 299 [2020-11](#) on
 300 *8/4/2020 Amended*
 301 *by Ord. [2020-24](#) on*
 302 *12/15/2020*
 303 *Amended by Ord.*
 304 [2021-16](#) on
 305 *5/25/2021*
 306 *Amended by Ord.*
 307 [2022-06](#) on
 308 *2/1/2022 Amended*
 309 *by Ord. [2022-09](#) on*
 310 *3/29/2022*

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 312 **Sec 104-21-5 Site Development Standards**

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 316 **Sec 104-21-6 Sign Regulations**

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 318 ...