



WESTERN WEBER TOWNSHIP PLANNING COMMISSION
MEETING AGENDA

Tuesday, December 9, 2014
5:00 P.M.

- *Pledge of Allegiance*
- *Roll call*

- 1. Minutes
 - 1.1. Approval of the November 18, 2014 meeting minutes

- 2. Public Comment for Items not on the Agenda

- 3. Planning Commission Remarks

- 4. Planning Director Report

- 5. Legal Counsel Remarks

- 6. Adjourn to a Work Session

Work Session Agenda

WS1. Weber County Land Use Code Revision Process: Main Use, Accessory Use, Main Building, Accessory Building

Adjourn

*The meeting will be held in the Weber County Commission Chambers, Weber Center, 2380 Washington Blvd., Ogden UT
The Work Session will be held in the Weber Center Commission Chambers
No pre-meeting will be held.*



(In compliance with the Americans with Disabilities Act, persons needing auxiliary services for these meetings should call the Weber County Planning Commission 24 hours in advance of the meeting at 801-399-8791)

Minutes of the Western Weber County Township Planning Commission regular meeting and work session held on November 18, 2014 in the Weber County Commission Chambers

Members Present: Mark Whaley, Vice Chair; John Parke, Roger Heslop, Ryan Judkins
Wayne Andreotti

Members Excused: Jannette Borklund, Andrew Favero

Staff Present: Sean Wilkinson, Planning Director; Charles Ewert, Planner; Scott Mendoza, Principal Planner; Chris Allred, Legal Counsel, Sherri Sillitoe, Secretary

1. Approval of the October 14, 2014 Meeting Minutes

Vice Chair Whaley declared the October 14, 2014 Meeting Minutes approved as presented.

2. Consideration and action on an amendment to Title 108 (Standards), Chapter 3 (Cluster Subdivisions) and Title 106 (Subdivisions), Chapter 2 (Cluster Subdivisions; Special Provisions) of the Weber County Land Use Code.

Scott Mendoza indicated that the formatting in the Code is a little bit different and some language has changed a little bit from previous drafts. In working with our Legal Counsel, the wording was revised slightly although the content has not changed.

We are also discussing the Special Cluster Subdivision provisions within the County Subdivision Code will also be amended. The Special provisions will be taken out of the Subdivision Code - this is shown on Page 1 of Exhibit C. This standard has been included in the Cluster Subdivision Code and is no longer needed in the Subdivision Code.

Some of the various amendments are as follows:

The procedures have been rewritten to clarify the procedural steps for an approval of a cluster subdivision. The sketch plan endorsement provision has been added.

The Cluster Subdivision Design and Layout Standards was clarified.

The Open Space Plan Approval, Ownership, Maintenance, Preservation and Guarantee of Improvement Standards, the Open Space Parcel Development Standards, and the Lot Development standard sections were added.

Portions of the Bonus Density section were rewritten to provide clarity and reestablish new bonus density maximums.

The Owner's Association Required section was rewritten to provide clarity.

And in Title 106, Chapter 2 – Subdivision Standards, Section 106-2-6 Cluster Subdivision Special Provisions, it has been determined that all but one of the Cluster Subdivision Special Provisions (Sec. 106-2-6), located within the Subdivision Title, either conflict with or have already been accounted for in the new draft. It is recommended that the entire Cluster Subdivision Special Provisions section be removed from the Subdivision Title and place only one sub-section into the new cluster code. Section 106-2-6 (a)(4)(b) was added to Section 108-3-4 of the draft cluster subdivision code.

Commissioner Heslop asked how cumbersome is the bonus densities going to be for a developer to figure out the percentage allowed. Are we making it harder for the developer to get up to the 50%? Scott Mendoza indicated that the bonus densities percentages have not changed that much. One percentage was eliminated. They can go up from a 30% bonus to a 50% bonus if more preservation options are offered by the developer. The lot sizes were increased to provide for that.

Commissioner Andreotti asked if they can regulate if they are making trouble by including the language “up to” a certain amount as far as consistency and regulating fairness from developer to developer. Scott Mendoza indicated that he is sure that they will see a variety of proposals and they cannot predict every instance or proposal, but he is sure they will see a variety of ideas and it would be hard to anticipate every situation. Commissioner Andreotti indicated that as long as he has a level of comfort that the developers will be treated fairly from project to project.

Commissioner Judkins indicated that he does not want to see trees next to the roads. Scott Mendoza indicated that they have consulted with the County Engineer’s Office who will be involved in project reviews. They had the same concern that Commissioner Judkins had, but they believe they can provide a fair technical requirement review.

Doug Hansen indicated that having been on the Planning Commission, he is grateful to see the culmination of the time spent to develop this ordinance. He believes this is a giant leap forward and hopes that developers will catch the vision as well as receiving County Commission support. He and Commissioner Andreotti when this process started desired to look at innovative designs. He thanked staff, especially Scott Mendoza for all his support, time and effort into developing this ordinance.

Bob Favero indicated that they have been working closely with Scott Mendoza and from their standpoint they believe it is great work that will help developers get through the subdivision process and have a compromise where they can increase the use of the land and also preserve the rural nature of it. He believes that this ordinance will do that and believe it is a good project that is well done.

MOTION: Commissioner Parke moved to recommend approval of Title 108 (Standards), Chapter 3 (Cluster Subdivisions) and Title 106 (Subdivisions), Chapter 2 (Cluster Subdivisions; Special Provisions of the Weber County Land Use Code. Commissioner Heslop seconded the motion. A vote was taken and Vice Chair Whaley indicated that the motion carried with all members present voting aye.

This item will be taken to the County Commission hopefully on December 27, 2014 (if the County Commission schedule allows).

3. Public Comment for Items not on the Agenda - None
4. Planning Commission Remarks - None
5. Planning Director Report

Director Wilkinson indicated that the Ogden Valley Planning Commission has started the process to update the Ogden Valley General Plan. A consultant was hired and two open houses were held last week and many comments were given. He wanted to let the Western Weber Planning Commission members know of the project to see if they were interested in becoming familiar with the masterplan update process. To become familiar with the process the members can go to the www.Valleyplan.com website to see what has been going on. They are looking to finish the masterplan update sometime in 2015.

We will be having the annual Planning Commission Dinner but we will skip the holiday and have it early in January.

6. Legal Counsel Remarks

Chris Allred indicated that if at any time they feel that they would like some training on, please do not hesitate to ask Legal Counsel or staff.

Charlie Ewert reported that Sean Wilkinson has received his A.I.C.P. certification. The certification is the professional certification for planners and is a great achievement. We congratulate him.

The meeting was adjourned to convene a work session.

WS1. Weber County Land Use Code Revision Process: What to Expect – Charles Ewert, A.I.C.P.

Charles Ewert indicated that one of his special projects is to provide some clarity to our ordinances. To the extent possible ordinances should be free of conflicting provisions. The current Land Use Code has endured many changes over time that were intended to help the County address specific issues, but due to the different nature of these types of changes such as specific purpose of the change, different writing styles, different interpretations of the law, different eras of best management practices, etc. The continuous improvement to ordinances will help keep the County out in front of current legal issues and also help provide more meaningful implementation of the purpose of the law.

He will start reviewing the conditional uses in the Land Use Code. Reconsidering allowed uses in each zone will first require revisions in other code sections. It seems that addressing the deficiencies in the conditional use permit chapter is the most prudent place to start this process. This will be phase 1. From there we can more effectively address who the land use authority is for certain types of decisions. This will be Phase 2. Following Land Sue Authority clarifications we can more specifically address the uses allowed in each zone, which is Phase 4, but before doing so we need to consolidate and organize all known land uses currently in the code into one Land Use Table. The advent of a Land Use Table will assist us in providing a comparative analysis of each use as they are applied across zones. This will provide us with a clearer understanding of how uses are regulated in each zone and provide us with a clearer understanding of the relationships between zoning districts. The creation of the Land Use Table is Phase 3. The proposals will come in pieces. Phase 5 is to refine all of the other existing code sections including design standards, such as Subdivision, PRUD, Administration, Noticing, and Appeal Authority, as may be necessary.

WS2. Ordinance Revision Work Session: Title 108, Standards, Chapter 12, Noncomplying Structures and Nonconforming Uses/Parcels – Charles Ewert, A.I.C.P.

The Engineering Department is currently working with the public along 3500 West and 12th Street to initiate a public right of way expansion of both roads. On 3500 West specifically, on a lot of properties the County is asking for 7 ft. right of way and there are a few properties along 3500 West that by taking the 7 ft., it will drop the property below the minimum lot size allowed by zoning. Staff's solution to this is to write a code entitled Legally Established Non-Conforming. A property owner could still use their property the way they intend, they can still apply for new uses as their neighbor would, etc. It helps us identify why that property is below the one-acre threshold.

As staff was going through the Nonconforming Use code, they found some areas that needed some clarification.

When you look at the code changes, underline blue means something has been added, a double green line striking through wording means the code is still there but moved somewhere, red strike out is that wording has been deleted and stricken from the code and double underline in green means it is language that has been moved from somewhere else.

Ombudsman's Office felt that if you have a non-conforming lot, the doctrine of nonconforming lots is to have it go away over time.

In Line 73 The term Nonconforming building or structure and definition was deleted from the Code.

In Lines 77-78 they just added a reference.

In Lines 135&137, they added new administrative changes

The next few pages to Page 8 are just for clarification purposes.

Line 207 Sections A & B they felt were already stated in the code in other ways.

Line 219 They just wanted to make sure that they said that if someone wanted to make sure they said that someone can still develop the property if they it is nonconforming.

Commissioner Heslop asked what happens if someone with a non-conforming property sells the property. Charlie Ewert indicated that it runs with the land. However, it is not stated in this draft so he will make note of it.

Section 108-12-11 the title was changed, although the intent is written a little differently. State law changed in 1992. If your property existed prior to 1992, you are good as long as there is a house on it. In some cases, if there is not a house on the property, you need to plat it in accordance to what the zone was at the time. They do not want to penalize someone retroactively.

Line 229 there are certain things that you need to do to become a lot of record. The county has eight different ways to be considered a lot of record.

Line 250 there is not much different than was in the previous code section, it is just written a little differently.

Commissioner Andreotti indicated that he believes that it needs to be done. Commissioner Parke agreed.

Line 325 on Page 11, the title was changed to add "Enlarging." This means that you do not need to combine acres of property. You can buy as much land as you want to as long as you are not making it smaller.

Line 341, this section was deleted. If you want to make your lot bigger so that you can put a home or other structure on it, (we are making it more difficult for them to do so). Summary: There were no issues with taking this section out.

Line 345 was re-titled to reflect what the section actually is.

For taxing purposes lots have been combined. We are going to let them redivide their property based on the ordinances in place at the time the combination occurred.

Line 386 this is the meat and potatoes section which applies to the 3500 W expansion. Part c indicates that if you messed up before, it doesn't mean that you are forgiven; you still need to go through the proper subdivision process.

Commissioner Heslop indicated that he is assuming that when you talk about non-conforming properties, that the properties will need to be adjacent to each other. Charles Ewert indicated that he is correct.

There were no other questions from the members at this time.

At the next work session they will be talking about accessory buildings and accessory buildings to main building uses.

Vice Chair Whaley congratulated Sean Wilkinson on receiving his A.I.C.P. certification.

There being no further business, the meeting was adjourned at 6:55 p.m.

Respectfully Submitted,

Sherri L. Sillitoe, Secretary
Weber County Planning Commission



Weber County Planning Division

To: Ogden Valley and Western Weber Planning Commissions
From: Charles Ewert, AICP
Date: November 10, 2014
Subject: Weber County Land Use Code Revision Process: Main Use, Accessory Use, Main Building, Accessory Building

Summary. During routine workflow staff has discovered a point of conflict in the Land Use Code regarding how the definition of the main and accessory building works with the definition of main and accessory use. In essence, these definitions do not allow an *accessory building* on a lot or parcel that does not have a *main building*. However, the first thing listed in most zones is “accessory building or use customarily incidental to any permitted or conditional use.” This listed use implies that an *accessory building* can be allowed on a property without a *main building* as long as it is incidental to a *main use*. This conflict should be resolved.

Under existing ordinances, the impacts, aesthetics, allowed uses and form of an *accessory building* may not necessarily be all that different from a *main building*. However, a *main building* is required to be established and adhere to certain setback standards that are more restrictive than those for an *accessory building* before such an *accessory building* is established on any property. The only substantial difference between the two building types is the setback requirements. Uses of the buildings must comply with those uses listed in whatever zone the building is located.

In this memo the Planning Commission will find an analysis of this topic in the context of current general plans and the land use code. Of particular emphasis, staff analyzes and compares the intent and preferences of certain zones, the separation of incompatible land uses, and whether current codes and the general plans provide land owners/users sufficient motivations to establish or continue the preferred uses of the zone. This discussion has specific impact on open air agricultural uses, thus the analysis hones in on those uses.

This memo proposes a recommended ordinance change. In keeping with the status quo, the proposed changes only clarify the code in a manner that matches how the current administration already applies such concepts. The proposal does not speak to the higher-arching implications provided in the analysis. As the Planning Commission explores the higher-arching concepts more thoroughly it may be determined that current policy perspectives need to change. If that is the case, then the included proposal will need to change as well.

Background. This discussion was spearheaded by an applicant that desired to build an accessory building on his property. The property is a legal, subdivided, and conforming lot. The property is also vacant, with the exception of occasional agricultural uses. The property owner asserted that the structure would be accessory to the agricultural use.

The current land use code (LUC), under the definitions of *accessory building*, *main building*, *accessory use*, and *main use*, does not allow for this. It does not allow an accessory building to be placed on a lot that does not have a “main building.” In essence, what this means is that any main use of property that is an open air use of property (i.e., agriculture, agritourism, golf course, public and private park, reservoir, mining operations, parking lot, etc.) may not have an accessory building to support the use unless and until a main building has been established. To complicate this, most zones list “accessory building or use customarily incidental to any permitted or conditional use” as a permitted use in the zone, leading one to think that an accessory building can be established without a main building.

Staff has been able to find other means to help the gentleman get what he wants, but these other means tend



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Zoning was originally conceived to separate incompatible uses. It appears that, historically, Weber County has not provided a clear separation between residential uses and other incompatible open air uses. In fact there is evidence in the General Plan(s) and existing code construction that there is an expectation in the agricultural zones and agricultural areas that residential and open air agricultural uses will be located in close proximity to each other.

In determining appropriate policy perspectives, staff and the Planning Commission(s) are supposed to be looking to, first, the general plan and, second, the intent of the zone for guidance. The following analysis takes a closer look at the general plan for both Western Weber and Ogden Valley, and follows with a review of the purpose and intent of specific zones.

General Plan Analysis. The Western Weber General Plan indicates that there is a strong desire to protect agricultural uses. The plan has a dichotomy though, wherein the folks in Western Weber appear to be reluctant to preserve agricultural areas. Instead, they desired to retain the opportunity to develop their agricultural lands in the future at the minimum zoning acreage (primarily one acre lot sizes for residential development). Additionally, the Western Weber County "Proposed Land Use Map"^a designates the majority of Western Weber as "Residential/Agricultural." This does not provide a clear preference on how to treat the issue at hand.

The Ogden Valley General Plan^b establishes a goal to "promote agricultural land" with the following objectives:

1. Identify and promote prime agricultural land
2. Consider agricultural land in dedicated open space planning
3. Develop means to compensate property owners for the loss of development rights on agricultural land
4. Promote working farms as an integral part of the Valley's cultural heritage.

However, like the Western Weber General Plan, this plan does not provide a clear preference on how to approach the conflicting adjacent land use issue.

Ordinance Analysis. Even though the general plans do not provide clear direction, the intent of certain zones do. Those zones listed below explicitly state that agricultural uses are desirable. In the A-1, A-2, A-3, and AV-3 zones it appears as if the language is attempting to protect agricultural uses from the affects of residential uses. In the RE-15 and RE-20 zones it appears the opposite is the case:

A-1:

The purpose and intent:

The purpose of the A-1 Zone is to designate farm areas, which are likely to undergo a more intensive urban development, to set up guidelines to continue agricultural pursuits, including the keeping of farm animals, and to direct orderly low-density residential development in a continuing rural environment.^c

^a See the West Central Weber County General Plan, pg 33.

^b See the Ogden Valley General Plan.

http://www.co.weber.ut.us/mediawiki/index.php/Ogden_Valley_General_Plan

^c See LUC §104-5-1



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AV-3

The purpose and intent:

The purpose of the AV-3 Zone is to designate farm areas, which are likely to undergo a more intensive urban development, to set up guidelines to continue agricultural pursuits, including the keeping of farm animals, and to direct orderly low-density residential development in a continuing rural environment.^j

The preferred use:

Agriculture is the preferred use in Agricultural Valley, AV-3. All agricultural operations shall be permitted at any time, including the operation of farm machinery and no agricultural use shall be subject to restriction because it interferes with other uses permitted in the zone.^k

Accordingly, it appears that the agricultural zones that also allow residential uses are intended to protect and preserve agricultural properties/operations, while residential zones that also allow agricultural uses are intended to protect residential neighborhoods. This is keeping with the requirements of the subdivision code^l which requires a note on every subdivision plat that states that:

Agriculture is the preferred use in the agricultural zones. Agricultural operations as specified in the Zoning Ordinance for a particular zone are permitted at any time including the operation of farm machinery and no allowed agricultural use shall be subject to restriction on the basis that it interferes with activities of future residents of this subdivision.

These elements of the code speak purely to the intent of the zones. What they do not anticipate is that both residential uses and agricultural uses are allowed in all of these zones without a conditional use permit, or other mechanism to assist with the impacts of incompatible uses. What this means is that an owner of a lot that meets the minimum zone requirements in any of these zones are entitled to either uses without additional review for mitigation of impacts. The zones allow them, by right, to reside adjacent to each other – which in some cases will be in close proximity. Rather than regulating the separation of uses, these code references instead provide the public with ‘notice’ that there is no separation.

This issue begs the question: is the County providing adequate separation of incompatible uses? Why does the Land Use Code indicate that agricultural uses are preferred in zones that allow for one acre – or even three acre – lot sizes? Are one to three acres lots sizes sufficient to support agricultural operations? What about other open air land uses? For example, as it stands, the current County Code enables suburban one acre lot sizes adjacent to agricultural operations in the A-1 and A-2 zones. The current County Code even allows agricultural operations to exist within these subdivisions. The Planning Commission(s) should evaluate and discuss whether greater separation is needed. This is a much higher reaching discussion than the topic at hand that may drive the need for a General Plan amendment and other ordinance revisions if the Planning Commissions do not feel existing ordinances are doing their job effectively.

Proposal. In keeping with the status quo, the following proposal is only intended to clarify the code in a manner that matches how the current administration already applies such concepts. The proposal does not

^j See LUC §104-6-1

^k See LUC §104-6-2

^l See LUC §26-1-9(B)(5)

Exhibit A: Code Change – Provisions for Main and Accessory Buildings, and Main and Accessory Uses, and Related Changes to Permitted and/or Conditional Uses in Each Zone.

The following code changes are being proposed to clarify regulations regarding the allowance for main and accessory buildings, specifically as they are applied to open air main uses of land.

This change addresses the following sections:

Title 101 General Provisions

Sec. 101-1-7. Definitions:

Building, accessory

Building, main

Use, accessory

Use, main

Title 104 Zones

Sec. 104-3-2. - Permitted uses.(RE-14 and RE-20)

Sec. 104-4-1. - Permitted uses (G)

Sec. 104-5-3. Permitted uses (A-1)

Sec. 104-6-3. - Permitted uses (AV-3)

Sec. 104-7-3. - Permitted uses (A-2)

Sec. 104-8-3. - Permitted uses (A-3)

Sec. 104-9-2. - Permitted uses (F-5, F-10, F-40)

Sec. 104-10-2. - Permitted uses (S-1)

Sec. 104-10-2. - Permitted uses (CVR-1)

Sec. 104-12-2. - Permitted uses (R-1-12, R-1-10)

Sec. 104-13-2. - Permitted uses (FR-1)

Sec. 104-14-2. - Permitted uses (FV-3)

Sec. 104-15-2. - Permitted uses (R-2)

Sec. 104-16-2. - Permitted uses (R-3)

Sec. 104-17-2. - Permitted uses (FR-3)

Sec. 104-18-2. - Permitted uses (RMHP)

Sec. 104-19-2. - Permitted uses (RMH-1-6)

1 **PART II LAND USE CODE** ¹¹ 

2 Title 101 - GENERAL PROVISIONS

3 Title 102 - ADMINISTRATION

4 Title 103 - RESERVED

5 Title 104 - ZONES

6 Title 105 - RESERVED

7 Title 106 - SUBDIVISIONS

8 Title 107 - RESERVED

9 Title 108 - STANDARDS

10 Title 109 - RESERVED

11 Title 110 - SIGNS

12 **Title 101 GENERAL PROVISIONS**

13 Sec. 101-1-1. Short title.

14 Sec. 101-1-2. Purpose.

15 Sec. 101-1-3. Interpretation.

16 Sec. 101-1-4. Conflict.

17 Sec. 101-1-5. Effect on previous ordinances and maps.

18 Sec. 101-1-6. Rules of construction.

19 Sec. 101-1-7. Definitions.

20 Sec. 101-1-8. Amendments to Code; effect of new ordinances; amendatory
21 language.

22 Sec. 101-1-9. Supplementation of Code.

23 Sec. 101-1-10. Catchlines of sections.

24 Sec. 101-1-11. Altering Code.

25 Sec. 101-1-12. Severability of parts of Code.

26 Sec. 101-1-13. General penalty; continuing violations.

27 Sec. 101-1-14. Certain ordinances not repealed or affected by adoption of Code.

28 ...

- 62 **Title 104 ZONES**
- 63 CHAPTER 1. - IN GENERAL
- 64 CHAPTER 2. - (RESERVED)
- 65 CHAPTER 3. - RESIDENTIAL ESTATES ZONES RE-15 AND RE-20
- 66 CHAPTER 4. - GRAVEL ZONE G
- 67 CHAPTER 5. - AGRICULTURAL ZONE A-1
- 68 CHAPTER 6. - AGRICULTURAL VALLEY AV-3 ZONE
- 69 CHAPTER 7. - AGRICULTURAL A-2 ZONE
- 70 CHAPTER 8. - AGRICULTURAL ZONE A-3
- 71 CHAPTER 9. - FOREST ZONES F-5, F-10, AND F-40
- 72 CHAPTER 10. - SHORELINE ZONE S-1
- 73 CHAPTER 11. - COMMERCIAL VALLEY RESORT RECREATION ZONE CVR-1
- 74 CHAPTER 12. - SINGLE-FAMILY RESIDENTIAL ZONES R-1-12, R-1-10
- 75 CHAPTER 13. - FOREST RESIDENTIAL ZONE FR-1
- 76 CHAPTER 14. - FOREST VALLEY ZONE FV-3
- 77 CHAPTER 15. - TWO-FAMILY RESIDENTIAL ZONE R-2
- 78 CHAPTER 16. - MULTIPLE-FAMILY RESIDENTIAL ZONE R-3
- 79 CHAPTER 17. - FOREST RESIDENTIAL ZONE FR-3
- 80 CHAPTER 18. - RESIDENTIAL MOBILE/MANUFACTURED HOME PARK ZONE RMHP
- 81 CHAPTER 19. - RESIDENTIAL MANUFACTURED HOME ZONE RMH-1-6
- 82 CHAPTER 20. - COMMERCIAL ZONES C-1, C-2, C-3
- 83 CHAPTER 21. - COMMERCIAL VALLEY ZONES CV-1 and CV-2
- 84 CHAPTER 22. - MANUFACTURING ZONE M-1
- 85 CHAPTER 23. - OGDEN VALLEY MANUFACTURING ZONE MV-1
- 86 CHAPTER 24. - MANUFACTURING ZONE M-2
- 87 CHAPTER 25. - MANUFACTURING ZONE M-3

114 **Sec. 104-5-3. Permitted uses.**

115 The following uses are permitted in Agriculture Zone A-1:

- 116 (1) Accessory building incidental to the use of a main building; main building
117 designed or used to accommodate the main use to which the premises are
118 devoted; and accessory uses customarily incidental to a main use; ~~Accessory~~
119 ~~building or use customarily incidental to any permitted or conditional use.~~
120 (2) Agriculture, agricultural experiment station; apiary; aviary; aquarium.
121 ...

122 **CHAPTER 6. AGRICULTURAL VALLEY AV-3 ZONE**

123 ...

124 **Sec. 104-6-3. - Permitted uses.**

125 The following uses are permitted in the Agricultural Valley, AV-3 Zone:

- 126 (1) ~~Accessory building or use customarily incidental to any permitted or conditional~~
127 ~~use.~~ Accessory building incidental to the use of a main building; main building
128 designed or used to accommodate the main use to which the premises are
129 devoted; and accessory uses customarily incidental to a main use;
130 (2) Agriculture, agricultural experiment station; apiary; aviary; aquarium.
131 ...

132 **CHAPTER 7. AGRICULTURAL A-2 ZONE**

133 ...

134 **Sec. 104-7-3. - Permitted uses.**

135 The following uses are permitted in the Agriculture Zone A-2:

- 136 (1) ~~Accessory building or use customarily incidental to any permitted or conditional~~
137 ~~use.~~ Accessory building incidental to the use of a main building; main building
138 designed or used to accommodate the main use to which the premises are
139 devoted; and accessory uses customarily incidental to a main use;
140 (2) Agriculture, agricultural experiment station; apiary; aviary; aquarium.
141

170 The following uses are permitted in the

- 171 (1) Accessory building incidental to the use of a main building; main building
172 designed or used to accommodate the main use to which the premises are
173 devoted; and accessory uses customarily incidental to a main use; ~~Accessory~~
174 ~~buildings, structures and uses customarily incidental to a permitted use.~~
- 175 (2) Agriculture, grazing and pasturing of animals.
- 176 (3) Boating.
- 177 ...

178 **CHAPTER 11. COMMERCIAL VALLEY RESORT RECREATION ZONE CVR-1**

179 ...

180 **Sec. 104-11-4. - Conditional uses**^[c2].

181 The following uses shall be allowed only when authorized by a Conditional Use Permit obtained as
182 provided in title 108, chapter 4 of this Land Use Code.

- 183 (1) Beer parlor, sale of draft beer.
- 184 (2) Bed and breakfast inn.
- 185 ...
- 186 (34) Restaurants, including those with drive-up windows.
- 187 (35) Accessory building incidental to the use of a main building; main building
188 designed or used to accommodate the main use to which the premises are
189 devoted; and accessory uses customarily incidental to a main use; ~~Accessory~~
190 ~~uses to the above listed.~~
- 191 ...

192 **CHAPTER 12. SINGLE-FAMILY RESIDENTIAL ZONES R-1-12, R-1-10**

193 ...

194 **Sec. 104-12-2. - Permitted uses.**

195 The following are permitted uses in the Single-Family Residential Zones R-1-12, R-1-10.

- 196 (1) Accessory building incidental to the use of a main building; main building
197 designed or used to accommodate the main use to which the premises are
198 devoted; and accessory uses customarily incidental to a main use; ~~Accessory~~
199 ~~buildings and uses customarily incidental to any permitted use.~~
- 200 (2) Agriculture.

228 The following uses are permitted in the Two-Family Residential Zone R-2:

- 229 (1) Accessory building incidental to the use of a main building; main building
230 designed or used to accommodate the main use to which the premises are
231 devoted; and accessory uses customarily incidental to a main use; ~~Accessory~~
232 ~~buildings and uses customarily incidental to any permitted use.~~
233 (2) Agriculture.
234 (3) Bachelor and/or bachelorette dwelling with 24 or less dwelling units.
235 ...

236 **CHAPTER 16. MULTIPLE-FAMILY RESIDENTIAL ZONE R-3**

237 ...

238 **Sec. 104-16-2. - Permitted uses.**

239 The following uses are permitted in the Multiple-Family Residential Zone R-3:

- 240 (1) Accessory building incidental to the use of a main building; main building
241 designed or used to accommodate the main use to which the premises are
242 devoted; and accessory uses customarily incidental to a main use; ~~Accessory~~
243 ~~buildings and uses customarily incidental to any permitted use.~~
244 (2) Agriculture.
245 (3) Bachelor and/or bachelorette dwelling with 24 or less dwelling units.
246 ...

247 **CHAPTER 17. FOREST RESIDENTIAL ZONE FR-3**

248 ...

249 **Sec. 104-17-2. - Permitted uses.**

250 The following uses are permitted in the Forest Residential Zone FR-3:

- 251 (1) Accessory building incidental to the use of a main building; main building
252 designed or used to accommodate the main use to which the premises are
253 devoted; and accessory uses customarily incidental to a main use. ~~Accessory~~
254 ~~building or accessory use customarily incidental to a use permitted in the zone.~~
255 (2) Cluster subdivision in accordance with title 108, chapter 3.
256 ...

284 In the following list of possible uses, those designated in any zone as "P" will be a permitted use. Uses
 285 designated as "C" will be allowed only when authorized by a conditional use permit obtained as provided
 286 in [title 108](#), chapter 4 of this Land Use Code. Uses designated "N" will not be allowed in that zone.

	C-1	C-2	C-3
<u>Accessory building incidental to the use of a main building; main building designed or used to accommodate the main use to which the premises are devoted; and accessory uses customarily incidental to a main use;</u> Accessory buildings and uses customarily incidental to a permitted use	P	P	P
Air conditioning, sales and service	N	N	P

287 ...

288 **CHAPTER 21. COMMERCIAL VALLEY ZONES CV-1 and CV-2**

289 ...

290 **Sec. 104-21-5. - Uses.**

291 In the following list of possible uses, those designated in any zone as "P" will be a permitted use. Uses
 292 designated as "C" will be allowed only when authorized by a conditional use permit obtained as provided
 293 in [title 108](#), chapter 4 of this Land Use Code. Uses designated "N" shall not be allowed in that zone.

	CV-1	CV-2
Academies/studios for dance, art, sports, etc.	C	P
<u>Accessory building incidental to the use of a main building; main building designed or used to accommodate the main use to which the premises are devoted; and accessory uses customarily incidental to a main use;</u> Accessory buildings and uses customarily incidental to a permitted or conditional uses	P	P
Animal hospital	N	C

294 ...

323 ...

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

325 ...

326 **Sec. 104-25-2. - Permitted uses.**

327 The following uses are permitted in the M-3 Zone:

- 328 (1) Any permitted use in an M-2 Zone except dwelling units.
- 329 ~~(2) Accessory uses and buildings customarily incidental to a permitted use. [c4]~~
- 330 ~~(3)~~(2) Laboratories.
- 331 ~~(4)~~(3) Machine shop.
- 332 ~~(5)~~(4) Office, business, professional and governmental.
- 333 ~~(6)~~(5) Public buildings and utilities.
- 334 ~~(7)~~(6) Warehouse.
- 335 ~~(8)~~(7) Welding shop.
- 336 ...

337 **CHAPTER 26. OPEN SPACE ZONE O-1**

338 ...

339 **Sec. 104-26-2. - Permitted uses.**

340 The following uses are permitted in the Open Space Zone O-1.

- 341 (1) Accessory building incidental to the use of a main building; main building
- 342 designed or used to accommodate the main use to which the premises are
- 343 devoted; and accessory uses customarily incidental to a main use;
- 344 ~~(1)~~(2) Agriculture.
- 345 ~~(2)~~(3) Botanical or zoological garden.
- 346 ~~(3)~~(4) Cemetery.
- 347 ~~(4)~~(5) Conservation areas: botanical or zoological.
- 348 ~~(5)~~(6) Fishing ponds; private or public.
- 349 ~~(6)~~(7) Golf course, except miniature golf courses.
- 350 ~~(7)~~(8) Horse raising, provided conducted in a pasture of at least five acre size and with
- 351 a maximum density of two horses per acre.
- 352 ~~(8)~~(9) Private park, playground or recreation area.

Weber County Land Use Code Revision Process Workflow

This flowchart is intended to illustrate the intended course of the revision process. It is not an absolute plan, and deviations may occur as more information is gathered, but it will provide the Planning Commission with an idea where we are in the process at any given time. Staff will refer to this structure regularly.

