



WESTERN WEBER TOWNSHIP PLANNING COMMISSION  
MEETING AGENDA

Tuesday, May 12, 2015  
5:00 P.M.

- *Pledge of Allegiance*
- *Roll call*

1. Minute Approval: Approval of the March 10, 2015 and April 14, 2015 meeting minutes

2. Administrative Item(s):

2.1 CUP 2015-21: Consideration and action on a request to amend an existing Conditional Use Permit Site Plan by installing a 7,500 square foot crystallizer building, a 20,088 square foot compaction building, a 3,024 electrical building, and a new binder plant located at approximately 765 North and 10500 West; Compass Minerals International, Applicant; Gordon Hyde Authorized Agent

3. Public Comment for Items not on the Agenda

4. Remarks from Planning Commissioners

5. Planning Director Report

6. Adjourn

Adjourn to a Work Session

WS1. Weber County Land Use Code Revision Process: Conditional Use Revisions Discussion

WS2. Weber County Land Use Code Revision Process: Land Use Table – Agricultural Uses Discussion

*The meeting will be held in the Weber County Commission Chambers, Weber Center, 2380 Washington Blvd., Ogden UT  
A pre-meeting will be held at 4:30 P.M. in the Weber County Commission Chambers Breakout Room. No decisions will be made in  
this meeting.*

*Work Sessions will be held in the Weber County Commission Chamber Breakout Room unless otherwise posted.*



*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 Planning Commission held March 10, 2015, in the Weber County Commission Chambers, commencing at 5:00 p.m., 2380 Washington Blvd., 1<sup>st</sup> Floor, Ogden, UT

**Present:** Jannette Borklund, Chair; Andrew Favero; Wayne Andreotti; Roger Heslop, Ryan Judkins

**Excused/Absent:** Mark Whaley, John Parke

**Staff Present:** Sean Wilkinson, Planning Director; Jim Gentry, Principal Planner, Charles Ewert, Principal Planner; Christopher Crockett, Legal Counsel, Sherri Sillitoe, Secretary

- *Pledge of Allegiance*
- *Roll Call*

**1. Consent Agenda:**

- 1.1 LVB100114: **Consideration and action on final approval of Blue Acres Subdivision Phase 4, for 9 lots, located at approximately 4000 West 2000 South, Romney Buck, Applicant**

**MOTION:** Commissioner Andreotti moved to approve the Consent Agenda Item as presented. Commissioner Favero seconded the motion. A vote was taken and Chair Borklund indicated that the motion carried by a unanimous vote of those members present.

**2. Administrative Items**

**a. New Business**

1. CUP 2015-07: **Consideration and action on a conditional use permit for an accessory apartment in the Residential Estates RE-15 Zone, located at approximately 2757 East 6425 South, Jonathan Vance, Applicant**

Jim Gentry presented a report and indicated that the applicant is requesting approval of a conditional use permit for an accessory apartment in the Residential RE-15 Zone at 2757 East 6425 South. As a conditional use, accessory apartments limited to 800 square feet are permitted in any zone in which single-family residential dwelling units are allowed. The principal dwelling will be occupied by the owner of the premises. Two side by side parking spaces are provided for the accessory apartment.

The Planning Commission should ask if the proposed use meets the requirements of applicable County Ordinances, and determine if there are any potentially detrimental effects that need to be mitigated by imposing conditions of approval, and if so, ask what the appropriate conditions are.

Staff recommends approval of this conditional use application subject to the applicant meeting the conditions of approval listed in the staff report and any other conditions required by the Planning Commission. This recommendation is based on the following findings:

- The proposed use is allowed in the RE-15 Zone.
- The application meets the appropriate standards for accessory apartments.
- The criteria for issuance of a conditional use permit have been met because mitigation of potential detrimental effects can be accomplished.

**MOTION:** Commissioner Heslop moved to approve CUP 2015-07 based on the findings listed in the staff report and subject to the staff and agency comments. Commissioner Andreotti seconded the motion. A vote was taken and Chair Borklund indicated that the motion carried with Commissioners Favero, Andreotti, Heslop, Judkins and Chair Borklund all voting aye.

**3. Legislative Items: Public Hearings**

Chair Borklund opened a public hearing at this time.

**a. New Business:**

- 1. ZTA 2014-05: Consideration and recommendation on a proposal to amend the Weber County Land Use Code to provide for the nonconforming designation of lots made smaller by right-of-way expansions, and to provide administrative clarifications related to those sections.**

Charles Ewert, Principal Planner, presented a report and indicated that there was no public in the audience to speak on the issue.

Discussion followed regarding whether the issue should be tabled due to having no public present.

Charles Ewert indicated that it was posted 10 days in the Utah Public Notice Website. It was also on the County Planning Division website, and posted once in the Standard Examiner. Staff could look at whether mailing individual property notices on 3500 W. would be feasible. The members asked whether staff could post a notice at Country Corners, and Staff indicated that they are happy to do whatever method(s) that the Planning Commission would like.

Commissioner Heslop asked if postponing a recommendation would hold up the project process.

Chair Borklund indicated that this is a benefit to the property owners.

Christopher Crockett indicated that the Open Meetings Act establishes the floor. He indicated that they are allowed to give additional notice if they feel that it is in tune with the process they want to have.

Commissioner Heslop indicated that this ordinance not only affects 3500 W, but it is the entire unincorporated Weber County area.

**MOTION:** Commissioner Heslop moved to postpone any action on ZTA 2014-05 and that staff notify property owners in multiple ways; to notice however they can with whatever funds are available to do so. Commissioner Andreotti seconded the motion. A vote was taken and Chair Borklund indicated that the motion carried with Commissioners Favero, Andreotti, Heslop, Judkins and Chair Borklund all voting aye.

- 2. ZTA 2014-06: Consideration and recommendation on a proposal to amend the Weber County Land Use Code to provide clarifications in the regulations and permissions of main buildings and accessory buildings, and main uses and accessory uses.**

Charles Ewert, Principal Planner, presented a report and indicated that there is the same issue here in that there is no public present to speak to the issue.

The members felt that they should give the public a chance.

**MOTION:** Commissioner Judkins moved to table ZTA 2014-06 due to the same reasons as the agenda item before. Commissioner Heslop seconded the motion. A vote was taken and Chair Borklund indicated that the motion carried with Commissioners Favero, Andreotti, Heslop, Judkins and Chair Borklund all voting aye.

Chair Borklund closed the public hearing at this point.

**4. Public Comment for Items not on the Agenda**

No comments were made from the public.

**5. Remarks from Planning Commissioners**

No comment was made

**6. Planning Director Report**

Sean Wilkinson asked if there were any comments regarding the sample staff report and the sample motion wording. Commissioner Favero indicated that it is clean. He also felt that it is sample wording in case they need to have an option of how to word a motion.

Commissioner Heslop indicated that he likes the staff report and the sample motions.

When you make a motion, they need to make sure that the findings match that motion. It should be findings of something that they actually talk about, not just pulling things out of thin air.

The Ogden Valley Township Planning Commission felt that staff was leading them and they did not like the sample motions. They also had other comments regarding the issue.

Staff will discuss this issue further and get back to the members at a future date.

**Public Comment for Items not on the Agenda:** There were no Public Comments.

**6. Adjournment:** The meeting was adjourned at 5:28 p.m.

Respectfully Submitted,

Sherri Sillitoe, Secretary  
Weber County Planning Commission



## Second Kitchen Policy Note to Staff

April 22, 2015

Don't issue the Second Kitchen Covenant until the kitchen is being built, not just shown on a plan as future kitchen.

Minutes of the Western Weber County Planning Commission held April 14, 2015, in the Weber County Commission Chambers, commencing at 5:00 p.m., 2380 Washington Blvd., 1<sup>st</sup> Floor, Ogden, UT

**Present:** Jannette Borklund, Chair; Wayne Andreotti; Andrew Favero, Roger Heslop, John Parke, Ryan Judkins

**Excused/Absent:** Mark Whaley

**Staff Present:** Sean Wilkinson, Planning Director; Jim Gentry, Principal Planner, Charles Ewert, Principal Planner; Christopher Crockett, Legal Counsel, Sherri Sillitoe, Secretary

- *Pledge of Allegiance*
- *Roll Call*

**1. Consent Agenda:**

- *Pledge of Allegiance*
- *Roll call*

**1. Minute Approval: Approval of the February 10, 2015 meeting minutes**

Commissioner Borklund submitted a few minor changes to the February 10, 2015 meeting minutes. Commissioner Heslop indicated that on Page 4 Swipp should be SWPP plans; in the middle para., 2<sup>nd</sup> Line the words should be "Revert Back" to the home owner; on Page 4 state should be real estate; on Page 1, 1<sup>st</sup> Paragraph 69,490 Acres should it be Acres or feet? Commissioner Borklund declared the February 10, 2015 meeting minutes approved as amended.

Commissioner Borklund asked if there are any exparte communications. None were declared.

**2. Consent Agenda:**

**2.1 CUP 2015-11: Consideration and action for a conditional use permit for the expansion of the Uintah Highlands Reservoir #3, located at 2450 East Jacqueline Drive, Blaine Brough, Authorized Applicant for Uintah Highlands Water and Sewer Improvement District**

Mike Atkinson, 2488 S 3500 W, indicated that recent conversations with the County enlightened him of the 40,000 sq. ft. lot size requirement. How much space will that subdivision take up including the open space? Commissioner Borklund indicated that this will be the first regular item heard.

**MOTION:** Commissioner Parke moved to approve the Consent Agenda Items 2.1 as presented and subject to staff and agency requirements. Commissioner seconded Heslop the motion. A vote was taken and Chair Borklund said the motion carried with all members present voting aye.

**2.2. LVW120914: Consideration and action final approval of Winslow Farr Jr. Farm Subdivision Phase 1 (14 Lots and 3 open space parcels), located at 2269 South 3500 West; Bob Favero, Applicant**

(Check recording) Jim Gentry replied that there are . The applicant was given a 25% bonus density so the overall lot size is not the 40,000 sq. ft. lots. They had to have 30% of the overall subdivision area in open space. The average lot sizes are from ¼ to ½ acre lot size. Most of the smaller lots are on the interior of the subdivision.

Staff has recommend approval of phase 1.

Bob Favero, 2049 Bluff Ridge Drive in Syracuse, indicated that they were required to widen the road to 66 ft. which reduced some of their open space. Therefore, they had to adjust some of the lot sizes. The lots go from 11,000 sq. ft. up to to 24,000 sq. ft.+ The open spaces that can be farmed will be farmed. Open Space C is a parcel across the canal that will also be left in open space.

**MOTION:** Commissioner Judkins moved to approve Consent Agenda Item 2.2 subject to staff and other agency recommendations. Commissioner Parke seconded the motion. Motion carried by a unanimous vote.

3. Legislative Items: Public Hearings  
a. New Business:

Chair Borklund opened a public hearing at this time.

1. ZTA 2014-05: Consideration and recommendation on a proposal to amend the Weber County Land Use Code to provide for the nonconforming designation of lots made smaller by right-of-way expansions, and to provide administrative clarifications related to those sections.

Charles Ewert indicated that the public hearings were tabled at the March meeting so that they could reach out to additional residents. Staff posted signs around various locations in the Western Weber County area. Mr. Ewert presented a sample visual showing how this ordinance could affect the various roadway widths once nonconforming lots are made smaller by right-of-way expansions within the unincorporated County.

The staff report indicates that 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. The expansions will take the front portions of the parcels that front these streets. The amount taken depends on a myriad of factors, such as the current right of way width, necessary road appurtenances, and proximity to intersections of streets and canals. A special ordinance is necessary that allows lots made noncompliant to current zoning standards to be considered a legal, nonconforming status. This will help clarify in the law that the current occupancy, use, and the right to initiate new uses, as may be allowed by the zone, may be continued on properties that drop below the zoning standards.

At the end of Title 108-12-15 there is a new section that is titled "Effect of Right of Way Expansion." Along with this new code section, a notice document has been created that will be recorded on the properties affected by right of way expansions. This notice will give current and future property owners notice of the new ordinance, and provide clarity in the record that their right to existing and new uses on the property will not be affected by the right of way expansion.

The non-conforming and non-complying codes were clarified with this ordinance amendment. In Section 101-1-7, the current ordinance only lists that zoning area and zoning width standards may make a lot nonconforming. The new definition specifies that all applicable lot standards are to be considered when evaluating whether a lot is nonconforming. The significance of this change is this: lot standards may be found in various places in the code, including the zoning ordinance and the subdivision ordinance. If a lot is legally created or modified under the lot standards of any land use code requirement at the time and any of those lot standards are later changed, then the lot is considered nonconforming as it relates to the changed lot standard, whatever that standard may be. The proposed definition is no longer limiting to zoning area and zoning width standards.

Even though the framework of Chapter 108-12 Noncomplying Structures and Nonconforming Uses/Parcels appears to follow the framework of historic model ordinances, the chapter has been amended to be more permissive regarding the modification of noncomplying structures. It has also been amended with provisions on how to treat nonconforming lots, giving leniency to those lots created in a manner that did not comply with previous subdivision codes. Essentially, what this does is gives a grant of amnesty from subdivision requirements for these lots.

Rebecca Hurley, 6017 S 2400 E, in Uintah Highlands, indicated that they have approximately 300 yards of a one-way street that is part of Uintah Highlands (Combe Road) and she wonders if there is a proposed list of roads set to be widened. Her concern is that the road has been narrow and one way for several years and it is a safety hazard. The concern is that as they get new people moving to the area or visitors that do not know that the road used to be two-way and it becomes a hazard. If there is a wish list for widening these roads and for getting Combe Road healthy and back to a two-way road, she would appreciate a copy. People are breaking the law on the road and it would probably save the County money if the road was fixed.

Chari Borklund indicated that she believes that Uintah City made the road one way. She lives in that area and is aware of the situation.

Sean Wilkinson, Planning Director, indicated that there have been discussions regarding the road, but he is not sure where the process is at this point. Staff will get with the Weber County Engineer and discuss it with him.

Bill Davis indicated he is involved with the 12<sup>th</sup> Street expansion. He believes that the County is uprooting over half the community and the homes will end up be non-conforming. He believes that the County should have been taking a 50 ft. right of way on each side of the roadway width since 1969 as he was required to do; he believes there is a planning problem. He believes there is a system that has worked for 70 years and he doesn't know why they need to change it now other than it makes it more convenient for the County.

Anna Giordano indicated that she lives on the roadway expansion. If they do the right of way back to where it is, they will have to move all their corrals that protect her barn from the public. Her question is that when her barn becomes too close to the roadway and someone comes off the road and hits her barn, who would be liable for that?

Cody Ostler, 5595 W 12<sup>th</sup> Street, asked how much advertising of tonight's meeting actually happened. He only noticed two signs and they were both missing last night. He believes that when they change the law, the lots would be legal non-conforming lots, but it still has the same negative impact. Will it be compensated differently by the County because of its legal non-conforming status?

Rick Gordon, 1173 S 5250 W, indicated that he appreciated seeing the signs advertising this meeting. He believes that this ordinance is a good way to make it conforming for everybody.

Layne McFarland indicated that he appreciated what was presented. The fact that they feel good about what the intent of the ordinance is here, doesn't mean they accept what the County is doing to them. As a group of citizens, they will continue to fight the County on the road width doubling. He appreciates the opportunity to be legally grandfathered in, but that doesn't mean they accept what the County is doing. They will continue to work with the County.

Cody Ostler indicated that he appreciated that the signs were posted and is thankful for this improvement. He hopes that the sign posting continues. He believes that if they would widen the road less strategically, it wouldn't impact as many people. He believes that it is good that the County is trying to make their lots legal. His question is that with this new ordinance, does it change the way the home owners would be compensated?

Mike Atkinson indicated that he lives on 3500 W. and the large widening project doesn't affect his property so much because he built his home further back years ago; however, his neighbors are greatly affected. He saw the sign in Taylor two weeks ago and made a note to attend tonight's meeting, but he didn't see it there after that, so maybe they need stronger stakes. He believes that the signage is a great idea.

Director Wilkinson indicated that the plans have been based on the right of way widths that have been in the General Plan for many years (100 ft. road width for 12<sup>th</sup> Street and 80 ft. on 3500 W.) and that is what the roadway plans are designed to. He knows there are some questions from the public.

Chris Crockett indicated that they need to focus on what has been presented this evening.

Commissioner Parke asked if the road widening would ever come before the Planning Commission, and Director Wilkinson replied that no. Everything that is taking place is under the control of the Engineering Division working with the consultants. Hollin Wilbanks is the County's Public Relations representative and she is happy to take any calls or answer any questions.

Charles Ewert indicated that the Planning Commission saw the road widening width determination in 2003 during the General Plan process.

Chair Borklund asked who would be liable for traffic speed increases due to the road widening. Chris Crockett indicated that the determination of liability does not often come until the end. They need to look at what action is being taken so they can look at what legal procedure they need to follow. If the County is not doing what is appropriate, there is a way to challenge that. There are also provisions in the Governmental Immunity Act which could also govern regarding property damage, etc. Also, there would be other considerations to take into account regarding possible negligence or fault of a third-party individual.

Commissioner Heslop asked if they should keep the ordinance the way it is and have problems, or should they amend and try to provide for the safety of the general public and still have a problem. Chris Crockett stated that they need to ask whether the Planning Commission is the appropriate body to ask that question to. The agenda item tonight is very specific and narrow and he believes that the Planning Commission needs to stick with that.

Director Wilkinson indicated that this ordinance amendment would apply county wide on any road expansion that would take place. Chair Borklund indicated that they cannot send notice to every property owner in Weber County; posting the signs is the best that they can do.

Shawn Earley stated that he understands the need for this, but when you are talking about non-conforming lots, it becomes the standard. Why have standards if you are going to do away with the conformity? This proposal would almost make it so the County could abuse it and widen any road anytime they want.

Danna Giordano stated that the ordinance has been on the books but is being rewritten to clarify the wording for better understanding. She believes it is a good thing because it provides some protection. She wants to state on record that when the Engineering Division first started talking to the group at an open house for widening of 12<sup>th</sup> Street, they indicated that the road widening was for corridor preservation. Her son studied the issue and asked for an opinion from the State's Ombudsman who indicated that the County cannot use the funds for corridor expansion; therefore, the County could not do their due diligence and study the issue properly. The design of the road and the road width is changing. They are snaking the road and obtaining various road widths, and her opinion is that it is not fair.

Charles Ewert indicated that the Planning Commission's decision is a recommendation to the County Commission. This ordinance is an attempt to help the home owners. Director Wilkinson indicated that feedback from the open houses came back to the Planning Commission and staff. This ordinance amendment is their attempt to help remedy the situations the home owners have found themselves in.

Commissioner Parke explained that it is a legal lot; it is just non-conforming. The ordinance is providing some relief so that the home owner would not have to go to the Board of Adjustment if their property was affected by the road right of way expansion.

Commissioner Favero indicated that he believes that he is hearing from the public that it is bad timing for the ordinance amendment. The change is a great thing and helps a lot of people with future additions or new buildings on lots that were formerly non-conforming. He believes that some people feel that the ordinance is taking away a negotiation point on the projects that are at hand.

Commissioner Judkins asked if this ordinance only affects lots where there is road expansion, and Mr. Ewert said yes.

MOTION: Commissioner Heslop moved to forward a positive recommendation to the Weber County Commission of Z.T.A. 2014-05 based on the presented findings or any other findings they deem necessary. Commissioner Andreotti seconded the motion. The motion carried by a 5-1 vote, with Commissioners Andreotti, Heslop, Parke, Judkins and Chair Borklund voting aye, and Commissioner Favero voting nay based upon the ordinance timing.



2. ZTA 2014-06: Consideration and recommendation on a proposal to amend the Weber County Land Use Code to provide clarifications in the regulations and permissions of main buildings and accessory buildings, and main uses and accessory uses.

The way the current county codes are written are that before you can place any accessory buildings on your property, you have to first have a main building established.

They are proposing to change any 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.

The ordinance will have implications on agriculture, barns, golf courses, gravel pits; anything that is open air use that would not normally need a building yet might want an incidental building to support that use. They want to make sure that they are not telling someone that they cannot do something; they want to make sure that they are telling them how they can do something. Right now, the only difference will be when they are talking about how far a building can be set back.

Chair Borklund asked if it affects county wide, and Director Wilkinson indicated only if it is located in front of your house or not more than 10 ft. in back of your house.

Chair Borklund asked how they would treat a storage container on their lot, are they illegal? Charles Ewert stated that if it is set back so far behind the house and under a certain size, you could have one.

Chair Borklund asked if there a limit on how many accessory buildings can be on a lot, and Mr. Ewert replied not right now, but they do have to meet the proper setbacks.

Commissioner Judkins said if someone has a 10-acre parcel and wants to build a main building (a barn) and then in a few years they want to build a house, where does that fit now? Charles Ewert indicated that the first building that you build on the property is a main building until you build another building that is also a main building. At the point that you build a new building that replaces that main building, the first building is now essentially accessory and you could move it closer to your property if the building was built so that it could be moved. If it is the only building on site, it is the main building.

Director Wilkinson indicated that the intent of the ordinance is to not just let people put buildings all over vacant lots for whatever purpose; they would still have to comply with whatever use was allowed in that zone.

Layne McFarland, 5202 W 1150 S., stated that it is probably a hard concept to present. He is curious because he is aware of a land owner in West Weber who was required to put a living quarters in his new barn because it would be on the property by itself. Would this ordinance change that? Charles Ewert indicated that as administrations change, interpretations change. Director Wilkinson noticed that this is a problem and he wanted to have that clarified. In this instance, the barn could be built without a living quarters and that barn would be the main building, but the storage limitations would come into play; the barn would have to be used for agricultural use and storage of personal R.V.'s couldn't happen there. Mr. McFarland asked what would happen if an agriculture building wasn't used exclusively for agricultural use. Charles Ewert indicated that the agricultural exemptions prevent county oversight.

Chair Borklund asked about the enforcement process. Charles Ewert indicated that they would go through a permitting process and verify that the building would be used for something that is accessory to a permitted use on the property. The land use permit would state that specifically and then any complaints raised would follow the same enforcement process that is in place today. If the use changes from the agricultural barn to a storage shed, then the inspector would inspect and they would go through the process of determining what needs to happen to bring the building into compliance. Director Wilkinson indicated that he would hope that with this amendment, complaints would not be raised so that they have to go through the code enforcement process.



MOTION: Commissioner Andreotti moved to recommend approval of ZTA 2014-06. Commissioner Favero seconded the motion. A vote was taken and Chair Borklund indicated that the motion carried unanimously with Commissioners Andreotti, Favero, Heslop, Parke, Judkins and Chair Borklund voting aye.

**4. Public Comment for Items not on the Agenda**

**5. Remarks from Planning Commissioners**

Commissioner Favero indicated that he thought the legislation on ZTA 2014-05 was good legislation but felt that the timing showed that they were not transparent. Chair Borklund indicated that by having the ordinance amendment on the agenda at this time almost looked like they were pushing for the road expansion when they were not. They are saying with the ordinance amendment that in case it happens, they want the property owners to be protected.

Commissioner Andreotti indicated that he appreciated the public attending the meeting tonight.

Chair Borklund indicated that it is hard for them to notify people on legislative issues that affect the community so she appreciated the public attending the meeting tonight.

**6. Planning Director Report**

- Chair Wilkinson indicated that staff is hard at work with several ordinance amendments. They are going to take a look at the Western Weber General Plan and to see what they have not yet accomplished and create a list to bring some of those items to the Planning Commission's attention leading up to a General Plan update in a couple of years.
- The National APA conference will be this weekend. Commissioner Andreotti will be presenting with Scott Mendoza.

There were no comments from Legal Counsel.

**7. Adjourn**

There being no further business, the meeting was adjourned at 6:39 p.m.

Respectfully Submitted,

Sherrill Sillitoe, Secretary  
Weber County Planning Division



## Staff Report for Administrative Approval

Weber County Planning Division

### Synopsis

#### Application Information

**Application Request:** Consideration and action on a request to amend an existing Conditional Use Permit Site Plan by installing a 7,500 square foot crystallize building, 20,088 square foot compaction building, 3,024 electrical building, and a new binder plant.

**Agenda Date:** Tuesday, May 12, 2015

**Applicant:** Compass Minerals International / Gordon Hyde representative

**File Number:** CUP 2015-21

#### Property Information

**Approximate Address:** 765 North & 10500 West, Ogden, Utah 84404

**Project Area:** Parcel Area: 543.25 Acres

**Zoning:** Manufacturing -3 Zone (M-3)

**Existing Land Use:** Mineral/ Chemical Manufacturing

**Proposed Land Use:** Mineral/ Chemical Manufacturing

**Parcel ID:** 10-032-0004, 10-032-0005 & 10-032-0011

**Township, Range, Section:** T6N, R3W, Sections 6

#### Adjacent Land Use

|                                      |                                      |
|--------------------------------------|--------------------------------------|
| <b>North:</b> Vacant / Manufacturing | <b>South:</b> Vacant / Manufacturing |
| <b>East:</b> Vacant / Manufacturing  | <b>West:</b> Vacant / Manufacturing  |

#### Staff Information

**Report Presenter:** Jim Gentry  
jgentry@co.weber.ut.us  
801-399-8767

**Report Reviewer:** SW

### Applicable Ordinances

- Weber County Land Use Code Title 104 Chapter 25 (M-3 Zone)
- Weber County Land Use Code Title 108 Chapter 4 (Conditional Uses)
- Weber County Land Use Code Title 108 Chapter 1 (Design Review)

### Type of Decision

**Administrative Decisions:** When the Planning Commission is acting as a land use authority, it is acting in an administrative capacity and has much less discretion. Examples of administrative applications are design reviews, flag-lots, and subdivisions. Administrative applications must be approved by the Planning Commission if the application demonstrates compliance with the approval criteria.

### Background

Compass Minerals International is requesting approval of an amendment to an existing Conditional Use Permit Site Plan by installing 7,500 square foot crystallize building (4 floors), 20,088 square foot (6 floors) compaction building, 3,024 square foot, 2 storey electrical building, and a new binder plant. The old binder plant will be removed and the new binder plant will be relocated approximately 100 feet to the west. The new binder plant is taller (35 feet), but narrower than the existing plant. There is no maximum building height in this zone. The compaction building with the 6 floors is 95 foot tall, and will be located next to silos that are as tall. The silos have a building located on top of them which makes them taller than the proposed 6 story building. All of the proposed buildings fit the mass and scale of the existing buildings.

The Compass Minerals International plant is located in the M-3 Zone, where the purpose and intent of this zone is to be primarily for industrial uses related to the manufacture, testing, and production of jet and missile engines, aircraft or space craft parts or similar heavy industry, and for the extraction and processing of raw materials. Industrial operations or uses, which are compatible with the general purpose of this zone, are included. The following conditional uses are allowed:

- Metals and metal products extraction, treatment, and processing including the extraction, processing and manufacturing of magnesium chloride, magnesium, potassium, sodium, lithium, boron, bromine and their salts or chemical derivatives are allowed.
- Manufacture, processing, refining, treatment, distillation, storage or compounding of the following: Acid, ammonia, bleaching powder and chlorine; fireworks or explosives, asphalt, chemicals of an objectionable or dangerous nature, creosote, disinfectants or insecticides; bones, coal or wood, fertilizer, gas, glue, size or gelatin, ore, potash.

In 2005, Compass Minerals International received a variance from the Weber County Board of Adjustment relating to landscaping requirements. The variance required enough property set aside to meet the 10% landscaping requirement, but allowed natural landscaping to be used in place of new landscaping. The site contains more than 200 acres that are set aside as natural landscaping.

The Weber County Engineer's Office and the Weber County Building Official have responded with no significant concerns and will have any needed items addressed with the building permit. The applicant has provided a utility plan showing that the proposed building location will have no impact on any utilities. Culinary water and wastewater services already exist.

### Summary of Planning Commission Consideration

In order for a conditional use to be approved it must meet the requirements of applicable ordinances listed in this staff report, which include the requirements listed in Land Use Code section 108 -4-4 "Criteria for Issuance of Conditional Use Permit", which states:

*Conditional Uses shall be approved on a case-by case basis. The planning commission shall not authorize a conditional use permit unless evidence is present to establish:*

- 1. Reasonably anticipated detrimental effects of a proposed conditional use can be substantially mitigated by the proposal or by the imposition of reasonable conditions to achieve compliance with applicable standards. Examples of potential negative impacts are odor, vibration, light, dust, smoke, or noise.*
- 2. That the proposed use will comply with the regulations and conditions specified in the Land Use Code and other applicable agency standards of use.*

The Planning Commission will need to determine if the request for the expansion of Compass Minerals International has met the requirements of the applicable Land Use Code of Weber County. The Planning Commission may impose additional conditions in order to ensure full compliance with the required standards. In making a decision, the Planning Commission should consider the following questions:

- Does the submittal meet the Land Use Code of Weber County? If no, then what conditions could be added in order to comply?
- Have the "Criteria for Issuance of Conditional Use Permit" and other applicable ordinances been met?

### Conformance to the General Plan

The Compass Minerals International proposal conforms to the General Plan by complying with all standards found in the Weber County Land Use Code. The project is located in an M-3 Zone where heavy manufacturing is anticipated.

### Conditions of Approval

- Compliance with the Weber County Land Use Code.
- Requirements of the Weber County Engineering Division.
- Requirements of the Weber Fire District.
- Requirements of the Weber County Building Official.

### Staff Recommendation

The Planning Division recommends approval of file# CUP 2015-21, a conditional use permit for the additions to Compass Minerals, located at approximately 765 North & 10500 West Warren. This recommendation for approval is subject to all review agency requirements.

This recommendation is based on the following findings:

1. The proposed uses conform to the Weber County General Plan.
2. The proposed facilities will update the manufacturing process for Compass Minerals.
3. The proposed uses will not be detrimental to the public health, safety, or welfare.
4. The proposed uses comply with applicable Land Use Code.
5. The proposed uses will not deteriorate the environment of the general area to negatively impact surrounding properties and uses.
6. The proposed buildings match the mass and scale of the existing buildings.
7. The project is located in an M-3 Zone where heavy manufacturing is anticipated.

### Exhibits

- A. Application
- B. Location Map
- C. Site Plan
- D. Photos

# Weber County Conditional Use Permit Application

Application submittals will be accepted by appointment only. (801) 399-8791. 2380 Washington Blvd. Suite 240, Ogden, UT 84401

|   |                               |                             |                          |
|---|-------------------------------|-----------------------------|--------------------------|
| Date Submitted / Completed<br>4/21/2015 | Fees (Office Use)<br>\$125.00 | Receipt Number (Office Use) | File Number (Office Use) |
|---|-------------------------------|-----------------------------|--------------------------|

## Property Owner Contact Information

|   |                     |  |  |
|---|---------------------|--|--|
| Name of Property Owner(s)<br>Compass Minerals         |                     | Mailing Address of Property Owner(s)<br>765 North 10500 West<br>Ogden, Utah 84404  |  |
| Phone<br>801-731-3100                                 | Fax<br>801-731-4881 |  |  |
| Email Address (required)<br>hydeg@compassminerals.com |                     | Preferred Method of Written Correspondence<br><input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail |  |

## Authorized Representative Contact Information

|   |                     |  |  |
|---|---------------------|--|--|
| Name of Person Authorized to Represent the Property Owner(s)<br>Gordon Hyde |                     | Mailing Address of Authorized Person<br>765 North 10500 West<br>Ogden, Utah 84404  |  |
| Phone<br>801-731-3100   | Fax<br>801-731-4881 |  |  |
| Email Address<br>hydeg@compassminerals.com                                  |                     | Preferred Method of Written Correspondence<br><input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail |  |

## Property Information

|   |                       |                |
|---|-----------------------|----------------|
| Project Name<br>Crystallizer, Compaction, PDC, and Binder Plant Expansion | Total Acreage<br>N/A  | Current Zoning |
| Approximate Address<br>765 North 10500 West<br>Ogden, Utah 84404          | Land Serial Number(s) |                |

Proposed Use  
Mineral processing

### Project Narrative

Project consists of 4 separate applications for the processing of the Great Salt Lake Water for minerals and resources that is a continued expansion and modernization of the facility.

This expansion will replace and modernize an existing portion of the operation.

The applications consist of a Crystallizer Building, a Compaction Building, A PDC Building, and a Binder Plant. This expansion is located near to the new Dryer D1400 Expansion that has been approved and in process of being constructed.

**Basis for Issuance of Conditional Use Permit**

Reasonably anticipated detrimental effects of a proposed conditional use can be substantially mitigated by the proposal or by the imposition of reasonable conditions to achieve compliance with applicable standards. Examples of potential negative impacts are odor, vibration, light, dust, smoke, or noise.

This facility will not have a detrimental impact to the existing site or area. This expansion will modernize the existing process and procedures that are currently operating now on the site by replacing the existing with new equipment, building structures and process to obtain the minerals.

That the proposed use will comply with the regulations and conditions specified in the Zoning Ordinance and other applicable agency standards for such use.

This project will meet all requirements from Weber County including Planning and Zoning and the Building Department (permitting to construct). Additionally, this expansion will meet all Federal and State of Utah requirements required to operate the process.

W

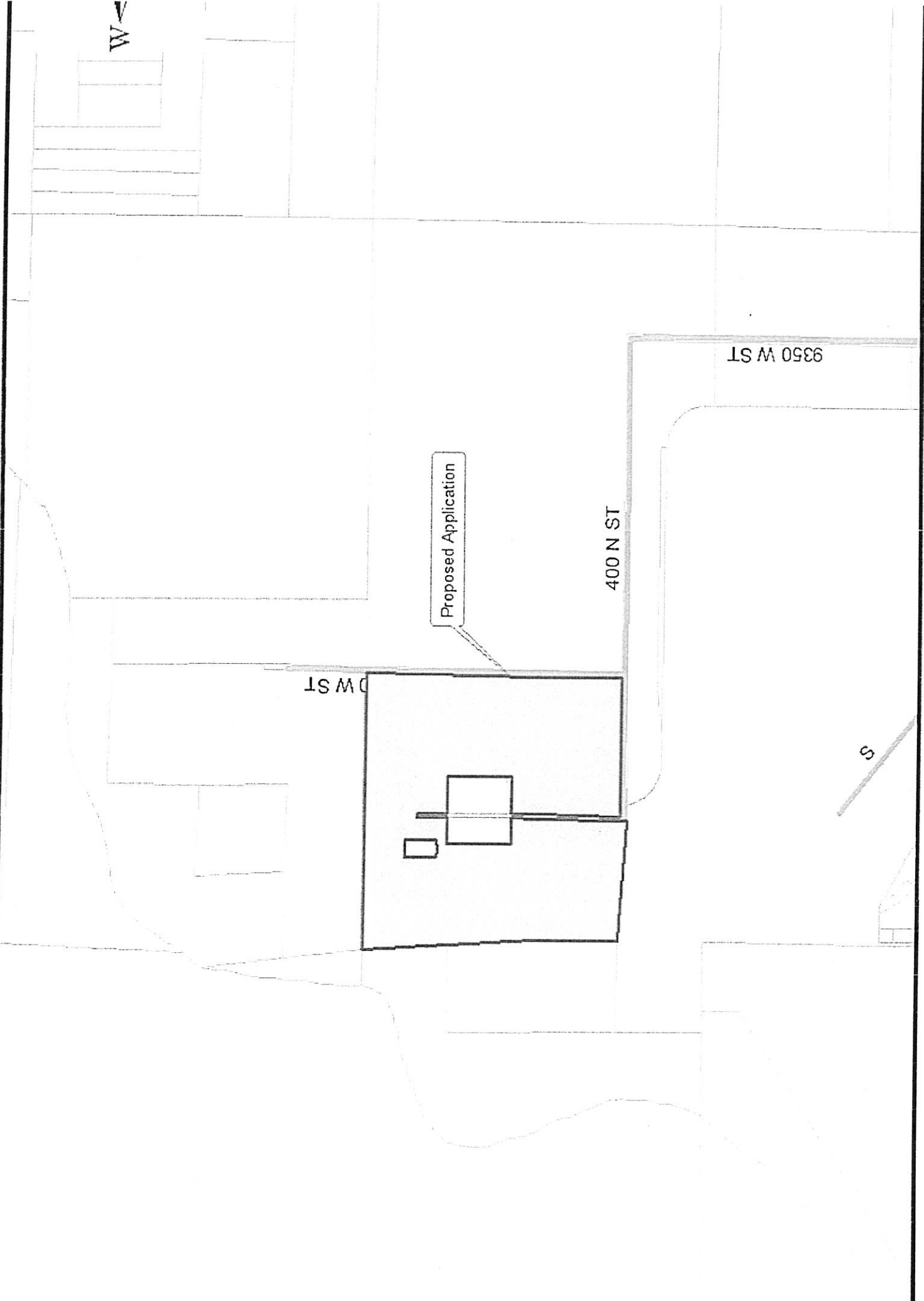
LS M 0986

400 N ST

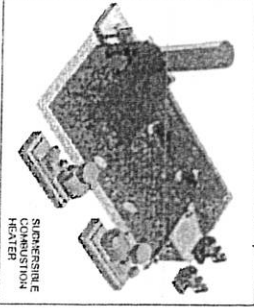
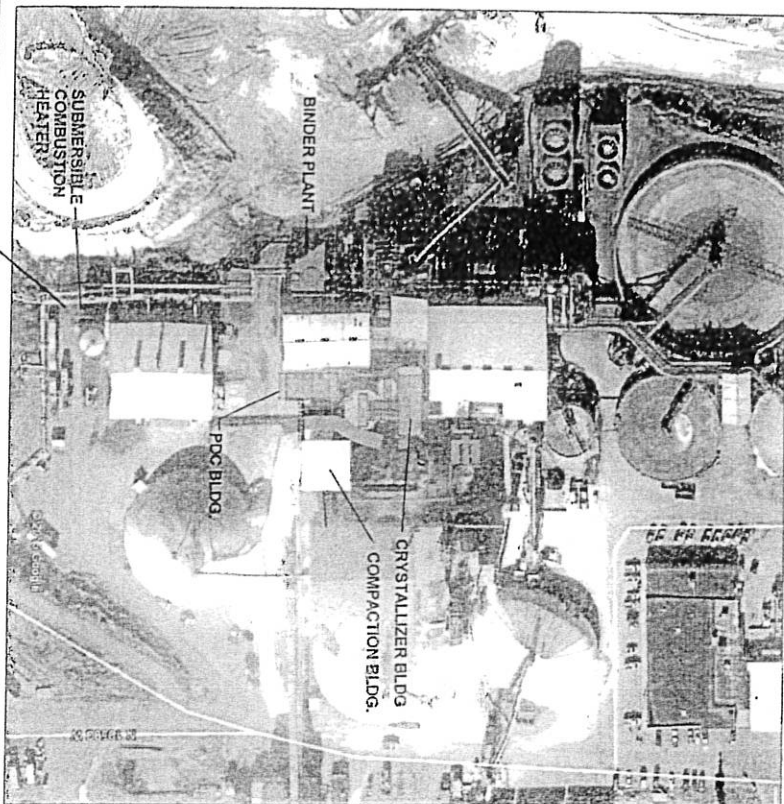
Proposed Application

LS M 0

S

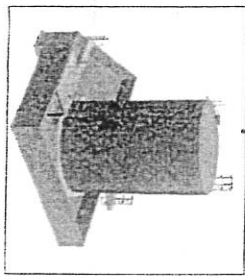
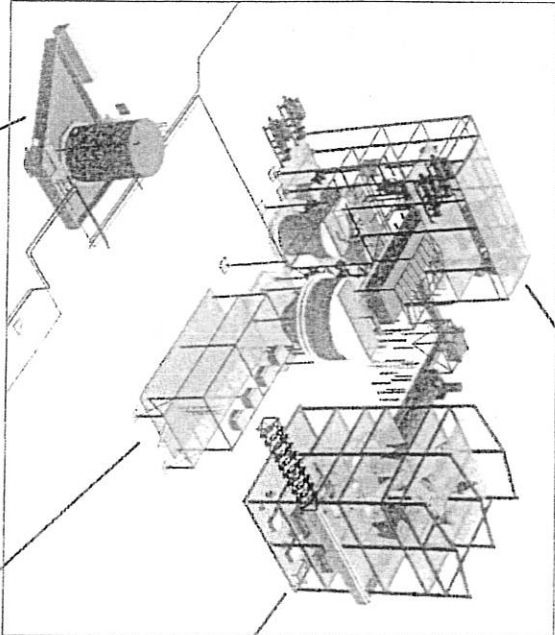






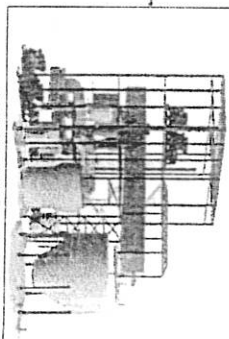
SUBMERGIBLE COMBUSTION HEATER

OVERALL SITE PLAN  
COMPASS MINERALS  
OGDEN EXPANSION

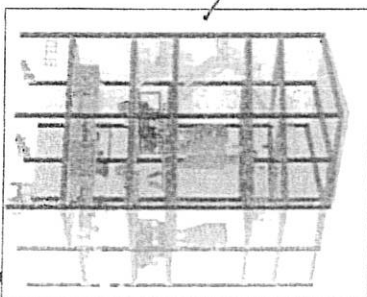


BINDER PLANT

35 Feet

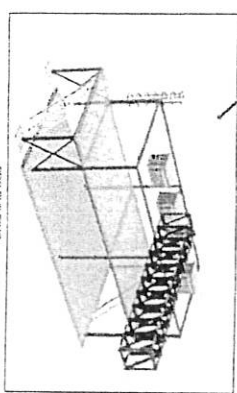


CRYSTALLIZER BUILDING



COMPACTION BUILDING

95 Feet

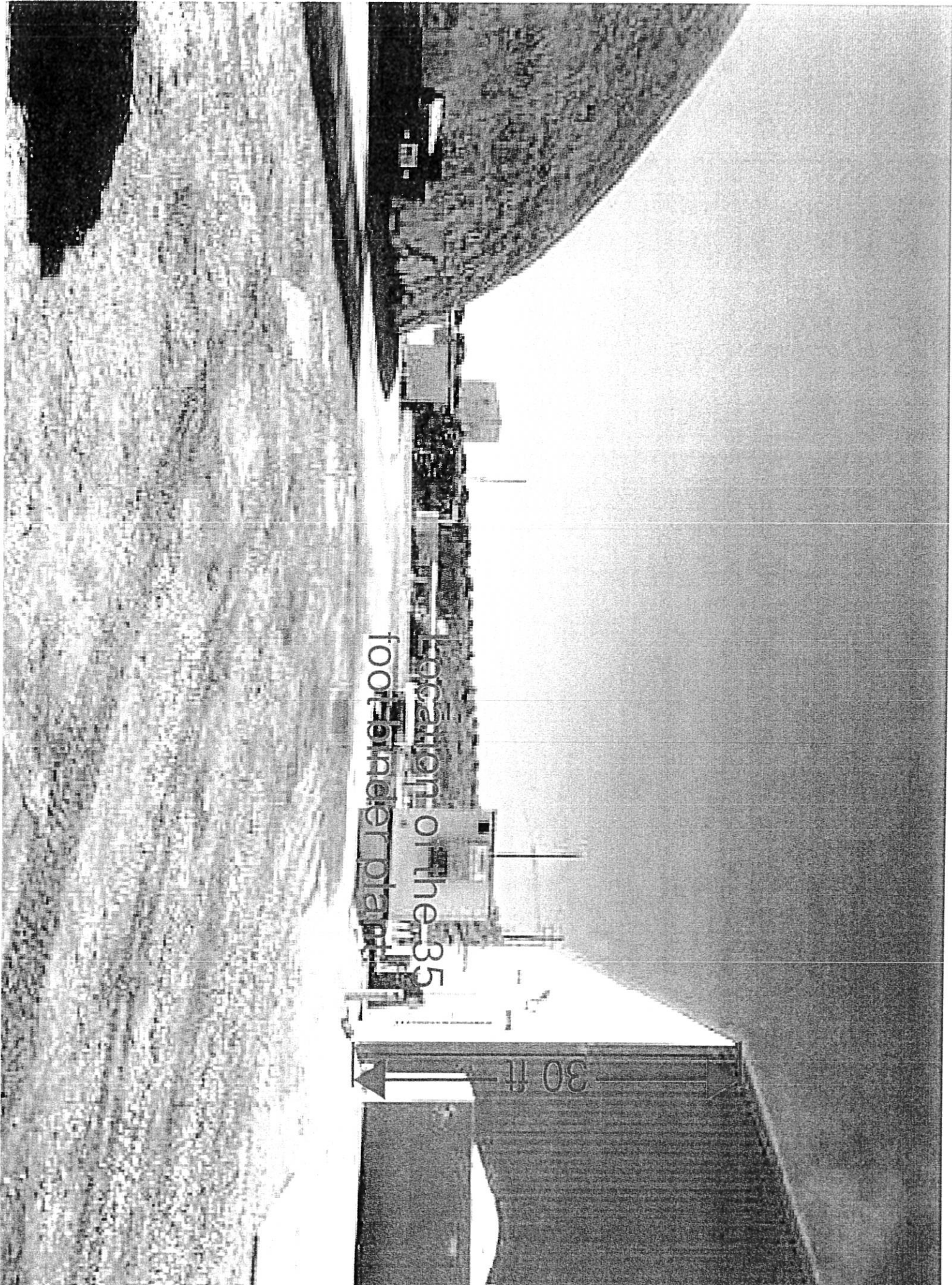


POC BUILDING

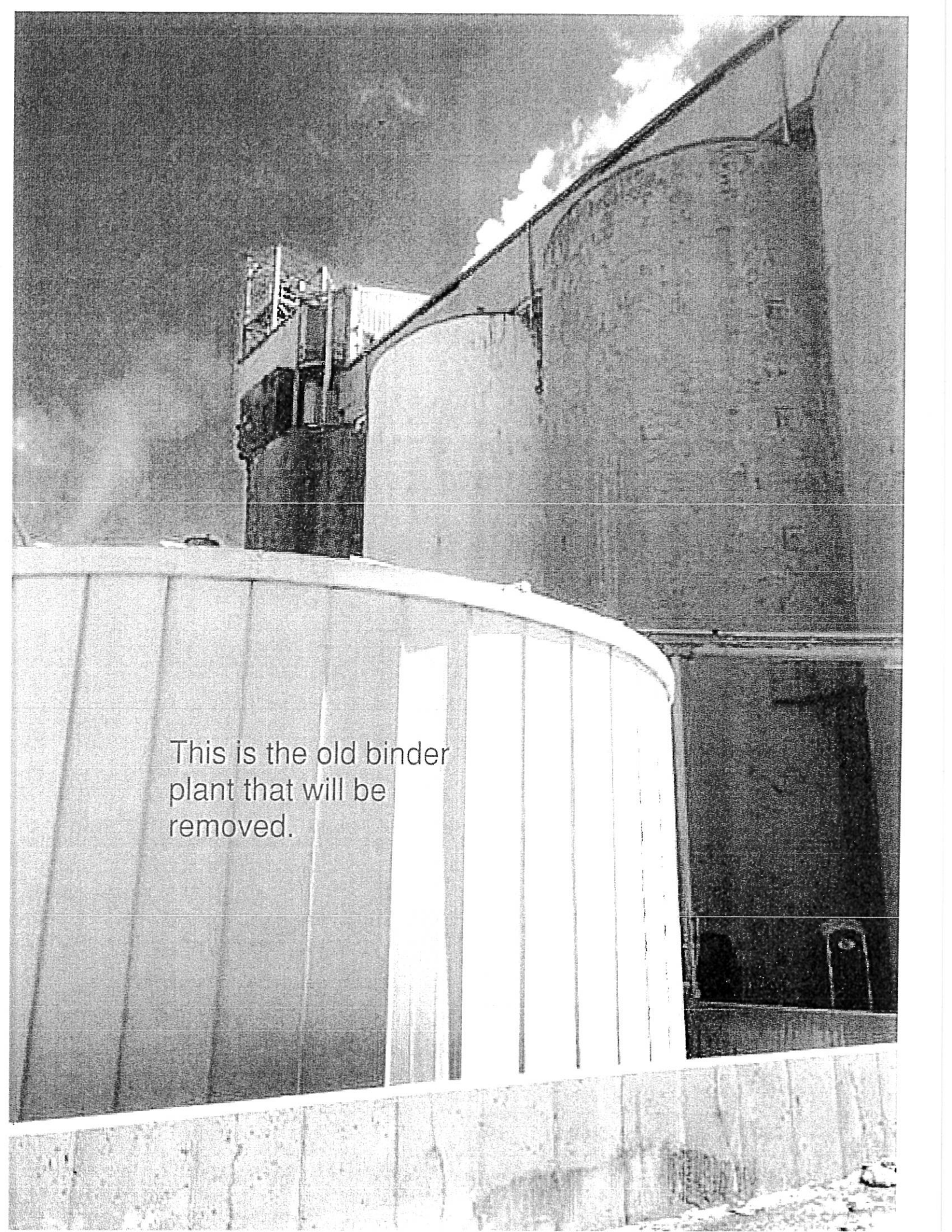
|  |  |  |
|--|--|--|
| <p><b>JACOBS</b> <i>CONTRIBUTOR</i></p> <p>COMPASS MINERALS OGDEN EXPANSION<br/>OVERALL SITE PLAN</p> <p>14-0000000-PC-001</p> |  | <p>DATE: 11/11/11</p> <p>SCALE: AS SHOWN</p> <p>PROJECT: COMPASS MINERALS OGDEN EXPANSION</p> <p>DRAWING: OVERALL SITE PLAN</p> <p>DESIGNED BY: [ ]</p> <p>CHECKED BY: [ ]</p> <p>APPROVED BY: [ ]</p> |
|--|--|--|

Location of the 35  
foot binder plant

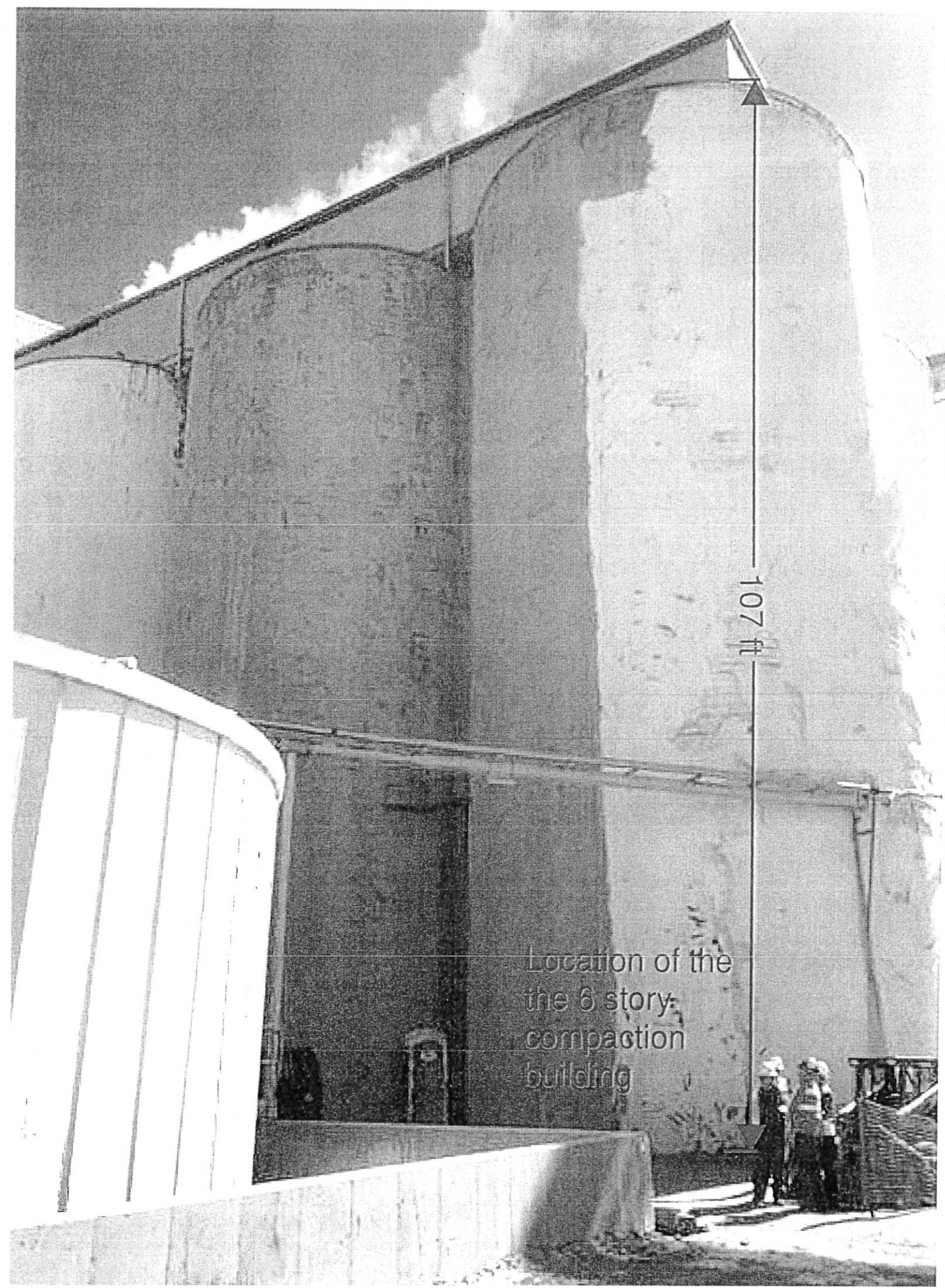
30 ft





A black and white photograph of an industrial facility. In the foreground, a large, curved, light-colored cylindrical structure, possibly a silo or tank, is visible. In the background, several other large cylindrical tanks are arranged in a row, with a walkway or platform structure above them. The sky is visible at the top, showing some clouds. The overall scene depicts a large-scale industrial or construction site.

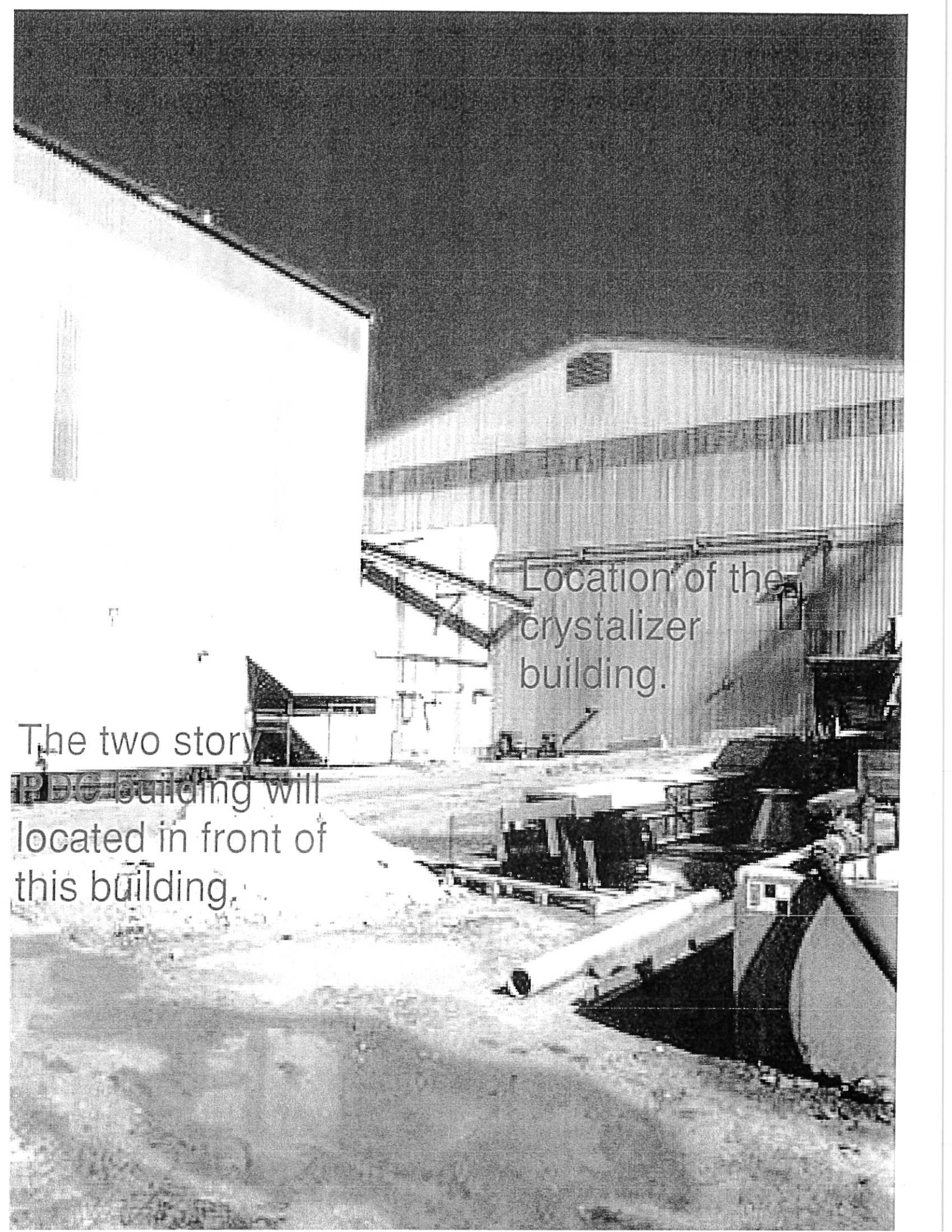
This is the old binder plant that will be removed.



107 ft

Location of the  
the 6 story  
compaction  
building





Location of the  
crystalizer  
building.

The two story  
~~PDC~~ building will  
located in front of  
this building.



## Weber County Planning Division

To: Ogden Valley and Western Weber Planning Commissions  
From: Charles Ewert, AICP  
Date: April 27, 2015  
Subject: Weber County Land Use Code Revision Process: Conditional Use Standards

**Background.** Following our last discussion regarding conditional uses, I have assembled a conditional use code that provides substantive standards applicable for conditional uses (see Exhibit A). It is based on standards found in conditional use codes throughout Utah.

It is imperative that the Planning Commission reviews the proposal with the understanding that conditional uses are allowed, provided they comply with applicable standards. There can be a lot of subjectivity in a conditional use permit determination. Stick to the facts, and be objective. Try not to be tempted to deny a permit because it does not comply with your interpretation of what is “attractive” or “incompatible with adjacent uses.” Try not to use standards to require the overdesign of a proposal so much that it is cost prohibitive. Instead, find reasonable ways to help the proposal fit in better.

The County’s design review standards (and architectural standards) should be enough to compel a developer to provide the County with a project that comes very close to approval-ready. All too often a Planning Commission may feel they are tasked with providing the community with projects that are designed with the community benefit in mind. This is not the case. The private property owner gets to design the project. The Planning Commission’s role is to verify that the community detriment of a project, if any, is made less severe. Remember that the word “mitigate” means “to cause to become less harsh or hostile” or “to make less severe or painful.”<sup>a</sup>

**Analysis.** The following is a general review of the design of the ordinance and the reasons for it. I tried to keep the proposal in general compliance with the previous ordinance’s composition. There are several changes I inserted to help the ordinance flow, and to make some sections better compliment the new additions.

**Application and review (§108-4-3).** I strengthened the application requirements (§108-4-3(1)) to call for more detail about the proposal. This will hopefully provide the reviewers with a better understanding of the proposed use, which, in turn, will provide the Planning Commission with more reliable information.

I also provided more detail in the application submittal and review (§108-4-3(2)). The added detail is not materially different than the current process; it is merely a means of providing the applicant with notice of the process that is due.

Take note of §108-4-3(2)(b.5-6). As is typical, staff will provide the Planning Commission with a recommendation of conditions of approval. Staff should base the recommendation on specific standards (and provide appropriate citations), and provide specific findings. This will give the Planning Commission a basic template for their decision – provided the Planning Commission can find that staff appropriately vetted the application.

**Standards (§108-4-5).** In crafting the standards, I generally kept to standards that have measurable outcomes. Even though the actual outcomes for a specific CUP will not be known until well after its approval, the point is that review agencies can use the standards to review the project through the lense of best management practices and emerging trends – and predict the detrimental effects of the proposal given the outcomes of similar uses and similar situations.

---

<sup>a</sup> Definition from Merriam-Webster





## Weber County Planning Division

This helps the Planning Commission in two ways. First, it will provide for you the reasonably *anticipated* detrimental effects of the proposal. Remember, state code requires that only the reasonably anticipated detrimental effects can be considered. This is explicitly written to remind Planning Commissions to not get caught in the trap of conditions based on speculation, but rather to base all decisions on objective facts. Second, it provides you with your professional's opinions about what standards should be applied (with specific recommendations for conditions), and by inference, which standards are irrelevant. You will want to exercise caution when applying standards or adding conditions that your professionals have not recommended. If they have evaluated the project completely there is a reason they have not included the standard in their review and recommendation (however, don't be afraid to ask staff for an explanation).

It is important for the Planning Commission to note that not all of the listed standards will be applicable to all conditional uses. When considering enforceability, remember that only those standards that the Planning Commission applies to a CUP via relevant conditions of approval are enforceable. The record you make when deliberating is important for this, but not so much as the motion that is made. Your motions should have all relevant conditions, and all relevant findings for those conditions. Staff recommendation will aid in this as well.

Because the property owner, not the Planning Commission, is the project designer, when subjectivity exists in a standard the Planning Commission should error that subjectivity in favor of the will of the property owner. In most cases, if the Planning Commission can honestly determined that from the perspective of the property owner the proposal meets applicable standards, then the project should probably be approved with routine or limited conditions. Things are not always this clean cut, but it is a good platform from which to base your CUP considerations. When in doubt, confer with staff.

Code drafting, generally. The proposal still has some drafting and legal work before being adoption ready. However, the substance will not likely change.

**Planning Commission Consideration.** I respectfully request that the Planning Commission carefully consider the proposal, and provide me general direction as to needed changes prior to it being formally presented for review and recommendation to the County Commission.

**Attachments.** In the attached exhibits the planning Commission will find the documents as listed below. They are being provided for the Planning Commission's reference, and may prove useful during our discussion.

- Exhibit A: (Proposed) Conditional Use Code with Track Changes
- Exhibit B: (Proposed) Conditional Use Code without Track Changes
- Exhibit C: Weber County Land Use Code Revision Process Workflow

**Exhibit A: Proposed Conditional Use Code Amendments -- with Track Changes**

1 CHAPTER 4. - CONDITIONAL USES

2 Sec. 108-4-1. - Purpose and intent.

3 Sec. 108-4-2. - Conditional use permit.

4 Sec. 108-4-3. - ~~Application and~~ Review procedure.

5 Sec. 108-4-4. - Decision requirements.

6 Sec. 108-4-~~54~~. - ~~Criteria Conditional use standards for issuance of conditional use permit.~~

7 Sec. 108-4-~~65~~. - Appeal ~~and revocation.~~

8 Sec. 108-4-~~76~~. - Permit and improvement guarantee.

9 Sec. 108-4-~~87~~. - ~~Revocation and~~ Expiration.

10 Sec. 108-4-~~98~~. - Discontinued use.

11 **Sec. 108-4-1. - Purpose and intent.**

12 (a) The purposes of this Chapter are to:

13 (1) Provide for the intent of the respective zones, and to provide for the vision, goals,  
14 and objectives of the respective general plans, by specifying general standards that  
15 may be applied by the Land Use Authority to a use listed as a conditional use in this  
16 Land Use Code.

17 (2) Provide a reasonable process for the application for and timely review of a  
18 conditional use permit.

19 (b) The intent of providing conditional use regulations is to provide allowance for additional  
20 uses in each zone and give the land use authority flexibility in applying reasonable  
21 conditions to effectively manage unique characteristics or detrimental effects of them, on  
22 a case by case basis. Conditions shall be related to the standards of this Chapter, or  
23 relevant requirements of any other Chapter of this Land Use Code.

24 ~~(a) The purpose of this chapter is to establish standards for land uses listed in each zone as~~  
25 ~~a conditional use, and to provide for a reasonable application, review, and approval~~  
26 ~~process for land uses that are specified as "conditional."~~

27 ~~(b) Conditional uses are intended to allow greater flexibility by providing a wider variety of~~  
28 ~~uses in a zone, while at the same time allowing conditions to be applied, due to their~~  
29 ~~unique characteristics or potential impacts on surrounding uses. These may be~~  
30 ~~appropriate only in certain locations and/or under specific conditions that mitigate~~  
31 ~~potential impacts. If impacts cannot be mitigated, the conditional use may be deemed~~  
32 ~~incompatible in some areas.~~

**Comment [c1]:** Future change: reference the new land use table here.

33 **Sec. 108-4-2. - Conditional use permit.**



34 (a) A conditional use permit shall be required for all uses listed as a conditional use in the  
35 Weber County Land Use Code. The conditional use permit shall list all conditions and  
36 requirements, based on applicable standards, determined appropriate to substantially  
37 mitigate the ~~impacts~~ detrimental effects created by the use in order to make it acceptable  
38 at the specific location.

39 (b) In the event a change is proposed from the conditions of the original approval, an  
40 amendment to the original conditional use permit shall be required.

41 ~~(b)(c)~~ A conditional use permit shall run with the property, unless the permit has expired, ~~or~~  
42 has been revoked, or been abandoned.

43 **Sec. 108-4-3. ~~r~~ Application and Review procedure.**

44 Applications for a conditional use permit shall be submitted to the planning division.

45 (1) An application shall include:

- 46 a. A completed application form signed by the property owner or certified agent.  
47 b. An application fee. The payment of a partial application fee, or the submittal of  
48 plans for a pre-submittal review, does not constitute a complete application.

49 c. A written narrative explaining the proposal. The narrative shall include, at a  
50 minimum, the following information:

- 51 1. Name of the project.  
52 2. The name, home, and if applicable, business address, of the applicant.  
53 3. As applicable, the name and business address of the project designer or  
54 engineer.  
55 4. A written explanation of ~~addressing the criteria of issuance~~ how the  
56 proposal complies with the applicable standards of ~~S~~section 108-4-4, and  
57 those applicable standards of Section 108-1 and Section 108-2.

58 d. Detailed ~~location~~-vicinity map. The map shall include, at a minimum, the  
59 following information:

- 60 1. Name of the project.  
61 2. North arrow.  
62 3. All significant natural and manmade features and existing structures within  
63 200 feet of any portion of the proposed project area.  
64 4. The property boundaries of the proposal.  
65 5. The names and site addresses of adjacent property owners.

66 e. Graphic representation of the proposal. The graphic representation shall be  
67 designed to provide, at a minimum, the following information:

- 68 1. Name of the project.  
69 2. The name, home, and if applicable, business address, of the applicant.

- 70           3. As applicable, the name and business address of the project designer or  
71           engineer.
- 72           4. Drawn to a scale that makes the project easily and clearly legible.
- 73           5. A north arrow pointing to the left or top of the sheet.
- 74           6. Boundary of the site, including any building pad, public and private  
75           easements, and other areas affected by the proposal.
- 76           7. The names and site addresses of adjacent property owners.
- 77           8. Existing zoning
- 78           9. Total acreage of the entire affected property and, if the property is split by  
79           zoning, the total acreage of property in each zone.
- 80           10. The location and width of existing and proposed roads, driveways, and  
81           parking areas, as may be applicable.
- 82           11. The location of existing and proposed manmade features, including  
83           bridges, railroad tracks, structures, and fences.
- 84           12. Existing and, if applicable, proposed culinary water, irrigation water, and  
85           sanitary sewer infrastructure.
- 86           13. Existing and proposed topographic contours, including, if applicable, any  
87           details necessary to explain proposed grade changes, fills or excavations,  
88           or any other earth work, together with accompanied drainage plans, storm  
89           water pollution protection plans, and revegetation plans.
- 90           14. Location and type of existing landscaping and vegetation, and proposed  
91           changes thereto if any. If applicable, location and type of new landscaping  
92           and vegetation.
- 93           15. Location of Flood Plain boundaries, if applicable.
- 94           ~~3-16. Any other proposed site improvements showing details and other~~  
95           ~~applicable design and architectural requirements specified in Section 108-~~  
96           ~~1 and Section 108-2. Detailed building plans and site plans specifications~~  
97           ~~shall be drawn to scale including electronic copies showing details and~~  
98           ~~other applicable zoning requirements as which are outlined in chapter 1 of~~  
99           ~~this title, Design review, and chapter 2 of this title, Ogden Valley~~  
100           ~~Architectural, Landscape and Screening Standards.~~
- 101           ~~e. Accompanying documents including water and wastewater feasibility letters.~~
- 102           ~~d.f. Any additional pertinent information needed to adequately describe the~~  
103           ~~proposal.~~
- 104           ~~g. A requirement that the applicant submit~~ A applicable impact studies or other  
105           technical studies ~~regarding grading, drainage, traffic, geologic hazards,~~  
106           ~~etc.~~ that may be necessary to provide evidence of anticipated detrimental  
107           effects of the proposal, or evidence of compliance with the applicable  
108           standards.



109 e.h. Any additional pertinent information needed to adequately describe the  
 110 proposal, or provide evidence of compliance with the applicable standards.

111  
 112 f.i. For those applications where no changes are proposed to an existing site or  
 113 structure, or where the application requirements are unnecessary to  
 114 demonstrate compliance with applicable ordinances and standards, the  
 115 application requirements may be modified by the ~~planning director~~ Zoning  
 116 Administrator.

117 (2) Application submittal and review.

118 a. ~~The application review procedure for proposed conditional uses~~ The County's  
 119 review of a conditional use permit application and the site plan will ensure is  
 120 intended to verify compliance with all applicable ordinances and provide  
 121 appropriate and reasonable mitigation of anticipated detrimental effects.

122 b. The application review procedure ~~shall contain the following components~~ is as  
 123 follows:

124 1. Pre-application meeting. Prior to submission of a complete application, a  
 125 pre-application meeting is required to be held with planning staff, in which  
 126 an applicant will provide preliminary site plans are reviewed and for  
 127 planning staff to review and discussed discuss with the applicant. This  
 128 meeting is intended to provide the applicant with a better understanding of  
 129 the conditional use process and requirements in order to assist with the  
 130 submission of a complete application. prior to finished plans being  
 131 submitted for review;

132 2. Complete application submission. Upon assembling a complete  
 133 application, the applicant may submit it for substantive review. Incomplete  
 134 applications shall not be accepted. Staff will review the application for  
 135 completeness. In the event the application is incomplete, staff will return it  
 136 to the applicant with a list of deficiencies. A review of the application for  
 137 completeness;

138 3. ~~Referral of the application to all referral agencies;~~ Upon acceptance of an  
 139 application, planning staff shall transmit it to applicable reviewers as may  
 140 be determined necessary to verify compliance with the standards of this  
 141 Chapter, or relevant requirements of any other Chapter of this Land Use  
 142 Code.

143 4. Applicable reviewers shall forward to planning staff reasonable  
 144 recommendations for conditions necessary to substantially mitigate the  
 145 reasonably anticipated detrimental effects of the proposed use in  
 146 accordance with applicable standards.

147 5. Planning staff shall review the application, together with the reasonable  
 148 recommendations from applicable reviewers, to determine compliance  
 149 with this Land Use Code. Planning staff shall assemble a staff

150 recommendation, with conditions and findings, for the application, then  
151 forward the recommendation with the application to the Land Use  
152 Authority for a final decision.

153 6. Upon receipt of the application and staff recommendation the Land Use  
154 Authority shall make final decision on whether the application complies  
155 with this Land Use Code, in accordance with the requirements of Section  
156 108-4-4. Final decisions shall be accompanied by any applicable  
157 conditions, and relevant findings.

158 ~~3.7. The Planning Commission is the Land Use Authority for conditional use~~  
159 ~~permits.~~

160 ~~4. A review of the proposed site plan for compliance with applicable sections~~  
161 ~~of the Land Use Code;~~

162 ~~5. A review of the proposed use and site plan to ascertain potential negative~~  
163 ~~impacts and whether reasonable conditions can be imposed to mitigate~~  
164 ~~those impacts.~~

**Comment [c2]:** This is a placeholder until the Land Use Authority matrix is completed and the land use table is completed. It may change after that.

165 **Sec. 108-4-4. – Decision requirements.**

166 (a) A conditional use shall be approved if reasonable conditions are proposed, or can be  
167 imposed, to substantially mitigate the reasonably anticipated detrimental effects of the  
168 proposed use in accordance with the standards of this Chapter, or relevant standards or  
169 requirements of any other Chapter of this Land Use Code. When considering any of the  
170 standards, the Land Use Authority shall consider the reasonably anticipated detrimental  
171 effects of the proposed use in the context of current conditions and, to the extent supported  
172 by law, the policy recommendations of the applicable general plan.

**Comment [c3]:** Definition of "mitigate";

1: to cause to become less harsh or hostile : mollify <aggressiveness may be *mitigated* or ... channeled — Ashley Montagu>

2a : to make less severe or painful : alleviate  
b : extenuate

173 (b) If the reasonably anticipated detrimental effects of a proposed conditional use cannot be  
174 substantially mitigated by the proposal or the imposition of reasonable conditions to achieve  
175 compliance with applicable standards, the conditional use may be denied.

**Comment [c4]:** From State Code. UCA §17-27a-506.

In essence: find a way to enable the use, but mitigate the negative effects. Use standards to help mitigate the effects.

176 **Sec. 108-4-54. - Criteria Conditional use standards, for issuance of conditional use permit.**

**Comment [c5]:** Straight from State Code. UCA §17-27a-506.

177 The following is a list of standards that may be applied to a conditional use permit. The Land  
178 Use Authority may apply any relevant standard to a conditional use provided credible evidence  
179 exists that such standard is reasonable and necessary to mitigate detrimental effects of the use.

180 (1) Standards relating to safety for persons and property.

181 a. Mitigate injury, loss of life, property damage, or other disproportionate demand  
182 for services on applicable fire fighting agencies.

**Comment [c6]:** Examples of conditions for mitigation may include any reasonable method of fire hazard avoidance or fire fighting, including, but not limited to: coordination and cooperation with the local fire authorities, site design and layout; building, structure, or other facility design and layout; defensible space; ingress and egress; emergency evacuation; fire fighting facilities; fire flow capacity; fire apparatus access; fire fighting staging; and other related fire hazards mitigation as authorize by local, state, and federal laws.



- 183 b. Mitigate injury, loss of life, or other disproportionate demand for services on
- 184 applicable emergency medical service agencies.
- 185 c. Mitigate injury, loss of life, property damage, criminal activity, the need for
- 186 added peace keeping activities, or other disproportionate demand for services
- 187 on the County Sheriff's Office.
- 188 d. Mitigate injury, loss of life, or property damage of any known geologic hazard
- 189 or flood hazard, if credible evidence of such a detrimental effect is present.
- 190 e. Mitigate the creation of traffic hazards and right-of-way conflicts, including
- 191 mitigation of traffic hazards caused by:
- 192 1. the location, massing, size, or height of buildings, structures, and other
- 193 facilities, including signage, fencing and landscaping;
- 194 2. the frequency of heavy truck traffic to and from the site (i.e. import and
- 195 export of materials, deliveries, etc.) to minimize right-of-way conflicts with
- 196 regular vehicle and pedestrian traffic.
- 197 f. Substantially mitigate the likelihood that the proposed use or facility may cause
- 198 bodily injury or property damage to potential persons or property in the area.
- 199 (2) Standards relating to infrastructure, amenities, and services.
- 200 a. Mitigate undesirable vehicle or pedestrian traffic patterns or volumes.
- 201 b. Mitigate internal circulation inefficiencies and provide for adequate onsite
- 202 parking given the unique specificities of the proposed use or the proposed site
- 203 plan.
- 204 c. Mitigate material degradation of the level of service of any street.
- 205 d. Mitigate material degradation of the level of service of any storm water
- 206 drainage facility or infrastructure, and adequately provide for storm water
- 207 drainage from the site.
- 208 e. Mitigate material degradation of the level of service of any culinary and
- 209 irrigation water facility or infrastructure, and, if applicable, adequately provide
- 210 culinary and irrigation water service to the site.
- 211 f. Mitigate material degradation of the level of service of any sanitary sewer
- 212 service, and, if applicable, adequately provide sanitary sewer service to the
- 213 site.
- 214 g. Mitigate material degradation of the level of service of any other utility, and, if
- 215 applicable, adequately provide such utility services to the site.
- 216 h. Mitigate material degradation of the level of service, functionality, capacity, or
- 217 usability of the existing open spaces, public features, or recreational amenities
- 218 in the area, and, if applicable, adequately provide additional open spaces,
- 219 public features, or recreational amenities.
- 220 i. Mitigate any disproportionate demand for government services, generally.
- 221 (3) Standards relating to the environment.

**Comment [c7]:** Examples of conditions for mitigation may include coordination and cooperation with the fire and EMS agencies, and compensation for the need for additional fire and EMS presence beyond typical service levels.

**Comment [c8]:** Examples of conditions for mitigation may include coordination and cooperation with the Sheriff's Office, and compensation for the need for additional Sheriff's Deputy presence beyond typical service levels.

**Comment [c9]:** Examples of conditions for mitigation may include appropriate design, construction, and location of structures, buildings and facilities.

**Comment [c10]:** Credible evidence needs to be more than a statement from a concerned neighbor. It should come from a source with sufficient knowledge of the facts. As with most things, credibility has a range. Use caution

**Comment [11]:** This standard is intended to be the "umbrella" standard to catch what the others do not. Much more difficult to track the outcomes, and the resulting conditions are going to be more difficult to defend without really good findings, but it may be useful when a proposal is presented that other standards do not catch.

**Comment [c12]:** Examples of conditions for mitigation: this may include provision for, relocation of, or protection of infrastructure or amenities. Mitigation may take into consideration the existing and, if applicable, proposed configuration and size of streets, driveways, driveway and parking lot approaches, parking lots and/or parking spaces, and pedestrian pathways. Mitigation may also consider peak traffic demands, and other applicable infrastructure constraints.

**Comment [c13]:** Examples of conditions for mitigation may include the provision for infrastructure or amenities for the reduction of vehicle and pedestrian conflicts; the provision of sufficient space for loading and unloading; the provision of sufficient space and access to waste collection facilities; and the provision for additional parking lot standards beyond those required in Section 108-8, including, but not limited to, number of parking spaces, parking space dimensions, parking lot isle dimensions, parking lot isle and driveway connections and configuration, and cross access easements or agreements for adjacent properties.



- 222 a. Mitigate detrimental effects on the natural features of the site, and the
- 223 surrounding affected areas, if credible evidence of such a detrimental effect is
- 224 present; including, but not limited to, rivers and creeks, lakes, ponds, and
- 225 reservoirs, wetlands, drainage ways, ground water protection, and slopes.
- 226 b. Mitigate detrimental effects on the natural environment of the site, and the
- 227 surrounding affected areas, if credible evidence of such a detrimental effect is
- 228 present; including, but not limited to, wildlife, air quality, water quality (including
- 229 erosion control), local natural resources, natural vegetation (including
- 230 protection against noxious or invasive species), and wildland areas.
- 231 (4) Standards relating to the current qualities and characteristics of the surrounding area
- 232 and compliance with the Intent of the general plan.
- 233 a. Mitigate the proximity of incompatible uses, unattractive site features, and
- 234 disharmony with existing and future land uses in the area by providing
- 235 buffering, screening, or fencing of the use or site, as may be applicable.
- 236 b. Mitigate unacceptable light emission from the site by requiring appropriate
- 237 controls for the duration, direction, shielding, and intensity of lighting such that
- 238 limited, if any, direct light leaves the site and reflected light is at generally
- 239 accepted dark sky standards.
- 240 c. Mitigate nuisance factors including, but not limited to, noise, vibrations, smoke,
- 241 dust, dirt, odors, gases, noxious matter, heat, glare, electromagnetic
- 242 disturbances, and radiation, if credible evidence of such a nuisance is present.
- 243 d. Mitigate unattractive or unsightly property with vegetation and other landscape
- 244 features which are designed to increase the attractiveness of the site.
- 245 e. Mitigate unattractive or incompatible design of buildings and site
- 246 improvements, including the mass, size, number, location, and exterior
- 247 features and materials of buildings, structures, and other facilities, including
- 248 signage, in a manner that generally resembles or compliments development in
- 249 the surrounding area, and advances the design goals and objectives, if any, of
- 250 the general plan or applicable master plan.
- 251 f. Mitigate unattractive colors of buildings and site improvements, including
- 252 signage, in a manner that uses natural colors found in the surrounding area,
- 253 and advances the design goals and objectives, if any, of the general plan or
- 254 applicable master plan.
- 255 g. Mitigate conflict or incompatibility with surrounding uses by providing hours of
- 256 operation appropriate for the general nature and character of existing land
- 257 uses in the area.
- 258 h. Mitigate aesthetic impacts by requiring reclamation, restoration, clean-up, and
- 259 beautification of the site as the use evolves, or as the use is terminated.
- 260 i. Mitigate detrimental effects of the use when considering the combined effect of
- 261 it and other main uses on the property.

**Comment [c14]:** Rather than denying an application because "it doesn't fit," help it fit by requiring these types of site features.

**Comment [c15]:** There can be a lot of subjectivity in this determination. Stick to the facts. Try not to be tempted to deny a permit because it does not comply with your interpretation of this. Try not to use this to overdesign the proposal so much that it is cost prohibitive. Instead, find reasonable ways to help the proposal fit in better. Look to existing design features in the area. Look to the design review standards for help. Strengthen the design review standards if necessary.

262 j. To the extent supported by law, mitigate other general detrimental effects in a  
 263 manner that sustains the objectives and intentions of the County's general  
 264 plan, future land use map (or proposed land use map) and this Land Use  
 265 Code.

266 (5) Standards Relating to Performance.

267 a. Mitigate potential noncompliance or poor performance by providing  
 268 appropriate performance measures, including, but not limited to, completion or  
 269 performance bonds, completion agreements, and development agreements.

270 b. Mitigate potential noncompliance or poor performance by requiring regular  
 271 review or monitoring of the use by an appropriately qualified professional.

272 (6) Standards Generally

273 a. Mitigate unsustainable effects on the economy of the surrounding area or  
 274 County, generally, if credible evidence of such negative effects is present.

275 b. Provide appropriate mitigation of detrimental effects as provided elsewhere in  
 276 this land use code in a manner that provides compliance with the provisions of  
 277 the land use code, and any other federal, state, or local regulation, as may be  
 278 applicable.

279 ~~(4)~~(7) Voluntary contributions providing satisfactory compliance with applicable  
 280 standards. When considering a conditional use the Land Use Authority has  
 281 discretion to determine satisfactory compliance with any applicable standard,  
 282 requirement, provision, or restriction of this Chapter if the applicant has voluntarily  
 283 offered a more desirable alternative to mitigate the reasonably anticipated  
 284 detrimental effects of the use than those otherwise specified here. The Land Use  
 285 Authority may require a development agreement to execute the voluntary alternative.

286 ~~Conditional uses shall be approved on a case-by-case basis. The planning commission shall not~~  
 287 ~~authorize a conditional use permit unless evidence is presented to establish:~~

288 ~~(1) Reasonably anticipated detrimental effects of a proposed conditional use can be~~  
 289 ~~substantially mitigated by the proposal or by the imposition of reasonable~~  
 290 ~~conditions to achieve compliance with applicable standards. Examples of~~  
 291 ~~potential negative impacts are odor, vibration, light, dust, smoke, or noise.~~

292 ~~(2) That the proposed use will comply with the regulations and conditions specified~~  
 293 ~~in the Land Use Code and other applicable agency standards for such use.~~

294 **Sec. 108-4-65. - Appeal and revocation.**

295 (a) The decision of the ~~planning commission~~Land Use Authority may be appealed to the  
 296 ~~county commission~~Appeal Authority, in accordance with section 102-3 of this land use  
 297 code, by filing such appeal within 15 days after the written decision of the ~~planning~~  
 298 ~~commission~~Land Use Authority.



299 (b) The ~~county commission~~ Appeal Authority may uphold or reverse the decision of the  
300 ~~planning commission~~ Land Use Authority and impose any additional conditions that it may  
301 deem necessary in granting an appeal. ~~The decision of the county commission shall be~~  
302 ~~final.~~

303 ~~(b)~~ (c) The Board of Adjustment is the Appeal Authority for conditional use permits. |

304 ~~(c) A conditional use permit may be revoked by the planning commission upon failure to~~  
305 ~~comply with the conditional use permit.~~

**Comment [c16]:** This is a placeholder until the Appeal Authority section has been re-written. It may change after that.

306 **Sec. 108-4-~~7~~6. - Permit and improvement guarantee.**

- 307 (a) Prior to the issuance of a conditional use permit the applicant shall submit the
- 308 appropriate required letters and/or permits from the appropriate review agencies.
- 309 (b) Prior to the issuance of certificate of occupancy permit, a business license or any other
- 310 permit required by the county, the developer shall deposit funds into an escrow account
- 311 with the county engineering division for all off-site improvements and on-site landscaping,
- 312 as may be allowed by law, as per the approved site plan, and for the completion of any
- 313 ~~inun~~ completed improvements or conditions of approval.

314 **Sec. 108-4-~~8~~7. -- Revocation and Eexpiration.**

- 315 (a) A conditional use permit may be revoked by the Land Use Authority upon failure to
- 316 comply with any applicable standard, requirement, provision, restriction, or condition of
- 317 approval. A conditional use permit may also be revoked by the Land Use Authority if the
- 318 use evolves to be more impactful than originally proposed, anticipated, evaluated or
- 319 reviewed.
- 320 (b) Unless there is substantial action under a conditional use permit within a maximum
- 321 period of one year of its approval from the ~~planning commission~~ Land Use Authority, the
- 322 conditional use permit shall expire. The ~~planning commission~~ Land Use Authority may
- 323 grant a maximum extension of six months. Upon expiration of any extension of time
- 324 granted by the ~~planning commission~~ Land Use Authority, the approval for the conditional
- 325 use permit shall expire and become null and void.

327 **Sec. 108-4-~~9~~8. - Discontinued use.**

328 When an approved conditional use has been discontinued and/or abandoned for a period of one  
329 year, the conditional use permit becomes null and void. In order to restore the conditional use, a  
330 new application shall be filed for review and consideration by the ~~planning commission~~ Land Use  
331 Authority.

332

**Exhibit B: Proposed Conditional Use Code Amendments -- with Track Changes**

1 CHAPTER 4. - CONDITIONAL USES

- 2 Sec. 108-4-1. - Purpose and intent.
- 3 Sec. 108-4-2. - Conditional use permit.
- 4 Sec. 108-4-3. – Application and eview procedure.
- 5 Sec. 108-4-4. – Decision requirements.
- 6 Sec. 108-4-5. - Conditional use standards.
- 7 Sec. 108-4-6. - Appeal.
- 8 Sec. 108-4-7. - Permit and improvement guarantee.
- 9 Sec. 108-4-8. – Revocation and expiration.
- 10 Sec. 108-4-9. - Discontinued use.

11 **Sec. 108-4-1. - Purpose and intent.**

- 12 (a) The purposes of this Chapter are to:
  - 13 (1) Provide for the intent of the respective zones, and to provide for the vision, goals,
  - 14 and objectives of the respective general plans, by specifying general standards that
  - 15 may be applied by the Land Use Authority to a use listed as a conditional use in this
  - 16 Land Use Code.
  - 17 (2) Provide a reasonable process for the application for and timely review of a
  - 18 conditional use permit.
- 19 (b) The intent of providing conditional use regulations is to provide allowance for additional
- 20 uses in each zone and give the land use authority flexibility in applying reasonable
- 21 conditions to effectively manage unique characteristics or detrimental effects of them, on
- 22 a case by case basis. Conditions shall be related to the standards of this Chapter, or
- 23 relevant requirements of any other Chapter of this Land Use Code.

24 **Sec. 108-4-2. - Conditional use permit.**

- 25 (a) A conditional use permit shall be required for all uses listed as a conditional use in the
- 26 Weber County Land Use Code. The conditional use permit shall list all conditions and
- 27 requirements, based on applicable standards, determined appropriate to substantially
- 28 mitigate the detrimental effects created by the use in order to make it acceptable at the
- 29 specific location.
- 30 (b) In the event a change is proposed from the conditions of the original approval, an
- 31 amendment to the original conditional use permit shall be required.

32 (c) A conditional use permit shall run with the property, unless the permit has expired, been  
33 revoked, or been abandoned.

34 **Sec. 108-4-3. – Application and review procedure.**

35 Applications for a conditional use permit shall be submitted to the planning division.

36 (1) An application shall include:

- 37 a. A completed application form signed by the property owner or certified agent.
- 38 b. An application fee. The payment of a partial application fee, or the submittal of  
39 plans for a pre-submittal review, does not constitute a complete application.
- 40 c. A written narrative explaining the proposal. The narrative shall include, at a  
41 minimum, the following information:
- 42 1. Name of the project.
- 43 2. The name, home, and if applicable, business address, of the applicant.
- 44 3. As applicable, the name and business address of the project designer or  
45 engineer.
- 46 4. A written explanation of how the proposal complies with the applicable  
47 standards of [Section 108-4-4](#), and those applicable standards of Section  
48 108-1 and Section 108-2.
- 49 d. Detailed vicinity map. The map shall include, at a minimum, the following  
50 information:
- 51 1. Name of the project.
- 52 2. North arrow.
- 53 3. All significant natural and manmade features and existing structures within  
54 200 feet of any portion of the proposed project area.
- 55 4. The property boundaries of the proposal.
- 56 5. The names and site addresses of adjacent property owners.
- 57 e. Graphic representation of the proposal. The graphic representation shall be  
58 designed to provide, at a minimum, the following information:
- 59 1. Name of the project.
- 60 2. The name, home, and if applicable, business address, of the applicant.
- 61 3. As applicable, the name and business address of the project designer or  
62 engineer.
- 63 4. Drawn to a scale that makes the project easily and clearly legible.
- 64 5. A north arrow pointing to the left or top of the sheet.
- 65 6. Boundary of the site, including any building pad, public and private  
66 easements, and other areas affected by the proposal.
- 67 7. The names and site addresses of adjacent property owners.



- 68 8. Existing zoning
- 69 9. Total acreage of the entire affected property and, if the property is split by
- 70 zoning, the total acreage of property in each zone.
- 71 10. The location and width of existing and proposed roads, driveways, and
- 72 parking areas, as may be applicable.
- 73 11. The location of existing and proposed manmade features, including
- 74 bridges, railroad tracks, structures, and fences.
- 75 12. Existing and, if applicable, proposed culinary water, irrigation water, and
- 76 sanitary sewer infrastructure.
- 77 13. Existing and proposed topographic contours, including, if applicable, any
- 78 details necessary to explain proposed grade changes, fills or excavations,
- 79 or any other earth work, together with accompanied drainage plans, storm
- 80 water pollution protection plans, and revegetation plans.
- 81 14. Location and type of existing landscaping and vegetation, and proposed
- 82 changes thereto if any. If applicable, location and type of new landscaping
- 83 and vegetation.
- 84 15. Location of Flood Plain boundaries, if applicable.
- 85 16. Any other proposed site improvements showing details and other
- 86 applicable design and architectural requirements specified in Section 108-
- 87 1 and Section 108-2.
- 88 f.
- 89 g. Applicable impact studies or other technical studies that may be necessary to
- 90 provide evidence of anticipated detrimental effects of the proposal, or evidence
- 91 of compliance with the applicable standards.
- 92 h. Any additional pertinent information needed to adequately describe the
- 93 proposal, or provide evidence of compliance with the applicable standards.
- 94 i. For those applications where no changes are proposed to an existing site or
- 95 structure, or where the application requirements are unnecessary to
- 96 demonstrate compliance with applicable ordinances and standards, the
- 97 application requirements may be modified by the Zoning Administrator.
- 98 (2) Application submittal and review.
- 99 a. The County's review of a conditional use permit application is intended to
- 100 verify compliance with applicable ordinances and provide appropriate and
- 101 reasonable mitigation of anticipated detrimental effects.
- 102 b. The application review procedure is as follows:
- 103 1. Pre-application meeting. Prior to submission of a complete application, a
- 104 pre-application meeting is required to be held with planning staff, in which
- 105 an applicant will provide preliminary plans for planning staff to review and
- 106 discuss with the applicant. This meeting is intended to provide the
- 107 applicant with a better understanding of the conditional use process and

- 108 requirements in order to assist with the submission of a complete  
 109 application.
- 110 2. Complete application submission. Upon assembling a complete  
 111 application, the applicant may submit it for substantive review. Incomplete  
 112 applications shall not be accepted. Staff will review the application for  
 113 completeness. In the event the application is incomplete, staff will return it  
 114 to the applicant with a list of deficiencies.
- 115 3. Upon acceptance of an application, planning staff shall transmit it to  
 116 applicable reviewers as may be determined necessary to verify  
 117 compliance with the standards of this Chapter, or relevant requirements of  
 118 any other Chapter of this Land Use Code.
- 119 4. Applicable reviewers shall forward to planning staff reasonable  
 120 recommendations for conditions necessary to substantially mitigate the  
 121 reasonably anticipated detrimental effects of the proposed use in  
 122 accordance with applicable standards.
- 123 5. Planning staff shall review the application, together with the reasonable  
 124 recommendations from applicable reviewers, to determine compliance  
 125 with this Land Use Code. Planning staff shall assemble a staff  
 126 recommendation, with conditions and findings, for the application, then  
 127 forward the recommendation with the application to the Land Use  
 128 Authority for a final decision.
- 129 6. Upon receipt of the application and staff recommendation the Land Use  
 130 Authority shall make final decision on whether the application complies  
 131 with this Land Use Code, in accordance with the requirements of Section  
 132 108-4-4. Final decisions shall be accompanied by any applicable  
 133 conditions, and relevant findings.
- 134 7. The Planning Commission is the Land Use Authority for conditional use  
 135 permits.

136 **Sec. 108-4-4. – Decision requirements.**

- 137 (a) A conditional use shall be approved if reasonable conditions are proposed, or can be  
 138 imposed, to substantially mitigate the reasonably anticipated detrimental effects of the  
 139 proposed use in accordance with the standards of this Chapter, or relevant standards or  
 140 requirements of any other Chapter of this Land Use Code. When considering any of the  
 141 standards, the Land Use Authority shall consider the reasonably anticipated detrimental  
 142 effects of the proposed use in the context of current conditions and, to the extent supported  
 143 by law, the policy recommendations of the applicable general plan.
- 144 (b) If the reasonably anticipated detrimental effects of a proposed conditional use cannot be  
 145 substantially mitigated by the proposal or the imposition of reasonable conditions to achieve  
 146 compliance with applicable standards, the conditional use may be denied.



147 **Sec. 108-4-5. - Conditional use standards.**

148 The following is a list of standards that may be applied to a conditional use permit. The Land  
 149 Use Authority may apply any relevant standard to a conditional use provided credible evidence  
 150 exists that such standard is reasonable and necessary to mitigate detrimental effects of the use.

- 151 (1) Standards relating to safety for persons and property.
- 152 a. Mitigate injury, loss of life, property damage, or other disproportionate demand  
 153 for services on applicable fire fighting agencies.
- 154 b. Mitigate injury, loss of life, or other disproportionate demand for services on  
 155 applicable emergency medical service agencies.
- 156 c. Mitigate injury, loss of life, property damage, criminal activity, the need for  
 157 added peace keeping activities, or other disproportionate demand for services  
 158 on the County Sheriff's Office.
- 159 d. Mitigate injury, loss of life, or property damage of any known geologic hazard  
 160 or flood hazard, if credible evidence of such a detrimental effect is present.
- 161 e. Mitigate the creation of traffic hazards and right-of-way conflicts, including  
 162 mitigation of traffic hazards caused by:
- 163 1. the location, massing, size, or height of buildings, structures, and other  
 164 facilities, including signage, fencing and landscaping;
- 165 2. the frequency of heavy truck traffic to and from the site (i.e. import and  
 166 export of materials, deliveries, etc.) to minimize right-of-way conflicts with  
 167 regular vehicle and pedestrian traffic.
- 168 f. Substantially mitigate the likelihood that the proposed use or facility may cause  
 169 bodily injury or property damage to potential persons or property in the area.
- 170 (2) Standards relating to infrastructure, amenities, and services.
- 171 a. Mitigate undesirable vehicle or pedestrian traffic patterns or volumes.
- 172 b. Mitigate internal circulation inefficiencies and provide for adequate onsite  
 173 parking given the unique specificities of the proposed use or the proposed site  
 174 plan.
- 175 c. Mitigate material degradation of the level of service of any street.
- 176 d. Mitigate material degradation of the level of service of any storm water  
 177 drainage facility or infrastructure, and adequately provide for storm water  
 178 drainage from the site.
- 179 e. Mitigate material degradation of the level of service of any culinary and  
 180 irrigation water facility or infrastructure, and, if applicable, adequately provide  
 181 culinary and irrigation water service to the site.

- 182 f. Mitigate material degradation of the level of service of any sanitary sewer  
183 service, and, if applicable, adequately provide sanitary sewer service to the  
184 site.
- 185 g. Mitigate material degradation of the level of service of any other utility, and, if  
186 applicable, adequately provide such utility services to the site.
- 187 h. Mitigate material degradation of the level of service, functionality, capacity, or  
188 usability of the existing open spaces, public features, or recreational amenities  
189 in the area, and, if applicable, adequately provide additional open spaces,  
190 public features, or recreational amenities.
- 191 i. Mitigate any disproportionate demand for government services, generally.

192 (3) Standards relating to the environment.

- 193 a. Mitigate detrimental effects on the natural features of the site, and the  
194 surrounding affected areas, if credible evidence of such a detrimental effect is  
195 present; including, but not limited to, rivers and creeks, lakes, ponds, and  
196 reservoirs, wetlands, drainage ways, ground water protection, and slopes.
- 197 b. Mitigate detrimental effects on the natural environment of the site, and the  
198 surrounding affected areas, if credible evidence of such a detrimental effect is  
199 present; including, but not limited to, wildlife, air quality, water quality (including  
200 erosion control), local natural resources, natural vegetation (including  
201 protection against noxious or invasive species), and wildland areas.

202 (4) Standards relating to the current qualities and characteristics of the surrounding area  
203 and compliance with the Intent of the general plan.

- 204 a. Mitigate the proximity of incompatible uses, unattractive site features, and  
205 disharmony with existing and future land uses in the area by providing  
206 buffering, screening, or fencing of the use or site, as may be applicable.
- 207 b. Mitigate unacceptable light emission from the site by requiring appropriate  
208 controls for the duration, direction, shielding, and intensity of lighting such that  
209 limited, if any, direct light leaves the site and reflected light is at generally  
210 accepted dark sky standards.
- 211 c. Mitigate nuisance factors including, but not limited to, noise, vibrations, smoke,  
212 dust, dirt, odors, gases, noxious matter, heat, glare, electromagnetic  
213 disturbances, and radiation, if credible evidence of such a nuisance is present.
- 214 d. Mitigate unattractive or unsightly property with vegetation and other landscape  
215 features which are designed to increase the attractiveness of the site.
- 216 e. Mitigate unattractive or incompatible design of buildings and site  
217 improvements, including the mass, size, number, location, and exterior  
218 features and materials of buildings, structures, and other facilities, including  
219 signage, in a manner that generally resembles or compliments development in  
220 the surrounding area, and advances the design goals and objectives, if any, of  
221 the general plan or applicable master plan.



- 222 f. Mitigate unattractive colors of buildings and site improvements, including
- 223 signage, in a manner that uses natural colors found in the surrounding area,
- 224 and advances the design goals and objectives, if any, of the general plan or
- 225 applicable master plan.
- 226 g. Mitigate conflict or incompatibility with surrounding uses by providing hours of
- 227 operation appropriate for the general nature and character of existing land
- 228 uses in the area.
- 229 h. Mitigate aesthetic impacts by requiring reclamation, restoration, clean-up, and
- 230 beautification of the site as the use evolves, or as the use is terminated.
- 231 i. Mitigate detrimental effects of the use when considering the combined effect of
- 232 it and other main uses on the property.
- 233 j. To the extent supported by law, mitigate other general detrimental effects in a
- 234 manner that sustains the objectives and intentions of the County's general
- 235 plan, future land use map (or proposed land use map) and this Land Use
- 236 Code,

237 (5) Standards Relating to Performance.

- 238 a. Mitigate potential noncompliance or poor performance by providing
- 239 appropriate performance measures, including, but not limited to, completion or
- 240 performance bonds, completion agreements, and development agreements.
- 241 b. Mitigate potential noncompliance or poor performance by requiring regular
- 242 review or monitoring of the use by an appropriately qualified professional.

243 (6) Standards Generally

- 244 a. Mitigate unsustainable effects on the economy of the surrounding area or
- 245 County, generally, if credible evidence of such negative effects is present.
- 246 b. Provide appropriate mitigation of detrimental effects as provided elsewhere in
- 247 this land use code in a manner that provides compliance with the provisions of
- 248 the land use code, and any other federal, state, or local regulation, as may be
- 249 applicable.

250 (7) Voluntary contributions providing satisfactory compliance with applicable standards.

251 When considering a conditional use the Land Use Authority has discretion to

252 determine satisfactory compliance with any applicable standard, requirement,

253 provision, or restriction of this Chapter if the applicant has voluntarily offered a more

254 desirable alternative to mitigate the reasonably anticipated detrimental effects of the

255 use than those otherwise specified here. The Land Use Authority may require a

256 development agreement to execute the voluntary alternative.

257 **Sec. 108-4-6. - Appeal.**

- 258 (a) The decision of the Land Use Authority may be appealed to the Appeal Authority, in
- 259 accordance with section 102-3 of this land use code, by filing such appeal within 15 days
- 260 after the written decision of the Land Use Authority.

- 261 (b) The Appeal Authority may uphold or reverse the decision of the Land Use Authority and  
262 impose any additional conditions that it may deem necessary in granting an appeal.  
263 (c) The Board of Adjustment is the Appeal Authority for conditional use permits.

264 **Sec. 108-4-7. - Permit and improvement guarantee.**

- 265 (a) Prior to the issuance of a conditional use permit the applicant shall submit the  
266 appropriate required letters and/or permits from the appropriate review agencies.  
267 (b) Prior to the issuance of certificate of occupancy permit, a business license or any other  
268 permit required by the county, the developer shall deposit funds into an escrow account  
269 with the county engineering division for all off-site improvements and on-site landscaping,  
270 as may be allowed by law, as per the approved site plan, and for the completion of any  
271 incomplete improvements or conditions of approval.

272 **Sec. 108-4-8. – Revocation and expiration.**

- 273 (a) A conditional use permit may be revoked by the Land Use Authority upon failure to  
274 comply with any applicable standard, requirement, provision, restriction, or condition of  
275 approval. A conditional use permit may also be revoked by the Land Use Authority if the  
276 use evolves to be more impactful than originally proposed, anticipated, evaluated or  
277 reviewed.  
278 (b) Unless there is substantial action under a conditional use permit within a maximum  
279 period of one year of its approval from the Land Use Authority, the conditional use permit  
280 shall expire. The Land Use Authority may grant a maximum extension of six months.  
281 Upon expiration of any extension of time granted by the Land Use Authority, the approval  
282 for the conditional use permit shall expire and become null and void.

283

284 **Sec. 108-4-9. - Discontinued use.**

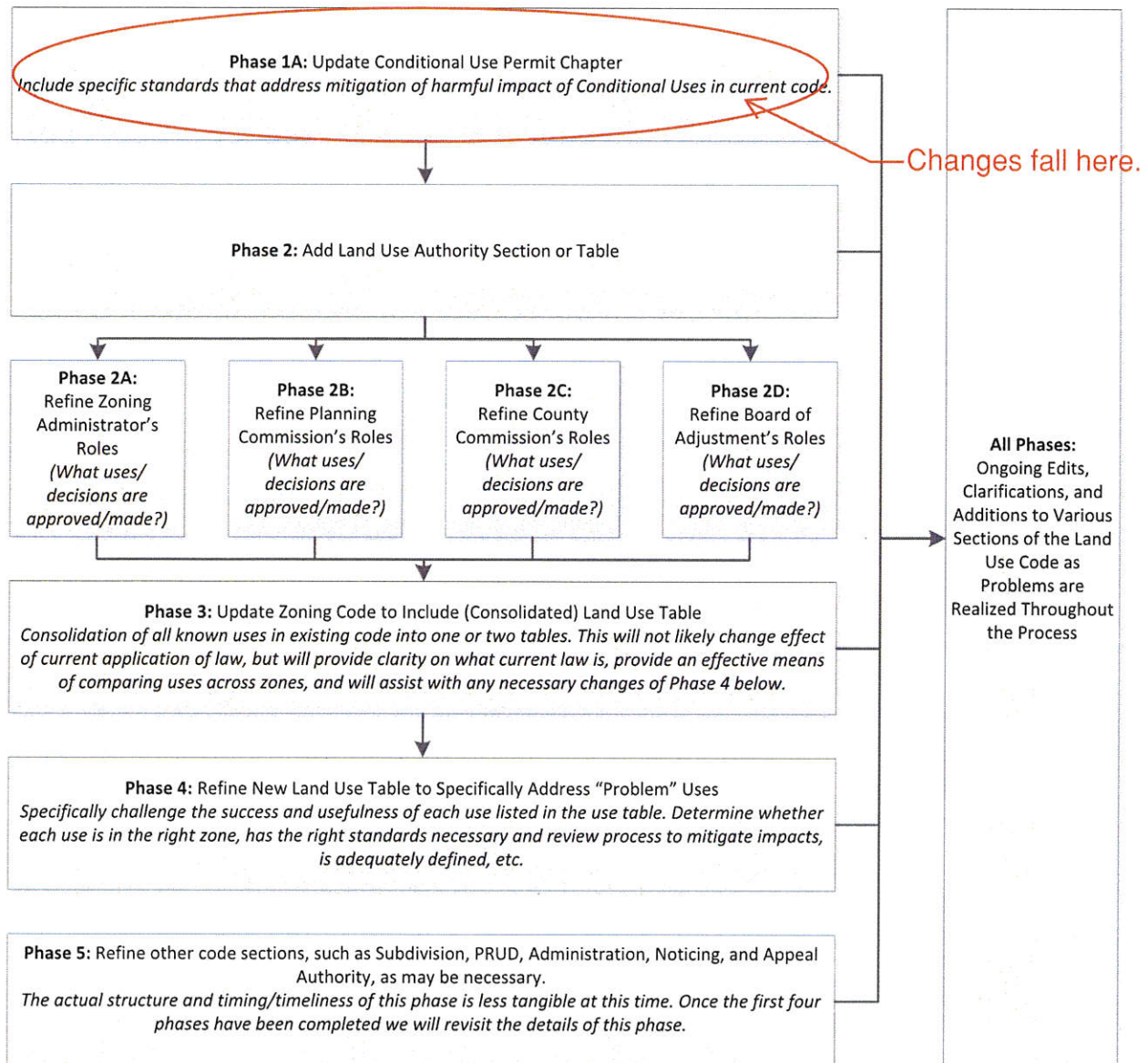
285 When an approved conditional use has been discontinued and/or abandoned for a period of one  
286 year, the conditional use permit becomes null and void. In order to restore the conditional use, a  
287 new application shall be filed for review and consideration by the Land Use Authority.

288



## 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.





## Weber County Planning Division

To: Ogden Valley and Western Weber Planning Commissions  
From: Charles Ewert, AICP  
Date: April 28, 2015  
Subject: Weber County Land Use Code Revision Process: Land Use Table – Agricultural Uses

**Background.** We are continuing our efforts to update the County codes by adding a Land Use Table with all allowed uses in all zones in one comparative table, and removing the land use lists in their individual zones. This will be done in several steps. We will forward complete use categories (i.e. agricultural, commercial, recreational, residential, etc) to the Planning Commission as they are ready for review.

The topic of this discussion is about agricultural uses.

The objective of this phase of code changes is to make minimal changes to the application of the existing code whilst modifying the framework in a manner that enables more efficient future changes. Later, we will discuss changing uses in each zone.

**Analysis.** The following is a general overview of the proposal based on the more substantive changes. The Planning Commission can archive (or recycle) the tables previously disseminated, or keep them for comparative analysis. The exhibits herein will replace them moving forward. Most of the changes you will find are a result of the comments or questions that were in the cell title “Notes (temporary column) in those older tables.

The multi-colored text is explained in the rows at the top, most are self explanatory. The orange text, explained as “recommended changes for future use table update” is intended to emphasize considerations that are not relevant now, but will merit attention when we come back to make use changes. Keep them in your thoughts for now.

Please note that one of the primary goals of this framework restructuring is to make it clear what uses are subject to site design and architectural standards. As you will read below, there are several examples of clarifications on this point.

**Animal Husbandry Uses.** The big change for agricultural uses is the addition of the term “animal husbandry” to the code. This addition is intended to subcategorize certain agricultural-animal uses, and provide another location in the code for its standards. When moving to a land use table from our current land use lists, the lengthy standards of a use (for example: “the raising and grazing of horses, cattle, sheep, or goats,”) will make the table unmanageable. It is better to remove most of the standards from the table and place them into a supplemental standards section.

I selected Section 108-7-8 for this purpose. With this proposal, that section will be renamed to “animal husbandry.” Most standards that are found for agricultural-animal uses have been moved there.

Another shift here is the move from listing every type of animal (i.e. horse, cow, duck, etc.) in their respective uses to generalizing animals into two categories: first, “large-animal farm animal husbandry unit” and second, “small animal farm animal husbandry unit.” The supplemental animal husbandry section then qualifies what kind of animal belongs in each. This qualifier is based on the animals’ size, food consumption, and waste production. This consolidation will help ease the application of the code for varying animal types, and will address them based more on their impacts instead of species.

**Dairy or Creamery v. Dairy Farm.** The way these two uses are listed in the different zones makes it confusing when listing in the same land use table. For example, a dairy or creamery is only allowed in the A-3, M-1, M-2, and M-3 zones, but a dairy farm is allowed in all agricultural zones and the M-1, M-2, and M-3 zones. It





## Weber County Planning Division

seems apparent that the intent in listing these two uses separately is to indicate that one is more impactful than the other, “dairy or creamery” being the more impactful. The trouble comes when attempting to determine at what threshold a “dairy farm” becomes a “dairy or creamery.” It is important to know this threshold because a commercial dairy or creamery will be required to comply with site design standards. To make it a little more complicated, a dairy farm is allowed to process milk, provided at least 50% of the production comes from the site.

Our solution to provide clarity is to define a “dairy” as a separate kind of use than a “dairy farm.” We then categorized “dairy” as a commercial use in the commercial use section, and left “dairy farm” in the agricultural section. With this change, a “dairy” will be subject to site design standards, regardless of whether it is in the A-3 zone or the manufacturing zones; a dairy farm will not. See their definitions for the differences.

Horse and Corral. The code is fairly explicit that horse facilities get their own considerations apart from general corralling or stabling of other animals. There are several different and inconsistent ways the current code provides for these facilities. To eliminate inconsistencies, the proposal consolidates horse facilities into four general categories: “private horse stable,” “private horse and equestrian training facilities,” “public horse and equestrian training facilities and horse stable,” and “horse or equestrian events center.” The first two are categorized in the agricultural use section, and the latter two are categorized in the commercial use section and will be subject to site design standards.

Greenhouse. Greenhouse was listed several different ways in the various zones. It appears the intent is to allow agricultural uses to have a greenhouse for the sales of product grown onsite, whilst not allowing it to evolve into a full scale commercial greenhouse.

It also appears that there may be some intent for certain zones to allow a private greenhouse. Since having a greenhouse as an accessory building is already something a landowner may have as an accessory use to an existing main use, we interpret “private greenhouse” to be something different. It seems it may be describing a greenhouse as a main use.

Thus, the proposal consolidates the uses into three: “greenhouse, agricultural” and “greenhouse, noncommercial,” and “greenhouse, commercial.” “Greenhouse, commercial” will be subject to site design standards.

Accessory Uses. The proposal also begins to address accessory uses. What is inferred from the crafting of today’s code is that if the use is listed, it is allowed, regardless of what other main uses exist on the property. This may not have always been the case in the interpretation. The proposal explicitly lists certain uses as accessory uses when they are typically incidental and accessory to other uses and states for what uses they are to be accessory. In the notes column you will find a few additional accessory uses that are recommended to be tied to main uses in the future.

**Planning Commission Consideration.** I respectfully request that the Planning Commission carefully consider the proposal, and provide me general direction for needed changes prior to it being formally presented for review and recommendation to the County Commission.

**Attachments.** In the attached exhibits the Planning Commission will find the documents as listed below. They are being provided for the Planning Commission’s reference, and may prove useful during our discussion.

- Exhibit A: Proposed Land Use Table, with Redlines and Comments
- Exhibit B: Proposed Land Use Table, Clean Copy
- Exhibit C: Proposed Code Changes (Agriculture Uses), with Track Changes
- Exhibit D: Proposed Code Changes (Agricultural Uses), Clean Copy
- Exhibit E: Weber County Land Use Code Revision Process Workflow



|  | Deletions (temporary column)  | Notes (temporary column)   |
|--|---|--|
| <p>1</p> <p><b>Proposed Changes:</b><br/> <u>Blue Underline = Proposed Code to be Added</u><br/> <u>Red Strikethrough = Existing Code to be Deleted</u></p>  | <p>Agriculture and Agricultural Industry</p>  | <p>Term, use = "Use term." The comma divides a single multi-word term for alphabetizing purposes. Term, use ≠ The word "use" here is intended to provide the word "term" with additional qualifications.<br/>                     Purple = General labels and identifiers to help organize code. These have been added by staff and are not part of the current code.<br/>                     Green = Recommended additions to clarify existing provisions<br/>                     Orange = Recommended changes for future use table update<br/>                     Navy Blue = Definition</p>  |
| <p>2</p> <p>Agriculture. Agricultural uses not otherwise more specifically regulated by this Land Use Code.</p>  | <p>Agriculture.</p>   | <p><b>Definition (LUC 101-1-7):</b><br/>                     Agriculture. The term "agriculture" means use of land for primarily farming and related purposes such as pastures, farms, dairies, horticulture, aquaculture, animal husbandry, and crop production, but not the keeping or raising of domestic pets, nor any agricultural industry or business such as fruit packing plants, fur farms, animal hospitals or similar uses.<br/>                     Recommendation: Qualify this term as it applies to this specific use row. The regulations for the other more specific agricultural uses herein prevail over this use.<br/>                     See new proposed recommended definition of animal husbandry: The term "animal husbandry" means a branch of agriculture for the raising, nurturing, management, breeding and production of domesticated farm animals, not including household pets as defined by this section. <u>Animals are used and raised for utility, a food, fur, sport, pleasure, and research.</u><br/>                     See new proposed recommended definition of "agricultural experimentation station."<br/>                     Recommendation for future changes: AV-3, A-1, A-2, FV-3 = Conditional Use Permit. Not permitted in residential zones: A-3, F-5, F-10, F-40 = permitted, no commercial review. C-X and M-X zones, regulate as a different commercial use, as listed in this use table.<br/>                     Recommendation for future changes: This use needs attention. It needs design standards, parking requirements, landscaping requirements, and maybe even a minimum lot sizes larger than the zone's minimums.</p>  |
| <p>3</p> <p>Agricultural experimentation station. Agricultural experiment station</p>  | <p>Agricultural experimentation station</p>   | <p><b>Definition (LUC 101-1-7):</b><br/>                     Aquarium. No definition!<br/>                     Merriam Webster:<br/>                     aquar-i-um noun \ə- kwər-ē-əm\<br/>                     : a glass or plastic container in which fish and other water animals and plants can live<br/>                     : a building people can visit to see water animals and plants<br/>                     Recommendation: Change this term to "aquaculture." We do not think today's definition of aquarium was intended when this was written.<br/>                     Add new proposed definition (LUC 101-1-7): "Aquaculture means the cultivation of aquatic organisms (such as fish, shellfish, or aquatic plants) especially for food or fertilizer."<br/>                     Add new proposed definition (LUC 101-1-7): "Animal husbandry."<br/>                     Recommendation for future changes: "This is an accessory use to another allowed use in the zone if conducted on lots less than five acres."<br/>                     Recommendation for future changes: "This shall be an accessory use to another allowed use in the zone if conducted on lots less than five acres."<br/>                     See also "dairy" in commercial uses. The terminology in the current code between a "dairy" and a "dairy farm" is confusing. These changes need clarify.<br/>                     See new proposed recommended definition of "dairy farm."<br/>                     See proposed amended definition (LUC 101-1-7): "Family food production. The term "family food production" means the use of animal husbandry, as defined by this section, for the sole benefit of the land owner, and not for commercial purposes."<br/>                     Recommendation for future changes: This should not be permitted in the M-X zones if Single Family Dwellings are prohibited. Will they be?<br/>                     See new proposed recommended definition of "animal husbandry."</p> |
| <p>4</p> <p>Agricultural laboratory. Laboratory facility for agricultural products and soils testing.</p>  | <p>Laboratory facility for agricultural products and soils testing.</p>   | <p>Recommendation for future changes: AV-3, A-1, A-2, FV-3 = Conditional Use Permit. Not permitted in residential zones: A-3, F-5, F-10, F-40 = permitted, no commercial review. C-X and M-X zones, regulate as a different commercial use, as listed in this use table.<br/>                     Recommendation for future changes: This use needs attention. It needs design standards, parking requirements, landscaping requirements, and maybe even a minimum lot sizes larger than the zone's minimums.</p>  |
| <p>5</p> <p>Agricultural experimentation station. Agricultural experiment station</p>  | <p>Agricultural experimentation station</p>   | <p>Recommendation for future changes: AV-3, A-1, A-2, FV-3 = Conditional Use Permit. Not permitted in residential zones: A-3, F-5, F-10, F-40 = permitted, no commercial review. C-X and M-X zones, regulate as a different commercial use, as listed in this use table.<br/>                     Recommendation for future changes: This use needs attention. It needs design standards, parking requirements, landscaping requirements, and maybe even a minimum lot sizes larger than the zone's minimums.</p>  |
| <p>6</p> <p>Animal husbandry. Aquaculture. Aquacultural uses, not open to the public, subject to the requirements of Section 108-7-8 of this Land Use Code.</p>  | <p>Aquarium</p>   | <p>Recommendation for future changes: AV-3, A-1, A-2, FV-3 = Conditional Use Permit. Not permitted in residential zones: A-3, F-5, F-10, F-40 = permitted, no commercial review. C-X and M-X zones, regulate as a different commercial use, as listed in this use table.<br/>                     Recommendation for future changes: This use needs attention. It needs design standards, parking requirements, landscaping requirements, and maybe even a minimum lot sizes larger than the zone's minimums.</p>  |
| <p>7</p> <p>Animal husbandry. Dairy farm, subject to the requirements of Section 108-7-8 of this Land Use Code. Five acre minimum lot area is required.</p>  | <p>Dairy farm, subject to the requirements of Section 108-7-8 of this Land Use Code. Five acre minimum lot area is required.</p>  | <p>Recommendation for future changes: AV-3, A-1, A-2, FV-3 = Conditional Use Permit. Not permitted in residential zones: A-3, F-5, F-10, F-40 = permitted, no commercial review. C-X and M-X zones, regulate as a different commercial use, as listed in this use table.<br/>                     Recommendation for future changes: This use needs attention. It needs design standards, parking requirements, landscaping requirements, and maybe even a minimum lot sizes larger than the zone's minimums.</p>  |
| <p>8</p> <p>Animal husbandry. Family food production. Animal husbandry for on-site family food production as an accessory use to a single family dwelling, and subject to the requirements of Section 108-7-5 of this Land Use Code.</p> | <p>Animal husbandry for on-site family food production as an accessory use to a single family dwelling, and subject to the requirements of Section 108-7-5 of this Land Use Code.</p> | <p>Recommendation for future changes: AV-3, A-1, A-2, FV-3 = Conditional Use Permit. Not permitted in residential zones: A-3, F-5, F-10, F-40 = permitted, no commercial review. C-X and M-X zones, regulate as a different commercial use, as listed in this use table.<br/>                     Recommendation for future changes: This use needs attention. It needs design standards, parking requirements, landscaping requirements, and maybe even a minimum lot sizes larger than the zone's minimums.</p>  |
| <p>9</p> <p>Animal husbandry. Fur farm, general. General fur farm, subject to the requirements of Section 108-7-8 of this Land Use Code. Five acre minimum lot area is required.</p>   | <p>Fur farm, provided it is conducted on a lot five acres or greater.</p>   | <p>Recommendation for future changes: AV-3, A-1, A-2, FV-3 = Conditional Use Permit. Not permitted in residential zones: A-3, F-5, F-10, F-40 = permitted, no commercial review. C-X and M-X zones, regulate as a different commercial use, as listed in this use table.<br/>                     Recommendation for future changes: This use needs attention. It needs design standards, parking requirements, landscaping requirements, and maybe even a minimum lot sizes larger than the zone's minimums.</p>  |



|    | Proposed Changes:<br>Blue Underline = Proposed Code to be Added<br>Red-Strikethrough = Existing Code to be Deleted  | Term, use = "Use term," The comma divides a single multi-word term for alphabetizing purposes.<br>Term: use = The word "use" here is intended to provide the word "term" with additional qualifications.<br>Purple = General labels and identifiers to help organize code. These have been added by staff and are not part of the current code.<br>Green = Recommended additions to clarify existing provisions<br>Orange = Recommended changes for future use table update<br>Navy blue = Definition   |
|----|---|---|
| 12 | <del>Animal husbandry: Fur farm, chinchilla. Chinchilla fur farm, subject to the requirements of Section 108-7-8 of this Land Use Code. Five acre minimum lot area is required.</del>   | Chinchilla range:<br>In the RE-15 and RE-20 zones: 40,000 square feet minimum lot area required.  |
| 13 | <del>Animal husbandry: swine farm, large. Large swine farm, subject to the requirements of Section 108-7-8 of this Land Use Code.</del>   | Hog ranch provided that no person shall feed any hogs any market refuse, home refuse, garbage or offal other than that produced on the premises. All pens and housing for hogs shall be concrete and maintained in a sanitary manner and drainage structures and disposal of animal waste shall be provided and properly maintained.  |
| 14 | <del>Animal husbandry: swine farm, small. Small swine farm, subject to the requirements of Section 108-7-8 of this Land Use Code. Five acre minimum lot area is required.</del>   | The keeping and raising of not more than ten swine, more than 16 weeks old, provided that no person shall feed any such swine any market refuse, house refuse, garbage or offal other than that produced on the premises.   |
| 15 | <del>Animal husbandry: large-animal farm. The raising and grazing of any "large-animal farm" animal husbandry unit, except where otherwise more specifically regulated by this Land Use Code, and subject to the requirements of Section 108-7-8 of this Land Use Code. When conducted in the RE-15, RE-20, AV-3, A-1, and A-3 zones, a five acre minimum lot area is required.</del> | Grazing and pasturing of animals:<br>In the F-5, F-10, and F-40 zones: Limited to one horse or cow per acre of land exclusively dedicated to the animal.<br>Raising and grazing of horses, cattle, sheep or goats, as part of a farming operation, including the supplementary or full feeding of such animals, provided that:<br>1. In the RE-15 and RE-20 zones, such raising or grazing is not a part of nor conducted in conjunction with any livestock feed yard, livestock sales yard, slaughterhouse, animal by products business or commercial riding academy;<br>2. In the AV-3, A-1, A-2, and A-3 zones, such raising and grazing when conducted by a farmer in conjunction with any livestock feed yard, livestock sales, or slaughterhouse shall not exceed a density of 25 head in the AV-3 and A-1 zones, 40 head in the A-2 and A-3 zones] per acre of used land; shall be carried on during the period of September 15 through April 15 only; shall be not closer than 1300 in the A-1 zone, and 200 in the AV-3, A-2, and A-3 zones] feet to any dwelling, public or semi-public building on an adjoining parcel of land; and shall not include the erection of any permanent fences, corrals, chutes, structures or other buildings normally associated with a feeding operation.<br>In the RE-15, RE-20, AV-3 and A-1, A-2, and A-3 zones: Five acre minimum lot area. |
| 16 | [Delete this use and merge with "animal husbandry: large-animal farm." above. Move qualifying standards to proposed animal husbandry section in supplemental regulations.]  |   |
| 17 | Animal husbandry: livestock feed yard or livestock sales yard, subject to the requirements of Section 108-7-8 of this Land Use Code.  | Livestock feed or sales yard.<br>See new proposed recommended definition of "animal husbandry."   |
| 18 | Animal husbandry: keeping of horses. The keeping of horses for private use only, subject to the requirements of 108-7-8. In the O-1 zone a five acre minimum devoted pasture size is required.  | The keeping of horses for private use only:<br>In the RE-15, RE-20, FV-3, FF-1 and DRR-1 zones: Minimum of one acre per two horses.<br>In the AV-3 zone: Minimum of 20,000 sq ft per two horses.<br>In the A-1, A-2 and A-3 zones: Minimum of half acre per two horses.<br>In the F-5, F-10, and F-40 zones: Minimum of one acre per horse.<br>In the O-1 zone: Five acre minimum pasture size, with a maximum density of two horses per acre.<br>See new proposed recommended definition of "animal husbandry."<br>Remove "Private stables" from this use and move it to separate use row [Row 35]. Regulate only keeping of horses on this row.<br>Provide consistent pasture area per horse throughout zones<br>Be consistent in requiring "devoted pasture ground."   |



| 1  | Proposed Changes:<br>Blue Underline = Proposed Code to be Added<br>Red Strikethrough = Existing Code to be Deleted  | Term, use = "Use term." The comma divides a single multi-word term for alphabetizing purposes. Term, use = The word "use" here is intended to provide the word "term" with additional qualifications. Purple = General labels and identifications to help organize code. These have been added by staff and are not part of the current code. Green = Recommended additions to clarify existing provisions Orange = Recommended changes for future use table update Navy blue = Definition   |
|----|---|--|
| 19 | <del>Animal husbandry, small-animal farm. Farms devoted to the production and raising of "small animal farm" animal husbandry units, subject to the requirements of Section 108-7-8 of this Land Use Code. Five acre minimum lot area is required.</del>  | Farms devoted to the hatching, raising (including fattening as incident to raising) of chickens, turkeys or other fowl, rabbit, fish, frogs or beaver, hatching or raised on the premises; <del>Five acre minimum lot area is required in the RE-15, RE-20, AV-3, A-1, A-2 and A-3 zones.</del>  |
| 20 | <del>Delete this use and merge with "animal husbandry: small scale slaughtering" below</del>  | Raising and slaughtering of rabbits limited to a maximum of 500 rabbits at any one time.   |
| 21 | <del>Animal husbandry: small scale slaughtering. The small scale commercial slaughtering, dressing, and marketing of "small-animal farm," animal husbandry units, as an accessory use to a "small-animal farm," and subject to the requirements of Section 108-7-8 of this Land Use Code.</del> | Slaughtering, dressing and marketing on a commercial scale of chickens, turkeys, or other fowl, rabbit, fish, frogs or beaver in conjunction with the hatching and raising of such animals on farms.   |
| 22 | <del>Animal slaughtering. See "slaughterhouse" in commercial use section of this table.</del>   | Slaughterhouse.  |
| 23 | <del>Botanical or zoological garden. A botanical or zoological garden, Code if any animals are onsite.</del>  | Botanical or zoological garden.  |
| 24 | <del>Grain storage elevator. A grain storage elevator, for storing and conditioning large amounts of grain. Five acre minimum lot area is required.</del>   | Grain storage elevators<br>In the A-2 and A-3 zones: Five acre minimum lot area.   |
| 25 | <del>Greenhouse, agricultural. A greenhouse or nursery, accessory to an agricultural use, limited to the sale of product produced on the premises. No retail shop.</del>  | Greenhouse and nursery with no retail shop operation<br>In the RE-15, RE-20, AV-3, A-1, and A-2 zones: Use is limited to the sale of material produced on premises.  |
| 26 | <del>Greenhouse, noncommercial. A noncommercial greenhouse, intended for the private use of participating persons who reside in the vicinity.</del>   | Noncommercial greenhouse.  |
| 27 | <del>Greenhouse, commercial. See "greenhouse, commercial" in commercial use section of this land use table.</del>   | Greenhouse.<br>In the AV-3, A-1, A-2 zones: greenhouse and nursery limited to the sale of plants, landscaping materials, fertilizer, pesticide and insecticide products, tools for garden and lawn care and the growing and sale of sod.   |
| 28 | <del>Horse and equestrian training and facilities, private. Horse and equestrian training and training facility, subject to the requirements of Section 108-7-8 of this Land Use Code. Five acre minimum lot area is required.</del>  | Private equestrian training and stable facilities<br>In the AV-3, A-1, and A-2 zones: shall not exceed 10 horses per acre of devoted horse pasture. Five acre minimum lot area.  |
|    |   | Recommendation for future changes: Should animal units per acre be regulated in the RE-15, RE-20, AV-3, A-1, A-2, and A-3? It does not appear that the current code restricts the total number of animal husbandry units on land in the RE-15, RE-20, AV-3, A-1, A-2, and A-3 zones. This could be problematic, especially for the RE zones. A minimum of five acre lots size is required in each, but without a limit on unit per acre this use does not seem compatible with residential uses. Should there be limits?<br><br>See new proposed recommended definition of "animal husbandry."<br><br>What are the standards? Should commercial design review be required? This is intended to be incident to a small animal farm, this should probably be limited to animals raised or produced onsite.<br><br>See also "slaughterhouse" in the commercial use section for larger animal slaughtering operations.<br><br>Merriam Webster<br>zoology: the branch of science that involves the study of animals and animal behavior |



|   |  |  |
|---|--|--|
| <p><b>Proposed Changes:</b><br/> <u>Blue Underline</u> = Proposed Code to be Added<br/> <del>Red Strikethrough</del> = Existing Code to be Deleted</p>  |  | <p>Term, use = "Use term." The comma divides a single multi-word term for alphabetizing purposes. Term, use = The word "use" here is intended to provide the word "term" with additional qualifications. Purple = General labels and identifiers to help organize code. These have been added by staff and are not part of the current code. Green = Recommended additions to clarify existing provisions. Orange = Recommended changes for future use table update. Navy blue = Definition.</p> <p>The DRR-1 zone only lists this as "equestrian center." Does not specify public or private as in other zones, and does not specify a number of horses per acre.</p> <p>The number of horses allowed per acre with this use is inconsistent with the number of horses allowed per acre for the "Keeping of horses for private use" Is that intended? Should a certain amount of pasture ground be required? Is it intended that "full" feeding of stabled horses will occur?</p> <p>Definition 101-1-7:<br/>         Stable. The term "stable" means an accessory or main building for the keeping of horses, cattle and other farm animals.</p> <p>Stable, private horse. The term "private horse stable" means a horse stable which is accessory to a residential dwelling unit or other main building for the use of the owner/occupant, his friends and guests, not for the purpose of remuneration, hire or sale or any other commercial use nor use by an ad hoc informal association or group.</p> <p>Stable, public horse. The term "public horse stable" means a stable where the general public may rent, lease, purchase, sale or board horses re a difference?<br/> <del>The DRR-1 zone omits this as "equestrian center." Does not specify public, private, or animal as in other zones, and does not specify a</del></p> |
| <p>29 <del>Horse and equestrian training and facilities, public.</del> See "Horse and equestrian training facilities and horse stables, public," in the commercial use section of this table.</p>   | <p><del>Public equestrian training and stable facilities--<br/>         In the A-3 and A-1 zones: shall not exceed five horse per acre-- 10 acre minimum lot area.<br/>         In the A-2 and A-3 zones: Five acre minimum lot area--</del></p>                                       |  |
| <p>30 <del>Produce stand, agricultural.</del> A produce stand intended for the sales of agricultural products. In the A-3, A-1, A-2, and A-3 zones it is limited to produce produced on the premises only.</p>  | <p><del>Fruit or vegetable stand.<br/>         In the A-3, A-1, A-2, and A-3 zones: for produce grown on the premises only</del></p>   |  |
| <p>31 <del>Produce storage and packing facility, agricultural.</del> A facility for the storage and packing of agricultural product produced onsite, as an accessory use to an agricultural operation. Five acre minimum lot area is required.</p>  | <p><del>Fruit and vegetable storage and packing plant for produce grown on premises.<br/>         In the A-3 and A-1 zones: Five acre minimum lot area is required--<br/>         In the A-2 and A-3 zones: Five acre minimum lot area is required--</del></p>                         | <p>Is this a commercial use? If not, why is this not allowed in the A-2 and A-3 zones? Should design review be required?</p>   |
| <p>32 <del>Stable, corral, or enclosure for the keeping of animals husbandry units.</del> Stable, corral, or building for the keeping of the specific animals or fowl identified by this Land Use Code as an animal husbandry use. This shall include stable, corral, barn, building, coop, pen, or any other enclosure for the housing or keeping of animals or fowl, and shall comply with Section 108-7-8 of this Land Use Code. This use shall be accessory to an allowed animal husbandry use.</p> | <p><del>Manure spreading, drying, and sales--<br/>         Stable, corral, or building for the keeping of animals or fowl.<br/>         The building shall be located not less than 100 feet from a public street and not less than 25 feet from any side or rear lot line--</del></p> | <p><i>Recommendation for future changes: Consider adding this as a permitted use in the F-X zones.</i></p> <p>This use is pulled out of the "Keeping of horses" use row [see row 16]. Despite the definition of "stable" including other farm animals, how this use was listed appears to make it exclusive to horses. It needs to be clarified as such.</p> <p>Definition (LUC 101-1-7):<br/>         Stable, private horse. The term "private horse stable" means a horse stable which is accessory to a residential dwelling unit or other main building for the use of the owner/occupant, his friends and guests, not for the purpose of remuneration, hire or sale or any other commercial use nor use by an ad hoc informal association or group. Despite the definition of "stable" including other farm animals, how this use was listed, and given current definitions, it appears it is intended to be exclusive to horses. It needs to be clarified as such.</p>   |
| <p>34 <del>Stable, private horse.</del> Private horse stable, accessory to both the "keeping of horses" and a "single family dwelling" or other main building, for the purposes defined in Section 101-1-7 and in compliance with Section 108-7-8 of this Land Use Code.</p>  | <p><del>Private stable</del></p>   |  |
| <p>35 <del>Stable, public.</del> See "Horse and equestrian training facilities and horse stables, public," in the commercial use section of this table.</p>   | <p><del>Public stable</del></p>  | <p>Definition (LUC 101-1-7):<br/>         Stable. The term "stable" means an accessory or main building for the keeping of horses, cattle and other farm animals. Stable, public horse. The term "public horse stable" means a stable where the general public may rent, lease, purchase, sale or board horses.</p> <p>The A-3 zone does not currently require a 10 acre minimum lot area. This appears to be an oversight.</p>  |
| <p>36 <del>Soil composting, soil composting and manufacturing, including manure spreading and drying, for the purpose of commercial sales.</del> 10 acre minimum lot area required.</p>   | <p><del>Soil composting, manufacturing, and sales--<br/>         In the A-2 zone: 10 acre minimum lot area--<br/>         In the A-2 and A-3 zones: Sugar-beet loading or collection station</del></p>   |  |
| <p>37 <del>Sugar beet station.</del> Sugar beet loading or collection station, and in the A-2 and A-3 zones, sugar beet dumpsties.</p>  | <p><del>Sugar-beet loading or collection station<br/>         In the A-2 and A-3 zones: Sugar-beet dumpsties</del></p>   |  |
| <p>38 <del>Academies/studios for dance, art, sports, etc.</del></p>   | <p><del>Commercial and industrial</del></p>  |  |
| <p>39 <del>Academies/studios for dance, art, sports, etc.</del></p>   | <p><del>Commercial and industrial</del></p>  |  |
| <p>40 <del>Agricultural implement repair.</del></p>   | <p><del>Commercial and industrial</del></p>  |  |
| <p>41 <del>Air conditioning, sales and service</del></p>  | <p><del>Commercial and industrial</del></p>  |  |



|   |  |  |
|---|--|--|
| <p>1</p>  | <p>Proposed Changes:<br/>Blue Underline = Proposed Code to be Added<br/><del>Red Strikethrough</del> = Existing Code to be Deleted</p> | <p>Term, use = "Use term." The comma divides a single multi-word term for alphabetizing purposes. Term, use = The word "use" here is intended to provide the word "term" with additional qualifications. Purple = General labels and identifications to help organize code. These have been added by staff and are not part of the current code. Green = Recommended additions to clarify existing provisions Orange = Recommended changes for future use table update Navy blue = Definition</p>  |
| <p>160 Freightling, [Draying M-1], or trucking yard or terminal.</p>  |  | <p>The term "draying" appears to reference an antiquated form of freightling that involves a flat bed horse-drawn cart, usually for hauling beer kegs.<br/>Suggest removing the term in favor of "freightling."<br/>Is this use intended to allow outdoor storage of freight? Or is it intended to be a trucking terminal? Two different things. Do we care about the difference in this M-X zones?</p>  |
| <p>161 Frozen food lockers, incidental to a grocery store or food business</p>  |  | <p>C-X zones list this as "vegetable store or stand." Removed "stand" from here and added the use allowance for these zones in the "fruit and vegetables stand" under agricultural uses.<br/>What are the design standards? Any additional needed here or elsewhere?</p>   |
| <p>162 Fruit or vegetable store</p>   |  |  |
| <p>163 Fueling station/gas station</p>  |  |  |
| <p>164 Fur apparel sales, storage or repair</p>   |  |  |
| <p>165 Furniture sales and repair</p>   |  |  |
| <p>166 Garden supplies and plant materials sales</p>  |  |  |
| <p>167 Gift store [C-X, CV-X], Gift shop, boutique [CVR-1].</p>   |  | <p>Combined terms from C-X zones and CVR-1 zone</p>  |
| <p>168 Glass sales and service</p>  |  |  |
| <p>169 Glass manufacturing</p>  |  |  |
| <p>170 Go cart racing or drag strip racing.</p>   |  | <p>Can this fit into "amusement Enterprises?" If so, which prevails when it comes to this use proposed in other zones that allow amusement? Does specifically listing this restrict or prohibit that in other zones? Do we want it to? See also motorcycle track.</p>  |
| <p>171 <del>Greenhouse, commercial. A greenhouse or nursery intended for retail or wholesale sales. In the AV-3, A-1, A-2 zones the greenhouse and nursery shall be limited to the sale of plants, landscaping materials, fertilizer, pesticide and insecticide products, tools for garden and lawn care and the growing and sale of sod.</del></p> |  | <p>Is there a reason a retail greenhouse is not allowed in the A-3 zone?</p>   |
| <p>172 Grocer, neighborhood market [DRR-1], small grocery store [CVR-1]</p>   |  | <p>Combined terms from DRR-1 and CVR-1. Any reason to list any of these separately? Any reason to list ALL of them at all? Seems redundant.<br/>Any difference between this and a Dell/small grocery store from the CVR-1 zone?<br/>We need to define what a "small grocery store" is as compared with a "grocery store" (square footage). Or, if no intended difference combine the two uses.<br/>"supermarket" is not listed in the CV-X zones. Is that because a supermarket is not a grocery store?<br/>Merriam Webster: "one who designs, makes, or repairs small firearms"</p> |
| <p>173 Grocery store or supermarket</p>   |  | <p>Are we really intending for a gun manufacturer to locate in the C-2 and C-3 zones? Or should they be restricted to M-X zones? Maybe restrict this use allowance to "Gun, retail sales?"<br/>What is a "club?"<br/>In the A-2 zone this use is listed with a bunch of unrelated uses, and has no minimum lot size. In the A-3 zone it stands alone and requires a minimum of five acres. Suggest providing consistency.<br/>The DRR-1 zone combines Gun club with skeet. "Gun club/skeet/sporting day = C"</p>   |
| <p>174 Gunsmith</p>   |  | <p>How is this different than a rec center? Rec facility?<br/>Merriam Webster:<br/>a : a large room used for various indoor sports (as basketball or boxing) and usually equipped with gymnastic apparatus<br/>b : a building (as on a college campus) containing space and equipment for various indoor sports activities and usually including spectator accommodations, locker and shower rooms, offices, classrooms, and a swimming pool</p>   |
| <p>175 Gun club<br/>*In the A-3 zone: five acre minimum lot area.</p>   |  | <p>How is this different in function than a grocery store (small or large)?</p>  |
| <p>176 Gymnasium</p>  |  |  |
| <p>177 Hardware stores</p>  |  |  |
| <p>178 Health club</p>  |  |  |
| <p>179 Health food store</p>  |  |  |



|   |   |   |
|---|---|---|
| <p>1</p> <p>Helpport, subject to the following standards:</p> <p>*In the F-40 and DRR-1 zones: A helpport must be located at and elevation of at least 6,200 feet above sea level. A helpport must be located at least 200 feet from any [property line in the F-40 zone, or resort boundary in the DRR-1 zone]. The planning commission may grant exceptions to the setback requirement if it can be demonstrated that locating the helpport closer than 200 feet to the [property line F-40 zone, or resort boundary in DRR-1 zone] provides a more beneficial situation for purposes of safety, noise abatement, access, or other valid reasons as determined by the planning commission. The helpport landing surface must be dust-proof and free from obstructions. Prior to issuance of a conditional use permit for a helpport, written approval from the Federal Aviation Administration (FAA) is required, if necessary.</p> <p>*In the F-40 zone: a. A helpport must be located on a single parcel of record which is not less than 40 acres in area</p> <p>181 Hobby and crafts store</p> <p>182 Honey extraction.</p> | <p>Proposed Changes:<br/>                 Blue Underline = Proposed Code to be Added<br/>                 Red Strikethrough = Existing Code to be Deleted</p>   | <p>Term, use = "Use term." The comma divides a single multi-word term for alphabetizing purposes.<br/>                 Term, use = The word "use" here is intended to provide the word "term" with additional qualifications.<br/>                 Purple = General labels and identifiers to help organize code. These have been added by staff and are not part of the current code.<br/>                 Green = Recommended additions to clarify existing provisions<br/>                 Orange = Recommended changes for future use table update<br/>                 Navy Blue = Definition</p> <p>Can the qualifications of this use in the F-40 zone and DRR-1 zone be placed in their respective zones, or a supplemental regulations chapter?</p>  |
| <p>180</p> <p>*In the F-40 zone: a. A helpport must be located on a single parcel of record which is not less than 40 acres in area</p> <p>181 Hobby and crafts store</p> <p>182 Honey extraction.</p>  | <p>Horse racing and training track, cutter track, including indoor concessions as an accessory use<br/>                 [combined with]<br/>                 horse [url] jumping course</p>   | <p>Recommendation: Combine "horse racing and training track, including indoor concessions as an accessory use" with "horse [url] jumping course." Give the use a name that starts with "equestrian" so it shows up near "equestrian training facilities and horse stables, public."</p> <p>Recommendation for future changes: Consider adding "horse shows" to this use.</p> <p>The DRR-1 zone only lists this as "equestrian center." Does not specify public or private as in other zones, and does not specify a number of horses per acre.</p> <p>The number of horses allowed per acre for a public equestrian facility [allowed in the AV-3 and A-1 zone] is different than the number allowed for horse rentals [allowed in the CVR-1 zone]. This number is also inconsistent with the number of horses allowed per acre for the "keeping of horses for private use." Is that intended? Should a certain amount of pasture ground be required? Is it intended that "full" feeding of stabled horses will occur? If so, we should say it.</p> <p>Definition 101-1-7.<br/>                 Stable, public horse: The term "public horse stable" means a stable where the general public may rent, lease, purchase, sale or board horses.</p> <p>Recommendation: Combine "equestrian training facilities, public," "stables, public," "horse rentals," and "riding academy," into one use row and regulate them like commercial uses even though they are allowed dominantly in agricultural zones. This will help clarify that design review is required for these uses.</p> <p>This recommendation deviates from the program a little because it changes to some degree how each of these uses are regulated in certain zones. For example, the biggest change is allowing the use out-right in the CVR-1 zone where currently the CVR-1 zone only allows "horse rentals," and makes to allow the horses to be stabled. However, considering the stability in form and function, similar this use was clumped into "horse rentals" (up to 10 horses per acre, if stabled) horse feed store and haystack yard." Given the recommendation to absorb "horse rentals" into "equestrian training facilities and horse stables, public" this needs to be specifically provided for in a separate use row.</p> |
| <p>183</p> <p>Horse or equestrian event center. A horse or equestrian event center, including indoor concessions as an accessory use. Subject to the applicable animal husbandry requirements of Section 108-7-8 of this Land Use Code.</p> <p>184</p> <p>Horse and equestrian training facility or horse stable, public. A public equestrian training facility or public horse stable. This use is subject to the applicable animal husbandry requirements of Section 108-7-8 of this Land Use Code. A 10 acre minimum lot area is required in the AV-3 and A-1 zones. A five acre minimum lot area is required in the A-2 and A-3 zones.</p>  | <p>Equestrian training facilities--public--<br/>                 [combined with]<br/>                 Stables--public<br/>                 Horse rentals<br/>                 [combined with]<br/>                 Riding academy</p> | <p>Recommendation: Combine "equestrian training facilities, public," "stables, public," "horse rentals," and "riding academy," into one use row and regulate them like commercial uses even though they are allowed dominantly in agricultural zones. This will help clarify that design review is required for these uses.</p> <p>This recommendation deviates from the program a little because it changes to some degree how each of these uses are regulated in certain zones. For example, the biggest change is allowing the use out-right in the CVR-1 zone where currently the CVR-1 zone only allows "horse rentals," and makes to allow the horses to be stabled. However, considering the stability in form and function, similar this use was clumped into "horse rentals" (up to 10 horses per acre, if stabled) horse feed store and haystack yard." Given the recommendation to absorb "horse rentals" into "equestrian training facilities and horse stables, public" this needs to be specifically provided for in a separate use row.</p>   |
| <p>185</p> <p>Horse feedstore and haystack yard.</p> <p>186</p> <p>Hospital supplies</p> <p>187</p> <p>House cleaning and repair</p> <p>188</p> <p>House equipment display</p> <p>189</p> <p>Household appliance sales and incidental service</p> <p>190</p> <p>Ice cream manufacture</p> <p>191</p> <p>Ice cream parlor</p>  |   | <p>Function: Will this be services provided onsite, with storage of material, and equipment onsite and office space? No retail sales onsite?</p> <p>What is house equipment?<br/>                 Is this intended to include any household equipment? Appliances? Décor? What about tools and furniture?</p>   |



|   | <p><b>Proposed Changes:</b><br/>                     Blue Underline = Proposed Code to be Added<br/>                     Red Strikethrough = Existing Code to be Deleted</p> | <p>Term, use = "Use term." The comma divides a single multi-word term for alphabetizing purposes.<br/>                     Term, use = The word "use" here is intended to provide the word "term" with additional qualifications.<br/>                     Purple = General labels and identifications to help organize code. These have been added by staff and are not part of the current code.<br/>                     Green = Recommended additions to clarify existing provisions<br/>                     Orange = Recommended changes for future use table update<br/>                     Navy blue = Definition</p>   |
|---|--|--|
| <p>281 Pony ring, without stables</p>   |  | <p>How is this similar/different than other horse uses?<br/>                     Definition 101-1-7.<br/>                     Stable. The term "stable" means an accessory or main building for the keeping of horses, cattle and other farm animals.<br/>                     Stable, private horse. The term "private horse stable" means a horse stable which is accessory to a residential dwelling unit or other main building, for the use of the owner/occupant, his friends and guests, not for the purpose of remuneration, hire or sale or any other commercial use nor use by an ad hoc informal association or group.<br/>                     Stable, public horse. The term "public horse stable" means a stable where the general public may rent, lease, purchase, sale or board horses.<br/>                     Consolidate into confectionary or similar?</p> |
| <p>282 Popcorn or nut shop</p>  |  |  |
| <p>283 Post office</p>  |  |  |
| <p>284 Pottery, sales and manufacture of crafts and tile</p>  |  |  |
| <p>285 Printing, lithographing, publishing or reproductions sales and services [C-X], Printing, copy sales and services [C-V-X], Lithographing, including engraving and photo engraving [M-X and MV-X]</p>  |  |  |
| <p>286 Private club, private liquor club</p>  | <p><b>Fruit or vegetable stand.</b><br/>                     In the A-V-3, A-1, A-2, and A-3 zones: for produce grown on the premises only</p>                               | <p>Is this intended to be for a bar, or another kind of club? Are bars still called private clubs? Can this be included into "drinking establishment?"<br/>                     See also "private liquor club" in the C-X zones<br/>                     Should this use be required to have commercial site plan review before being allowed in the C-X or M-X zones? Should it be listed as a use in the commercial use section.<br/>                     Combine with all other professional offices?</p>   |
| <p>287 Produce stand, commercial. A commercial produce stand intended for the sales of agricultural products.</p>   |  |  |
| <p>288 Professional office</p>  |  |  |
| <p>289 Radio and television sales and service</p>   |  |  |
| <p>290 Railroad yards, shop and/or roundhouse.</p>  |  |  |
| <p>291 Real estate office.</p>  |  |  |
| <p>292 Reception center or wedding chapel</p>   |  |  |
| <p>293 Rental, equipment [C-V-X]. Rental agency for home and garden equipment [C-X and MV-1].</p>   |  |  |
| <p>294 Residential property rental and management agency for recreation resort complexes</p>  |  |  |
| <p>295 Restaurant, no drive-thru. Restaurants, excluding those with drive-up windows.</p>   |  | <p>Is this the same as a "real estate office?" Should it be consolidated?<br/>                     Drive-up window? Or Drive thru? Or Drive-through. This is a terminology issue throughout the code.<br/>                     Is there a difference in function between fast food and no drive thru and a standard restaurant?<br/>                     Difference in turn over = more traffic?<br/>                     How do restaurants define themselves? How will we know the fast food places v. the non fast food places?<br/>                     What if we consolidate the two and instead focus on form?<br/>                     Needs a definition.</p>   |
| <p>296 Restaurant, fast food. fast food restaurant, excluding those with drive-up windows.</p>  |  |  |
| <p>297 Restaurant, drive-in. Drive-in restaurant.</p>   |  |  |
| <p>298 Restaurant, drive-thru. Restaurant, including those with drive-up windows.</p>   |  | <p>This is listed as a "Drive-in" in the C-X zones. A little different.</p>  |
| <p>299 Retail sales, accessory. Retail sale 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 sale is clearly an accessory use to the main use is not a building then on the same property provided however, no retail sale of products may be made in conjunction with a warehousing or wholesale business.</p> |  |  |
| <p>300 Riding academy. See "Horse and equestrian training facilities and horse stables, public." In the commercial use section of this table.</p>   | <p><b>Riding academy.</b></p>  |  |
| <p>301 Rock crusher.</p>  |  |  |
| <p>302 Rodeo grounds</p>  |  |  |
| <p>303 Roller skating rink</p>  |  | <p>Is this intended to be for private rodeo grounds apart from what is already listed in the above public building/park facilities?<br/>                     See also "outdoor skating rink" above, and "recreation facility" below. Rectify.</p>  |
| <p>304 Rubber welding.</p>  |  |  |



Land Use Table

|    | Proposed Changes:<br>Blue Underline = Proposed Code to be Added<br>Red Strikethrough = Existing Code to be Deleted  | AV-3 | A-1 | A-2 | A-3 | F-5 | F-10 | F-40 | FV-3 | FR-1 | FR-3 | S-1 | R-2 | R-3 | R-1-12 | R-1-10 | RE-15 | RE-20 | RMHP | RMH-1-6 | DRR-1 | C-1 | C-2 | C-3 | CV-1 | CV-2 | CVR-1 | M-1 | M-2 | M-3 | MV-1 | G | O-1 |   |   |
|----|---|------|-----|-----|-----|-----|------|------|------|------|------|-----|-----|-----|--------|--------|-------|-------|------|---------|-------|-----|-----|-----|------|------|-------|-----|-----|-----|------|---|-----|---|---|
| 1  | <u>Blue Underline = Proposed Code to be Added</u><br><del>Red Strikethrough = Existing Code to be Deleted</del><br><b>Agriculture and Agricultural Industry</b>   |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |
| 2  | <del>Agriculture. Agricultural uses not otherwise more specifically regulated by this Land Use Code.</del>  | P    | P   | P   | P   | P   | P    | P    | P    | P    | P    | P   | P   | P   | P      | P      | P     | P     | P    | P       | P     | P   | P   | P   | P    | P    | P     | P   | P   | P   | P    | P | P   | P |   |
| 3  | <del>Agricultural experimentation station. Agricultural experiment station</del>  | P    | P   | P   | P   | P   | P    | P    | P    | P    | P    | P   | P   | P   | P      | P      | P     | P     | P    | P       | P     | P   | P   | P   | P    | P    | P     | P   | P   | P   | P    | P | P   | P |   |
| 4  | <del>Agricultural laboratory. Laboratory facility for agricultural products and soils testing.</del>  | C    | C   | C   | C   | C   | C    | C    | C    | C    | C    | C   | C   | C   | C      | C      | C     | C     | C    | C       | C     | C   | C   | C   | C    | C    | C     | C   | C   | C   | C    | C | C   | C |   |
| 5  | <del>Agri-tourism. agri-tourism, subject to the requirements of Section 108-21 of this Land Use Code.</del>   | C    | C   | C   | C   | C   | C    | C    | C    | C    | C    | C   | C   | C   | C      | C      | C     | C     | C    | C       | C     | C   | C   | C   | C    | C    | C     | C   | C   | C   | C    | C | C   | C |   |
| 6  | <del>Animal husbandry. aquaculture. Aquacultural uses, not open to the public, subject to the requirements of Section 108-7-8 of this Land Use Code.</del>  | P    | P   | P   | P   | P   | P    | P    | P    | P    | P    | P   | P   | P   | P      | P      | P     | P     | P    | P       | P     | P   | P   | P   | P    | P    | P     | P   | P   | P   | P    | P | P   | P |   |
| 7  | <del>Animal husbandry. aviary or aviary. Aviary or aviary, not open to the public, subject to the requirements of Section 108-7-8 of this Land Use Code.</del>  | P    | P   | P   | P   | P   | P    | P    | P    | P    | P    | P   | P   | P   | P      | P      | P     | P     | P    | P       | P     | P   | P   | P   | P    | P    | P     | P   | P   | P   | P    | P | P   | P |   |
| 8  | <del>Animal husbandry. dairy farm, subject to the requirements of Section 108-7-8 of this Land Use Code.</del>  | P    | P   | P   | P   | P   | P    | P    | P    | P    | P    | P   | P   | P   | P      | P      | P     | P     | P    | P       | P     | P   | P   | P   | P    | P    | P     | P   | P   | P   | P    | P | P   | P |   |
| 9  | <del>Animal husbandry. family food production. Animal husbandry for on-site family food production as an accessory use to a single family dwelling, and subject to the requirements of Section 108-7-8 of this Land Use Code.</del>   | P    | P   | P   | P   | P   | P    | P    | P    | P    | P    | P   | P   | P   | P      | P      | P     | P     | P    | P       | P     | P   | P   | P   | P    | P    | P     | P   | P   | P   | P    | P | P   | P |   |
| 10 | <del>Animal husbandry. fur farm, general. General fur farm, subject to the requirements of Section 108-7-8 of this Land Use Code.</del>   | N    | N   | N   | N   | N   | N    | N    | N    | N    | N    | N   | N   | N   | N      | N      | N     | N     | N    | N       | N     | N   | N   | N   | N    | N    | N     | N   | N   | N   | N    | N | N   | N |   |
| 11 | <del>Animal husbandry. fur farm, chinchilla. Chinchilla fur farm, subject to the requirements of Section 108-7-8 of this Land Use Code.</del>   | P    | P   | P   | P   | P   | P    | P    | P    | P    | P    | P   | P   | P   | P      | P      | P     | P     | P    | P       | P     | P   | P   | P   | P    | P    | P     | P   | P   | P   | P    | P | P   | P |   |
| 12 | <del>Animal husbandry. large swine farm, large. Large swine farm, subject to the requirements of Section 108-7-8 of this Land Use Code.</del>   | N    | N   | N   | N   | N   | N    | N    | N    | N    | N    | N   | N   | N   | N      | N      | N     | N     | N    | N       | N     | N   | N   | N   | N    | N    | N     | N   | N   | N   | N    | N | N   | N |   |
| 13 | <del>Animal husbandry. small swine farm, small. Small swine farm, subject to the requirements of Section 108-7-8 of this Land Use Code.</del>   | P    | P   | P   | P   | P   | P    | P    | P    | P    | P    | P   | P   | P   | P      | P      | P     | P     | P    | P       | P     | P   | P   | P   | P    | P    | P     | P   | P   | P   | P    | P | P   | P |   |
| 14 | <del>Animal husbandry. large-animal farm. The raising and grazing of any "large-animal farm" animal husbandry unit, except where otherwise more specifically regulated by this Land Use Code, and subject to the requirements of Section 108-7-8 of this Land Use Code. When conducted in the RE-15, RE-20, AV-3, A-1, and A-3 zones, a five acre minimum lot area is required.</del> | P    | P   | P   | P   | P   | P    | P    | P    | P    | P    | P   | P   | P   | P      | P      | P     | P     | P    | P       | P     | P   | P   | P   | P    | P    | P     | P   | P   | P   | P    | P | P   | P | P |
| 15 | <del>Animal husbandry. large-animal farm. The raising and grazing of any "large-animal farm" animal husbandry unit, except where otherwise more specifically regulated by this Land Use Code, and subject to the requirements of Section 108-7-8 of this Land Use Code. When conducted in the RE-15, RE-20, AV-3, A-1, and A-3 zones, a five acre minimum lot area is required.</del> | P    | P   | P   | P   | P   | P    | P    | P    | P    | P    | P   | P   | P   | P      | P      | P     | P     | P    | P       | P     | P   | P   | P   | P    | P    | P     | P   | P   | P   | P    | P | P   | P | P |
| 16 | <del>Animal husbandry. large-animal farm. The raising and grazing of any "large-animal farm" animal husbandry unit, except where otherwise more specifically regulated by this Land Use Code, and subject to the requirements of Section 108-7-8 of this Land Use Code. When conducted in the RE-15, RE-20, AV-3, A-1, and A-3 zones, a five acre minimum lot area is required.</del> |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |
| 17 | <del>Animal husbandry. livestock feed yard or livestock sales yard. Livestock feed yard or livestock sales yard, subject to the requirements of Section 108-7-8 of this Land Use Code.</del>  | N    | N   | N   | N   | N   | N    | N    | N    | N    | N    | N   | N   | N   | N      | N      | N     | N     | N    | N       | N     | N   | N   | N   | N    | N    | N     | N   | N   | N   | N    | N | N   | N | N |
| 18 | <del>Animal husbandry. keeping of horses. The keeping of horses for private use only, subject to the requirements of 108-7-8. In the O-1 zone a five acre minimum devoted pasture size is required.</del>   | P    | P   | P   | P   | P   | P    | P    | P    | P    | P    | P   | P   | P   | P      | P      | P     | P     | P    | P       | P     | P   | P   | P   | P    | P    | P     | P   | P   | P   | P    | P | P   | P | P |
| 19 | <del>Animal husbandry. small-animal farm. Farms devoted to the production and raising of "small animal farm" animal husbandry units, subject to the requirements of Section 108-7-8 of this Land Use Code. Five acre minimum lot area is required.</del>  | P    | P   | P   | P   | P   | P    | P    | P    | P    | P    | P   | P   | P   | P      | P      | P     | P     | P    | P       | P     | P   | P   | P   | P    | P    | P     | P   | P   | P   | P    | P | P   | P | P |
| 20 | <del>Delete this use and merge with "animal husbandry: small scale slaughtering" below</del>  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |



Land Use Table

4/29/2015 8:48 AM  
Exhibit B: Proposed Land Use Table, Clean Copy

|    |   | AV-3 | A-1 | A-2 | A-3 | F-5 | F-10 | FV-3 | FR-1 | FR-3 | S-1 | R-2 | R-3 | R-1-12 | R-1-10 | RE-15 | RE-20 | RMHP | RMH-1-6 | DRR-1 | C-1 | C-2 | C-3 | CV-1 | CV-2 | CVR-1 | M-1 | M-2 | M-3 | MV-1 | G | O-1 |   |   |   |
|----|---|------|-----|-----|-----|-----|------|------|------|------|-----|-----|-----|--------|--------|-------|-------|------|---------|-------|-----|-----|-----|------|------|-------|-----|-----|-----|------|---|-----|---|---|---|
| 1  | <b>Proposed Changes:</b><br><b>Blue Underline = Proposed Code to be Added</b><br><b>Red Strikethrough = Existing Code to be Deleted</b>   |      |     |     |     |     |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |   |
| 21 | <i>Animal husbandry, small scale slaughter, dressing, and marketing of "small-animal farm" animal husbandry units, as an accessory use to a "small-animal farm," and subject to the requirements of Section 108-7-8 of this Land Use Code.</i>  | C    | C   | C   | N   | N   | N    | N    | N    | N    | N   | N   | N   | N      | N      | N     | N     | N    | N       | N     | N   | N   | N   | N    | N    | N     | N   | N   | N   | N    | N | N   | N |   |   |
| 22 | <i>Animal slaughter. See "slaughterhouse" in commercial use section of this table.</i>  |      |     |     |     |     |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |   |
| 23 | <i>Botanical or zoological garden. A botanical or zoological garden, subject to applicable requirements of Section 108-7-8 of this Land Use Code if any animals are onsite.</i>   | N    | N   | N   | N   | N   | N    | N    | N    | N    | N   | N   | N   | N      | N      | N     | N     | N    | N       | N     | N   | N   | N   | N    | N    | N     | N   | N   | N   | N    | N | N   | N | P |   |
| 24 | <i>Grain storage elevator. A grain storage elevator, for storing and conditioning large amounts of grain. Five acre minimum lot area is required.</i>   | N    | N   | N   | N   | N   | N    | N    | N    | N    | N   | N   | N   | N      | N      | N     | N     | N    | N       | N     | N   | N   | N   | N    | N    | N     | N   | N   | N   | N    | N | N   | N | N |   |
| 25 | <i>Greenhouse, agricultural. A greenhouse or nursery, accessory to an agricultural use, limited to the sale of product produced on the premises. No retail shop.</i>  | P    | P   | P   | P   | N   | N    | N    | N    | N    | N   | N   | N   | N      | N      | N     | N     | N    | N       | N     | N   | N   | N   | N    | N    | N     | N   | N   | N   | N    | N | N   | N | N |   |
| 26 | <i>Greenhouse, noncommercial. A noncommercial greenhouse, intended for the private use of participating persons who reside in the vicinity.</i>   | N    | N   | N   | N   | N   | N    | N    | N    | N    | N   | N   | N   | N      | N      | N     | N     | N    | N       | N     | N   | N   | N   | N    | N    | N     | N   | N   | N   | N    | N | N   | N | N | N |
| 27 | <i>Greenhouse, commercial. See "greenhouse, commercial" in commercial use section of this land use table.</i>   |      |     |     |     |     |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |   |
| 28 | <i>Horse and equestrian training and facilities, private. Horse and equestrian training facility, subject to the requirements of Section 108-7-8 of this Land Use Code. Five acre minimum lot area is required.</i>   | C    | C   | C   | N   | N   | N    | N    | N    | N    | N   | N   | N   | N      | N      | N     | N     | N    | N       | N     | N   | N   | N   | N    | N    | N     | N   | N   | N   | N    | N | N   | N | N | N |
| 29 | <i>Horse and equestrian training and facilities, public. See "Horse and equestrian training facilities and horse stables, public," in the commercial use section of this table.</i>   |      |     | R   | R   |     |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |   |
| 30 | <i>Produce stand, agricultural. A produce stand intended for the sales of agricultural products. In the AV-3, A-1, A-2, and A-3 zones it is limited to product produced on the premises only.</i>   | P    | P   | P   | P   | N   | N    | N    | N    | N    | N   | N   | N   | N      | N      | N     | N     | N    | N       | N     | N   | N   | N   | N    | N    | N     | N   | N   | N   | N    | N | N   | N | N | N |
| 31 | <i>Produce storage and packing facility, agricultural. A facility for the storage and packing of agricultural product produced onsite, as an accessory use to an agricultural operation. Five acre minimum lot area is required.</i>  | P    | P   | N   | N   | N   | N    | N    | N    | N    | N   | N   | N   | N      | N      | N     | N     | N    | N       | N     | N   | N   | N   | N    | N    | N     | N   | N   | N   | N    | N | N   | N | N | N |
| 32 | <b>Delete this use and merge with soil composting below!</b>  |      |     |     | C   |     |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |   |
| 33 | <i>Stable, corral, or enclosure for the keeping of animals husbandry units. Stable, corral, or building for the keeping of the specific animals or fowl identified by this Land Use Code as an animal husbandry use. This shall include stable, corral, barn, building, coop, pen, or any other enclosure for the housing or keeping of animals or fowl, and shall comply with Section 108-7-8 of this Land Use Code. This use shall be accessory to an allowed animal husbandry use.</i> | P    | P   | P   | P   | N   | N    | N    | N    | N    | N   | N   | N   | N      | N      | P     | P     | N    | N       | N     | N   | N   | N   | N    | N    | N     | N   | N   | N   | N    | N | N   | N | N | N |
| 34 | <i>Stable, private horse. Private horse stable, accessory to both the "keeping of horses" and a "single family dwelling" or other main building, for the purposes defined in Section 101-1-7 and in compliance with Section 108-7-8 of this Land Use Code.</i>  | P    | P   | P   | P   | P   | P    | P    | P    | P    | N   | N   | N   | N      | N      | P     | P     | N    | N       | N     | N   | N   | N   | N    | N    | N     | N   | N   | N   | N    | N | N   | N | N | P |
| 35 | <i>Stable, public. See "Horse and equestrian training facilities and horse stables, public," in the commercial use section of this table.</i>   |      |     | R   | R   |     |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |   |
| 36 | <i>Soil composting. Soil composting and manufacturing, including manure spreading and drying, for the purpose of commercial sales. 10 acre minimum lot area required.</i>   | N    | N   | C   | C   | N   | N    | N    | N    | N    | N   | N   | N   | N      | N      | N     | N     | N    | N       | N     | N   | N   | N   | N    | N    | N     | N   | N   | N   | N    | N | N   | N | N | N |
| 37 | <i>Sugar beet station. Sugar beet loading or collection station, and in the A-2 and A-3 zones, sugar beet dumpsters.</i>  | C    | P   | P   | P   | N   | N    | N    | N    | N    | N   | N   | N   | N      | N      | N     | N     | N    | N       | N     | N   | N   | N   | N    | N    | N     | N   | N   | N   | N    | N | N   | N | N | N |
| 38 | <b>Commercial and Industrial</b>  |      |     |     |     |     |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |   |
| 39 | <i>Academies/studios for dance, art, sports, etc.</i>   |      |     |     |     |     |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |   |
| 40 | <i>Agricultural implement repair.</i>   |      |     |     |     |     |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   | P |







Land Use Table

4/29/2015 8:48 AM  
Exhibit B: Proposed Land Use Table, Green Copy

| Proposed Changes:  |  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |  |
|--|--|------|-----|-----|-----|-----|------|------|------|------|------|-----|-----|-----|--------|--------|-------|-------|------|---------|-------|-----|-----|-----|------|------|-------|-----|-----|-----|------|---|-----|---|---|--|
| Blue Underline = Proposed Code to be Added   |  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |  |
| Red Strikethrough = Existing Code to be Deleted  |  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |  |
| 1  |  | AV-3 | A-1 | A-2 | A-3 | F-5 | F-10 | F-40 | FV-3 | FR-1 | FR-3 | S-1 | R-2 | R-3 | R-1-12 | R-1-10 | RE-15 | RE-20 | RMHP | RMH-1-6 | DRR-1 | C-1 | C-2 | C-3 | CV-1 | CV-2 | CVR-1 | M-1 | M-2 | M-3 | MV-1 | G | O-1 |   |   |  |
| 155  | Five and ten cent store  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       | P   |     |     |      |      |       |     |     |     |      |   |     |   |   |  |
| 156  | Forge plant or foundry   |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |  |
| 157  | Foundry, casting light weight, non-ferrous metal without causing noxious odors or fumes  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |  |
| 158  | Flooring sales and services, carpet, rug and linoleum  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |  |
| 159  | Florist shop.  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |  |
| 160  | Freighting, [Draving M-1], or trucking yard or terminal.   |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |  |
| 161  | Frozen food lockers, incidental to a grocery store or food business  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |  |
| 162  | Fruit or vegetable store   |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |  |
| 163  | Fueling station/gas station  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |  |
| 164  | Fur apparel sales, storage or repair   |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |  |
| 165  | Furniture sales and repair   |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |  |
| 166  | Garden supplies and plant materials sales  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |  |
| 167  | Gift store [C-X, CV-X], Gift shop, boutique [CVR-1].   |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |  |
| 168  | Glass sales and service  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |  |
| 169  | Glass manufacturing  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |  |
| 170  | Go cart racing or drag strip racing.   |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |  |
| 171  | <u>Greenhouse, commercial. A greenhouse or nursery intended for retail or wholesale sales. In the AV-3, A-1, A-2 zones the greenhouse and nursery shall be limited to the sale of plants, landscaping materials, fertilizer, pesticide and insecticide products, tools for garden and lawn care and the growing and sale of sod.</u> | C    | C   | C   | N   | N   | N    | N    | N    | N    | N    | N   | N   | N   | N      | N      | N     | N     | N    | N       | N     | N   | N   | N   | N    | N    | N     | N   | N   | N   | N    | N | N   | N | N |  |
| 172  | Grocer, neighborhood market [DRR-1], small grocery store [CVR-1]   |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       | P   |     |     |      |      |       |     |     |     |      |   |     |   |   |  |
| 173  | Grocery store or supermarket   |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     | P   | P   | P    | P    | P     | P   | P   | P   | P    | P | P   | P | P |  |
| 174  | Gunsmith   |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |  |
| 175  | Gun club<br>*In the A-3 zone: five acre minimum lot area.  |      |     |     | C   | C   |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       | C   |     |     |      |      |       |     |     |     |      |   |     |   |   |  |
| 176  | Gymnasium  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |  |
| 177  | Hardware stores  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |  |
| 178  | Health club  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |  |
| 179  | Health food store  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |  |
| Helpport, subject to the following standards:  |  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |  |
| *In the F-40 and DRR-1 zones: A helpport must be located at and elevation of at least 6,200 feet above sea level. A helpport must be located at least 200 feet from any [property line in the F-40 zone, or resort boundary in the DRR-1 zone]. The planning commission may grant exceptions to the setback requirement if it can be demonstrated that locating the helpport closer than 200 feet to the [property line F-40 zone, or resort boundary in DRR-1 zone] provides a more beneficial situation for purposes of safety, noise abatement, access, or other valid reasons as determined by the planning commission. The helpport landing surface must be dust-proof and free from obstructions. Prior to issuance of a conditional use permit for a helpport, written approval from the Federal Aviation Administration (FAA) is required, if necessary. |  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |  |
| *In the F-40 zone: a. A helpport must be located on a single parcel of record which is not less than 40 acres in area.   |  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |  |
| 180  |  |      |     |     |     |     |      | C    |      |      |      |     |     |     |        |        |       |       |      |         |       |     | C   | N   | C    | C    |       |     |     |     |      |   |     |   |   |  |



Land Use Table

4/29/2015 8:48 AM  
Exhibit B Proposed Land Use Table, Clean Copy

|     |   | AV-3 | A-1 | A-2 | A-3 | F-5 | F-10 | F-40 | FV-3 | FR-1 | FR-3 | S-1 | R-2 | R-3 | R-1-12 | R-1-10 | RE-15 | RE-20 | RMHP | RMH-1-6 | DRR-1 | C-1 | C-2 | C-3 | CV-1 | CV-2 | CVR-1 | M-1 | M-2 | M-3 | MV-1 | G | O-1 |   |  |
|-----|---|------|-----|-----|-----|-----|------|------|------|------|------|-----|-----|-----|--------|--------|-------|-------|------|---------|-------|-----|-----|-----|------|------|-------|-----|-----|-----|------|---|-----|---|--|
| 1   | <b>Proposed Changes:</b><br><u>Blue Underline = Proposed Code to be Added</u><br><u>Red Strikethrough = Existing Code to be Deleted</u>   |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |  |
| 181 | Hobby and crafts store  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |  |
| 182 | Honey extraction.<br><u>Horse or equestrian event center. A horse or equestrian event center, including indoor concessions as an accessory use. Subject to the applicable animal husbandry requirements of Section 108-7-8 of this Land Use Code.</u>   |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |  |
| 183 | <u>Horse and equestrian training facility or horse stable, public. A public equestrian training facility or public horse stable. This use is subject to the applicable animal husbandry requirements of Section 108-7-8 of this Land Use Code. A 10 acre minimum lot area is required in the AV-3 and A-1 zones. A five acre minimum lot area is required in the A-2 and A-3 zones.</u> | N    | N   | C   | C   | N   | N    | N    | N    | N    | N    | N   | N   | N   | N      | N      | N     | N     | N    | N       | N     | N   | N   | N   | N    | N    | N     | N   | N   | N   | N    | N | N   | N |  |
| 184 | Horse feedstore and haystack yard.  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |  |
| 185 | Hospital supplies   |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |  |
| 186 | House cleaning and repair   |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |  |
| 187 | House equipment display   |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |  |
| 188 | Household appliance sales and incidental service  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |  |
| 189 | Ice cream manufacture   |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |  |
| 190 | Ice cream parlor  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |  |
| 191 | Ice manufacture and storage   |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |  |
| 192 | Ice store or vending station  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |  |
| 193 | Inchenerator, nonaccessory, provided that no objectionable fumes and odors are emitted.   |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |  |
| 194 | Insurance agency  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |  |
| 195 | Interior decorator and designing establishment  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |  |
| 196 | Janitor service and supply  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |  |
| 197 | Jewelry store sales and service   |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |  |
| 198 | Junk or salvage yard, provided the use is enclosed with a seven foot high solid fence or wall.<br><u>*Provided it is located at least 600 feet from any zone boundary.</u>  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |  |
| 199 | Knitting mills  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |  |
| 200 | Laboratory  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |  |
| 201 | Laboratory, dental or medical   |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |  |
| 202 | Laundromat  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |  |
| 203 | Laundry or dry cleaning establishment   |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |  |
| 204 | Lawn mower sales and service  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |  |
| 205 | Leather goods, sales and service  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |  |
| 206 | Legal office  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |  |
| 207 | Linen store   |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |  |
| 208 | Linen supply service  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |  |
| 209 | Liquor store.   |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |  |
| 210 | Locksmith   |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |  |
| 211 | Lodge or social hall  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |  |
| 212 | Lounge  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |  |
| 213 | Luggage store   |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |  |
| 214 | Lumber yard   |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |  |
| 215 |   |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |  |
| 216 |   |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |  |



|     |   | Proposed Changes:                          |     |     |     |     |      |      |      |      |     |   |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |  |
|-----|---|--|-----|-----|-----|-----|------|------|------|------|-----|---|-----|--------|--------|-------|-------|------|---------|-------|-----|-----|-----|------|------|-------|-----|-----|-----|------|---|-----|--|
|     |   | Blue Underline = Proposed Code to be Added |     |     |     |     |      |      |      |      |     | Red-Strikethrough = Existing Code to be Deleted |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |  |
| 1   |   | AV-3                                       | A-1 | A-2 | A-3 | F-5 | F-10 | FV-3 | FR-1 | FR-3 | S-1 | R-2   | R-3 | R-1-12 | R-1-10 | RE-15 | RE-20 | RMHP | RMH-1-6 | DRR-1 | C-1 | C-2 | C-3 | CV-1 | CV-2 | CVR-1 | M-1 | M-2 | M-3 | MV-1 | G | O-1 |  |
| 268 | Pawmshop  |  |     |     |     |     |      |      |      |      |     |   |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |  |
| 269 | Penny arcade  |  |     |     |     |     |      |      |      |      |     |   |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |  |
| 270 | Pest control and extermination  |  |     |     |     |     |      |      |      |      |     |   |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |  |
| 271 | Pet, pet grooming, and pet supply store.  |  |     |     |     |     |      |      |      |      |     |   |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |  |
| 272 | Petroleum refining and storage.   |  |     |     |     |     |      |      |      |      |     |   |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |  |
| 273 | Petting zoo where accessed by a collector road as shown on the county road plan.  | C  |     |     |     |     |      |      |      |      |     |   |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |  |
| 274 | Pharmacy  |  |     |     |     |     |      |      |      |      |     |   |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |  |
| 275 | Photographic supplies   |  |     |     |     |     |      |      |      |      |     |   |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |  |
| 276 | Photo studio  |  |     |     |     |     |      |      |      |      |     |   |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |  |
| 277 | Physician or surgeon  |  |     |     |     |     |      |      |      |      |     |   |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |  |
| 278 | Pie manufacture   |  |     |     |     |     |      |      |      |      |     |   |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |  |
| 279 | Planing mill.   |  |     |     |     |     |      |      |      |      |     |   |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |  |
| 280 | Plumbing shop   |  |     |     |     |     |      |      |      |      |     |   |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |  |
| 281 | Pony ring, without stables  | N  | N   | N   | N   | N   | N    | N    | N    | N    | N   | N   | N   | N      | N      | N     | N     | N    | N       | N     | N   | N   | N   | N    | N    | N     | N   | N   | N   | N    | N | N   |  |
| 282 | Popcorn or nut shop   |  |     |     |     |     |      |      |      |      |     |   |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |  |
| 283 | Post office   |  |     |     |     |     |      |      |      |      |     |   |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |  |
| 284 | Pottery, sales and manufacture of crafts and tile   |  |     |     |     |     |      |      |      |      |     |   |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |  |
| 285 | Printing, lithographing, publishing or reproductions sales and services [C-X], Printing, copy sales and services [C-V-X], Lithographing, including engraving and photo engraving [M-X and MV-X]   |  |     |     |     |     |      |      |      |      |     |   |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |  |
| 286 | Private club, private liquor club   |  |     |     |     |     |      |      |      |      |     |   |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |  |
| 287 | Produce stand, commercial. A commercial produce stand intended for the sales of agricultural products.  | N  | N   | N   | N   | N   | N    | N    | N    | N    | N   | N   | N   | N      | N      | N     | N     | N    | N       | N     | N   | N   | N   | N    | N    | N     | N   | N   | N   | N    | N | N   |  |
| 288 | Professional office   |  |     |     |     |     |      |      |      |      |     |   |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |  |
| 289 | Radio and television sales and service  |  |     |     |     |     |      |      |      |      |     |   |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |  |
| 290 | Railroad yards, shop and/or roundhouse.   |  |     |     |     |     |      |      |      |      |     |   |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |  |
| 291 | Real estate office.   |  |     |     |     |     |      |      |      |      |     |   |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |  |
| 292 | Reception center or wedding chapel  |  |     |     |     |     |      |      |      |      |     |   |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |  |
| 293 | Rental, equipment [C-V-X]. Rental agency for home and garden equipment [C-X and MV-X].  |  |     |     |     |     |      |      |      |      |     |   |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |  |
| 294 | Residential property rental and management agency for recreation resort complexes.  |  |     |     |     |     |      |      |      |      |     |   |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |  |
| 295 | Restaurant, no drive-thru. Restaurants, excluding those with drive-up windows.  |  |     |     |     |     |      |      |      |      |     |   |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |  |
| 296 | Restaurant, fast food, fast food restaurant, excluding those with drive-up windows.   |  |     |     |     |     |      |      |      |      |     |   |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |  |
| 297 | Restaurant, drive-in. Drive-in restaurant.  |  |     |     |     |     |      |      |      |      |     |   |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |  |
| 298 | Restaurant, drive-thru. Restaurant, including those with drive-up windows.  |  |     |     |     |     |      |      |      |      |     |   |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |  |
| 299 | Retail sales, accessory. Retail sale 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 sale 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 provided however, no retail sale of products may be made in conjunction with a warehousing or wholesale business. |  |     |     |     |     |      |      |      |      |     |   |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |  |



Land Use Table

4/29/2015 8:48 AM  
Exhibit B: Proposed Land Use Table, Clean Copy

| Proposed Changes:                                     |  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |   |  |
|---|--|------|-----|-----|-----|-----|------|------|------|------|------|-----|-----|-----|--------|--------|-------|-------|------|---------|-------|-----|-----|-----|------|------|-------|-----|-----|-----|------|---|-----|---|---|---|--|
| Blue Underline = Proposed Code to be Added            |  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |   |  |
| Red Strikethrough = Existing Code to be Deleted       |  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |   |  |
| Public. *In the commercial use section of this table. |  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |   |  |
| 1   |  | AV-3 | A-1 | A-2 | A-3 | F-5 | F-10 | F-40 | FV-3 | FR-1 | FR-3 | S-1 | R-2 | R-3 | R-1-12 | R-1-10 | RE-15 | RE-20 | RMHP | RMH-1-6 | DRR-1 | C-1 | C-2 | C-3 | CV-1 | CV-2 | CVR-1 | M-1 | M-2 | M-3 | MV-1 | G | O-1 |   |   |   |  |
| 300   | Riding academy. See "Horse and equestrian training facilities and horse stables, public." in the commercial use section of this table.   |      |     |     | P   |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |   |  |
| 301   | Rock crusher.  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |   |  |
| 302   | Rodeo Grounds  |      |     | C   |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |   |  |
| 303   | Roller skating rink  |      |     |     | C   |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |   |  |
| 304   | Rubber welding.  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |   |  |
| 305   | Skeet Shooting Range<br>*In the A-3 zone: five acre minimum lot area.<br>*In the F-5 and F-10 zones: Skeet and trap shooting ranges are only allowed as an accessory use to public or private camps. |      |     |     |     | C   | C    | C    | C    |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |   |  |
| 306   | Small-batch artisan food processing limited to food for human consumption, e.g., baked goods, confectioneries, and craft cheese.   |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |   |  |
| 307   | Small brewery.   |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |   |  |
| 308   | Smelting or refining of materials.   |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |   |  |
| 309   | *In the M-2 zone: shall be located at least 600 feet from any zone boundary  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |   |  |
| 310   | Roofing sales or shop  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |   |  |
| 311   | Sand blasting.   |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |   |  |
| 312   | Second-hand store  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |   |  |
| 313   | Seed and feed store, retail  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |   |  |
| 314   | Service station.   |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |   |  |
| 315   | Self storage, indoor units for personal and household items  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |   |  |
| 316   | Service station, automobile, excluding painting, body work, and upholstery work  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |   |  |
| 317   | Sewing machine sale and service  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |   |  |
| 318   | Sheet metal shop and retinning, provided all operations are conducted within completely enclosed bldg.   |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |   |  |
| 319   | Shoe repair or shoe shine shop   |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |   |  |
| 320   | Shoe store   |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |   |  |
| 321   | Shooting gallery   |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |   |  |
| 322   | Sign manufacture or sign painting  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |   |  |
| 323   | Ski equipment, snowmobile, boat and bicycle rentals.   |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |   |  |
| 324   | Slaughterhouse   |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |   |  |
| 325   | *In the M-2 zone: shall be located at least 600 feet from any zone boundary  | N    | N   | N   | C   | N   | N    | N    | N    | N    | N    | N   | N   | N   | N      | N      | N     | N     | N    | N       | N     | N   | N   | N   | N    | N    | N     | N   | N   | N   | N    | N | N   | N | N |   |  |
| 326   | Snow plow and removal service  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |   |  |
| 327   | Snowmobile, ATV sales and repair   |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |   |  |
| 328   | Soil and lawn service  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |   |  |
| 329   | Spa  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |   |  |
| 330   | Space craft and space craft parts.   |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |   |  |
| 331   | Sporting goods store.  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |   |  |
| 332   | *In the DRR-1 zone: Use allows for rental  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |   |  |
| 333   | Sports clothing store.   |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |   |  |
| 334   | Stockyard.   |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |   |  |
| 335   | *In the M-2 zone: shall be located at least 600 feet from any zone boundary  | N    | N   | N   | C   | N   | N    | N    | N    | N    | N    | N   | N   | N   | N      | N      | N     | N     | N    | N       | N     | N   | N   | N   | N    | N    | N     | N   | N   | N   | N    | N | N   | N | N | N |  |
| 336   | Tailor shop  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |   |  |
| 337   | Tailor shop  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |   |  |
| 338   | Travel agency.   |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |   |  |
| 339   | Tavern, beer pub.  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |   |  |
| 340   | Taxicab stand  |      |     |     |     |     |      |      |      |      |      |     |     |     |        |        |       |       |      |         |       |     |     |     |      |      |       |     |     |     |      |   |     |   |   |   |  |



Exhibit C: Proposed Code Change (Agricultural Uses), with Track Changes

2 Title 101 GENERAL PROVISIONS

3 ...

4 Sec. 101-1-7. Definitions.

5 ...

6 Agricultural experimentation station. The term "agricultural experimentation station"  
7 means a scientific research center operated under the stewardship of an academic institution in  
8 which scientific investigations are conducted for the advancement of agricultural productivity and  
9 environmental quality.

10 Agriculture. The term "agriculture" means use of land for primarily farming and related  
11 purposes such as pastures, farms, dairies, horticulture, aquaculture, animal husbandry, and crop  
12 production, but not the keeping or raising of domestic pets, nor any agricultural industry [c1] or  
13 business such as fruit packing plants, fur farms, animal hospitals or similar uses.

14 ...

15 Animal husbandry[c2]. The term "animal husbandry" means a branch of agriculture for the  
16 raising, nurturing, management, breeding and production of domesticated farm animals, not  
17 including household pets as defined by this section. Animals are bred and raised for utility (e.g.,  
18 food, fur), sport, pleasure, and research.

19 Animal husbandry unit[c3]. The term "animal husbandry unit" is a domesticated farm  
20 animal unit. For the purposes of calculating an animal husbandry unit, see Section 108-7-8(a).

21 ...

22 Dairy. The term "dairy" means an ~~commercial~~ establishment for the commercial  
23 manufacturing, ~~or~~ processing, storage, or distribution of dairy products.

24 Dairy farm. The term "dairy farm" means an agricultural operation which produces milk.

25 ...

26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50  
51  
52  
53  
54  
55  
56  
57  
58  
59  
60

~~Family food production~~<sup>[c4]</sup>. The term "family food production" means the use of animal husbandry, as defined by this section, for the sole benefit of the land owner, and not for commercial purposes. ~~[c5]keeping of not more than the following number of animals and fowl:~~

(1)

Group A.

a.

~~2 pigs.~~

b.

~~2 sheep.~~

c.

~~2 cows.~~

d.

~~2 goats.~~

(2)

Group B.

a.

~~20 rabbits.~~

b.

~~20 chickens.~~

c.

~~20 pheasants.~~

d.

~~10 turkeys.~~

e.

~~10 ducks.~~

f.

~~10 geese.~~

g.

~~20 pigeons.~~

~~Provided however, that only two kinds of group B animals and fowl may be kept on parcels of less than 40,000 square feet and not more than three kinds of group A and B animals or fowl at any one time on parcels of less than two acres. An additional number of animals and fowl as listed above may be kept for each one acre in the parcel over and above the first 40,000 square feet up to a maximum of five times the number.~~

...



61 CHAPTER 7. - SUPPLEMENTARY AND QUALIFYING REGULATIONS

- 62 Sec. 108-7-1. Purpose and intent.
- 63 Sec. 108-7-2. Projections permitted into required yard setbacks.
- 64 Sec. 108-7-3. Fencing requirements.
- 65 Sec. 108-7-4. Area of accessory building.
- 66 Sec. 108-7-5. Exceptions to height limitations.
- 67 Sec. 108-7-6. Minimum height of dwelling.
- 68 Sec. 108-7-7. Clear view of intersecting streets.
- 69 Sec. 108-7-8. Animal husbandry ~~Setbacks for animals and fowl.~~<sup>[c6]</sup>
- 70 Sec. 108-7-9. Water and sewage requirements.
- 71 Sec. 108-7-10. Required building setback from designated collector or arterial streets.
- 72 ...

73 **Sec. 108-7-8. - Animal husbandry<sup>[c7]</sup> ~~Setbacks for of animals and fowl~~**

74 ~~No animals or fowl shall be kept or maintained closer than 40 feet from any dwelling and not closer than 75 feet from~~  
75 ~~any dwelling on an adjacent lot. Any barn, stable, coop, pen, corral, or enclosure for the housing or keeping of~~  
76 ~~animals or fowl shall be kept, constructed, or maintained not less than 100 feet from a property line adjacent to a~~  
77 ~~street and not less than 25 feet from any lot line.~~<sup>[c8]</sup>

78 The following regulations apply to any use listed in the use table, Section 104-1-5<sup>[c9]</sup>, as or related to an  
79 animal husbandry use. They are not applicable to the keeping of household pets<sup>[c10]</sup>. Terms emphasized  
80 in this section with quotes are uses found in the use table.

- 81 (a) Animal Husbandry Unit. For the purposes of calculating an animal husbandry unit, except where the  
82 provisions of 108-18 apply, the following number of animals constitutes one animal husbandry unit:
  - 83 (1) For a "large-animal farm" animal husbandry unit: one<sup>[c11]</sup> cow, one horse, two swine<sup>[c12]</sup>, two  
84 sheep, two alpaca, two llamas<sup>[c13]</sup>, or two goats constitute one animal husbandry unit.
  - 85 (2) For a "small-animal farm" animal husbandry unit: twenty rabbits, twenty chickens, twenty  
86 pheasants, twenty chickens, twenty pigeons, ten turkeys, ten ducks, ten geese, 40 frogs, or  
87 ten beavers<sup>[c14]</sup>, constitute one animal husbandry unit.
  - 88 (3) For aquaculture and apiary: The number of fish and bees shall not count against an animal  
89 husbandry <sup>[c15]</sup>unit calculation provided compliance with 108-7-8(c)<sup>[c16]</sup> is maintained.
  - 90 (4) For unspecified types of animals: the Zoning Administrator, upon consultation with relevant  
91 experts when necessary, has discretion to determine whether an animal is a large-animal or  
92 small-animal and how many animals constitute one animal unit based on similar typical  
93 characteristics of size, weight, food consumption, and waste production as those animals  
94 listed here.

- 95           (5) Combination of units: Where allowed by the specific animal husbandry use, a combination of  
96           these animals is allowed provided the sum of the different animal husbandry units, fractional  
97           or whole, does not exceed the allowed number of animal units.
- 98 (b) Setbacks for stable, corral, or enclosure for the housing or keeping of animal husbandry units.[c17]  
99           No stable, corral, barn, building, coop, pen, or any other enclosure for the housing or keeping of  
100           animal husbandry units, except for beehives, shall be kept or maintained closer than 40 feet from any  
101           dwelling and not closer than 75 feet from any dwelling on an adjacent lot.[c18].[c19] Any stable,  
102           corral, barn, building, coop, pen, or any other enclosure for the housing or keeping of animal  
103           husbandry units shall be kept, constructed, or maintained not less than 100 feet from a property line  
104           adjacent to a street and not less than 25 feet from any lot line.
- 105 (c) Sanitary keeping of pasture ground, stable, corral, or enclosure for the keeping of animal husbandry  
106           units. Any pasture ground, stable, corral, and other facility for the keeping of animal husbandry units,  
107           fractional or whole, shall be kept in a sanitary manner such that it does not pose a health risk to  
108           persons onsite and follows generally accepted animal husbandry cleanliness[c20] standards.
- 109 (d) Dairy farm. For an animal husbandry use listed as "dairy farm" in Section 104-1-5[c21], at least 50  
110           percent of the milk processed and sold shall be produced on the premises.
- 111 (e) Family food production.[c22] For an animal husbandry use listed as "family food production" in  
112           Section 104-1-5[c23], the following regulations apply:[c24]
- 113           (1) For lots less than 20,000 square feet, no "large-animal farm" animal husbandry unit and a  
114           maximum of one-half of a "small-animal farm" animal husbandry unit shall be  
115           permitted[c25]; and
- 116           (2) For lots between 20,000 square feet and less than 40,000 square feet, no "large-animal  
117           farm" animal husbandry unit and a maximum of two "small-animal farm" animal  
118           husbandry units shall be permitted; and
- 119           (3) For lots between 40,000 square feet and less than two acres, no more than one "large-  
120           animal farm" animal husbandry unit and two "small-animal farm" animal husbandry units,  
121           or some proportionate ratio combination thereof, shall be permitted; and
- 122           (4) One additional animal husbandry unit, in any ratio combination thereof, is permitted for  
123           every acre after two, up to a maximum of five total animal husbandry units for the entire  
124           lot.
- 125 (f) Reserved.[c26]
- 126 (g) Keeping of horses. For an animal husbandry use listed as "keeping of horses" in Section 104-1-  
127           5[c27], the following restrictions apply:
- 128           (1) Where allowed in the F-5, F-10, and F-40 zones, there shall be up to a maximum of one  
129           horse allowed per each 40,000 [c28]square feet of devoted pasture ground.



- 130           (2) Where allowed in the RE-15, RE-20, FV-3, FR-1, O-1, and DRR-1 zones, there may be up to  
131           a maximum of two horses per each 40,000 [c29]square feet of devoted pasture ground.
- 132           (3) Where allowed in the AV-3, A-1, A-2, and A-3 zones, there may be up to a maximum of two  
133           horses per each 20,000 [c30]square feet of devoted pasture ground.
- 134   (h) Large-animal farm. For an animal husbandry use listed as "large-animal farm" in Section 104-1-  
135   5[c31], the following restrictions apply:
- 136           (1) Where allowed in the RE-15 and RE-20 zones, the raising and grazing of any "large-  
137           animal farm" animal husbandry unit shall not be a part, nor conducted in conjunction with  
138           any "livestock feed yard or livestock sales yard," "slaughterhouse," or any animal by-  
139           products business.
- 140           (2) Where allowed in the AV-3, A-1, A-2, and A-3 zones [c32], when the raising and grazing of  
141           any "large-animal farm" animal husbandry unit is carried on with an allowed "stable,  
142           corral, or enclosure for the keeping of animals husbandry units" then the following  
143           restrictions apply to the stable, corral, or enclosure:
- 144                   a. Stabling, corralling or enclosing animal husbandry units to the density specified in  
145                   this subsection (108-7-8(g)(2)) shall only be permitted between September 15  
146                   through April 15, and shall not include the erection of any permanent fences,  
147                   corrals, chutes, structures, or buildings normally associated with a "livestock feed  
148                   yard or livestock sales yard."
- 149                   b. In the AV-3 zone: it shall not exceed a density of 25 head per acre of devoted  
150                   pasture ground, and shall be no closer than 200 feet from any dwelling, or public  
151                   or semi-public building on an adjoining parcel of land.
- 152                   c. In the A-1 zone: it shall not exceed a density of 25 head per acre of devoted  
153                   pasture ground, and shall be no closer than 300 feet from any dwelling, or public  
154                   or semi-public building on an adjoining parcel of land.
- 155                   d. In the A-2 zone: it shall not exceed a density of 40 head per acre of devoted  
156                   pasture ground, and shall be no closer than 200 feet from any dwelling, or public  
157                   or semi-public building on an adjoining parcel of land.
- 158                   e. In the A-3 zone: it shall not exceed a density of 40 head per acre of devoted  
159                   pasture ground, and shall be no closer than 200 feet from any dwelling, or public  
160                   or semi-public building on an adjoining parcel of land.
- 161           (3) Where allowed in the F-5, F-10, F-40, and S-1 zones the raising and grazing of any  
162           "large-animal farm" animal husbandry unit is limited to one "large-animal farm" animal  
163           husbandry unit per acre of devoted pasture ground.
- 164   (i) Reserved. [c33]

- 165 (j) Swine farms. For an animal husbandry use listed as "swine farm, large" or "swine farm, small" in  
166 Section 104-1-5[c34], the following provisions apply:
- 167 (1) Large swine farm: No person shall feed any swine any market refuse, home refuse,  
168 garbage or offal other than that produced on the premises. All pens and housing for  
169 swine shall be concrete and maintained in a sanitary manner, and drainage structures  
170 and disposal of animal waste shall be provided and properly maintained.
- 171 (2) Small swine farm: no more than ten swine, more than 16 weeks old, are permitted. No  
172 person shall feed any swine any market refuse, home refuse, garbage or offal other than  
173 that produced on the premises.
- 174 (k) Small-animal farm. For an animal husbandry use listed as "small-animal farm" in Section 104-1-  
175 5[c35], the following restrictions apply: [ANY][c36] STANDARDS ?][c37]
- 176 ...
- 177 |
- 178
- 179
- 180
- 181



## Exhibit D: Proposed Code Change (Agricultural Uses), Clean Copy

1 ...

### 2 Title 101 GENERAL PROVISIONS

---

3 ...

#### 4 Sec. 101-1-7. Definitions.

5 ...

6 *Agricultural experimentation station.* The term "agricultural experimentation station"  
7 means a scientific research center operated under the stewardship of an academic institution in  
8 which scientific investigations are conducted for the advancement of agricultural productivity and  
9 environmental quality.

10 *Agriculture.* The term "agriculture" means use of land for primarily farming and related  
11 purposes such as pastures, farms, dairies, horticulture, aquaculture, animal husbandry, and crop  
12 production, but not the keeping or raising of domestic pets, nor any agricultural industry or  
13 business such as fruit packing plants, fur farms, animal hospitals or similar uses.

14 ...

15 *Animal husbandry.* The term "animal husbandry" means a branch of agriculture for the  
16 raising, nurturing, management, breeding and production of domesticated farm animals, not  
17 including household pets as defined by this section. Animals are bred and raised for utility (e.g.,  
18 food, fur), sport, pleasure, and research.

19 *Animal husbandry unit.* The term "animal husbandry unit" is a domesticated farm animal  
20 unit. For the purposes of calculating an animal husbandry unit, see Section 108-7-8(a).

21 ...

22 *Dairy.* The term "dairy" means an establishment for the commercial manufacturing,  
23 processing, storage, or distribution of dairy products.

24 *Dairy farm.* The term "dairy farm" means an agricultural operation which produces milk.

25 ...

26           *Family food production.* The term "family food production" means the use of animal husbandry, as  
27           defined by this section, for the sole benefit of the land owner, and not for commercial purposes.  
28           ...

29   **CHAPTER 7. - SUPPLEMENTARY AND QUALIFYING REGULATIONS**

---

- 30           Sec. 108-7-1. Purpose and intent.
- 31           Sec. 108-7-2. Projections permitted into required yard setbacks.
- 32           Sec. 108-7-3. Fencing requirements.
- 33           Sec. 108-7-4. Area of accessory building.
- 34           Sec. 108-7-5. Exceptions to height limitations.
- 35           Sec. 108-7-6. Minimum height of dwelling.
- 36           Sec. 108-7-7. Clear view of intersecting streets.
- 37           Sec. 108-7-8. Animal husbandry Sec. 108-7-9. Water and sewage requirements.
- 38           Sec. 108-7-10. Required building setback from designated collector or arterial streets.
- 39           ...

40   **Sec. 108-7-8. - Animal husbandry**

41

42   The following regulations apply to any use listed in the use table, Section 104-1-5, as or related to an  
43   animal husbandry use. They are not applicable to the keeping of household pets. Terms emphasized in  
44   this section with quotes are uses found in the use table.

- 45   (a) Animal Husbandry Unit. For the purposes of calculating an animal husbandry unit, except where the  
46       provisions of 108-18 apply, the following number of animals constitutes one animal husbandry unit:
  - 47           (1) For a "large-animal farm" animal husbandry unit: one cow, one horse, two swine, two sheep,  
48               two alpaca, two llamas, or two goats constitute one animal husbandry unit.
  - 49           (2) For a "small-animal farm" animal husbandry unit: twenty rabbits, twenty chickens, twenty  
50               pheasants, twenty chickens, twenty pigeons, ten turkeys, ten ducks, ten geese, 40 frogs, or  
51               ten beavers, constitute one animal husbandry unit.
  - 52           (3) For aquaculture and apiary: The number of fish and bees shall not count against an **animal**  
53               **husbandry unit calculation provided compliance with 108-7-8(c) is maintained.**
  - 54           (4) For unspecified types of animals: the Zoning Administrator, upon consultation with relevant  
55               experts when necessary, has discretion to determine whether an animal is a large-animal or  
56               small-animal and how many animals constitute one animal unit based on similar typical



- 57 characteristics of size, weight, food consumption, and waste production as those animals  
58 listed here.
- 59 (5) Combination of units: Where allowed by the specific animal husbandry use, a combination of  
60 these animals is allowed provided the sum of the different animal husbandry units, fractional  
61 or whole, does not exceed the allowed number of animal units.
- 62 (b) Setbacks for stable, corral, or enclosure for the housing or keeping of animal husbandry units. No  
63 stable, corral, barn, building, coop, pen, or any other enclosure for the housing or keeping of animal  
64 husbandry units, except for beehives, shall be kept or maintained closer than 40 feet from any  
65 dwelling and not closer than 75 feet from any dwelling on an adjacent lot. Any stable, corral, barn,  
66 building, coop, pen, or any other enclosure for the housing or keeping of animal husbandry units shall  
67 be kept, constructed, or maintained not less than 100 feet from a property line adjacent to a street  
68 and not less than 25 feet from any lot line.
- 69 (c) Sanitary keeping of pasture ground, stable, corral, or enclosure for the keeping of animal husbandry  
70 units. Any pasture ground, stable, corral, and other facility for the keeping of animal husbandry units,  
71 fractional or whole, shall be kept in a sanitary manner such that it does not pose a health risk to  
72 persons onsite and follows generally accepted animal husbandry cleanliness standards.
- 73 (d) Dairy farm. For an animal husbandry use listed as "dairy farm" in Section 104-1-5, at least 50 percent  
74 of the milk processed and sold shall be produced on the premises.
- 75 (e) Family food production. For an animal husbandry use listed as "family food production" in Section  
76 104-1-5, the following regulations apply:
- 77 (1) For lots less than 20,000 square feet, no "large-animal farm" animal husbandry unit and a  
78 maximum of one-half of a "small-animal farm" animal husbandry unit shall be permitted;  
79 and
- 80 (2) For lots between 20,000 square feet and less than 40,000 square feet, no "large-animal  
81 farm" animal husbandry unit and a maximum of two "small-animal farm" animal  
82 husbandry units shall be permitted; and
- 83 (3) For lots between 40,000 square feet and less than two acres, no more than one "large-  
84 animal farm" animal husbandry unit and two "small-animal farm" animal husbandry units,  
85 or some proportionate ratio combination thereof, shall be permitted; and
- 86 (4) One additional animal husbandry unit, in any ratio combination thereof, is permitted for  
87 every acre after two, up to a maximum of five total animal husbandry units for the entire  
88 lot.
- 89 (f) Reserved.
- 90 (g) Keeping of horses. For an animal husbandry use listed as "keeping of horses" in Section 104-1-5, the  
91 following restrictions apply:

- 92 (1) Where allowed in the F-5, F-10, and F-40 zones, there shall be up to a maximum of one  
93 horse allowed per each 40,000 square feet of devoted pasture ground.
- 94 (2) Where allowed in the RE-15, RE-20, FV-3, FR-1, O-1, and DRR-1 zones, there may be up to  
95 a maximum of two horses per each 40,000 square feet of devoted pasture ground.
- 96 (3) Where allowed in the AV-3, A-1, A-2, and A-3 zones, there may be up to a maximum of two  
97 horses per each 20,000 square feet of devoted pasture ground.
- 98 (h) Large-animal farm. For an animal husbandry use listed as "large-animal farm" in Section 104-1-5, the  
99 following restrictions apply:
- 100 (1) Where allowed in the RE-15 and RE-20 zones, the raising and grazing of any "large-  
101 animal farm" animal husbandry unit shall not be a part, nor conducted in conjunction with  
102 any "livestock feed yard or livestock sales yard," "slaughterhouse," or any animal by-  
103 products business.
- 104 (2) Where allowed in the AV-3, A-1, A-2, and A-3 zones, when the raising and grazing of any  
105 "large-animal farm" animal husbandry unit is carried on with an allowed "stable, corral, or  
106 enclosure for the keeping of animals husbandry units" then the following restrictions apply  
107 to the stable, corral, or enclosure:
- 108 a. Stabling, corralling or enclosing animal husbandry units to the density specified in  
109 this subsection (108-7-8(g)(2)) shall only be permitted between September 15  
110 through April 15, and shall not include the erection of any permanent fences,  
111 corrals, chutes, structures, or buildings normally associated with a "livestock feed  
112 yard or livestock sales yard."
- 113 b. In the AV-3 zone: it shall not exceed a density of 25 head per acre of devoted  
114 pasture ground, and shall be no closer than 200 feet from any dwelling, or public  
115 or semi-public building on an adjoining parcel of land.
- 116 c. In the A-1 zone: it shall not exceed a density of 25 head per acre of devoted  
117 pasture ground, and shall be no closer than 300 feet from any dwelling, or public  
118 or semi-public building on an adjoining parcel of land.
- 119 d. In the A-2 zone: it shall not exceed a density of 40 head per acre of devoted  
120 pasture ground, and shall be no closer than 200 feet from any dwelling, or public  
121 or semi-public building on an adjoining parcel of land.
- 122 e. In the A-3 zone: it shall not exceed a density of 40 head per acre of devoted  
123 pasture ground, and shall be no closer than 200 feet from any dwelling, or public  
124 or semi-public building on an adjoining parcel of land.
- 125 (3) Where allowed in the F-5, F-10, F-40, and S-1 zones the raising and grazing of any  
126 "large-animal farm" animal husbandry unit is limited to one "large-animal farm" animal  
127 husbandry unit per acre of devoted pasture ground.



- 128 (i) Reserved.
- 129 (j) Swine farms. For an animal husbandry use listed as “swine farm, large” or “swine farm, small” in  
130 Section 104-1-5, the following provisions apply:
- 131 (1) Large swine farm: No person shall feed any swine any market refuse, home refuse,  
132 garbage or offal other than that produced on the premises. All pens and housing for  
133 swine shall be concrete and maintained in a sanitary manner, and drainage structures  
134 and disposal of animal waste shall be provided and properly maintained.
- 135 (2) Small swine farm: no more than ten swine, more than 16 weeks old, are permitted. No  
136 person shall feed any swine any market refuse, home refuse, garbage or offal other than  
137 that produced on the premises.
- 138 (k) Small-animal farm. For an animal husbandry use listed as “small-animal farm” in Section 104-1-5, the  
139 following restrictions apply: [ANY STANDARDS ?]
- 140 ...
- 141
- 142
- 143
- 144

## 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.

