



# Staff Report to the Western Weber Planning Commission

Weber County Planning Division

## Synopsis

### Application Information

**Application Request:** 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.

**Agenda Date:** Tuesday, ~~March 10, 2015~~ April 14, 2015

**Staff Report Date:** Thursday, February 13, 2015

**Applicant:** Planning Division

**File Number:** ZTA 2014-06

### Property Information

**Approximate Address:** Not Applicable

**Project Area:** Not Applicable

**Zoning:** Not Applicable

**Existing Land Use:** Not Applicable

**Proposed Land Use:** Not Applicable

**Parcel ID:** Not Applicable

**Township, Range, Section:** Not Applicable

### Adjacent Land Use

**North:** Not Applicable

**East:** Not Applicable

**South:** Not Applicable

**West:** Not Applicable

### Staff Information

**Report Presenter:** Charlie Ewert  
cewert@co.weber.ut.us  
(801) 399-8763

**Report Reviewer:** SW

## Applicable Ordinances

- Title 101 General Provisions
- Title 104 Zones
  - Chapter 3 (RESIDENTIAL ESTATES RE-15 and RE-20), Section 2 (Permitted Uses)
  - Chapter 4 (GRAVEL ZONE G), Section 1 (Permitted Uses)
  - Chapter 5 (AGRICULTURAL ZONE A-1), Section 3 (Permitted Uses)
  - Chapter 6 (AGRICULTURAL VALLEY AV-3 ZONE), Section 3 (Permitted Uses)
  - Chapter 7 (AGRICULTURAL A-2 ZONE), Section 3 (Permitted Uses)
  - Chapter 8 (AGRICULTURAL ZONE A-3), Section 3 (Permitted Uses)
  - Chapter 9 (FOREST ZONES F-5, F-10, AND F-40), Section 2 (Permitted Uses)
  - Chapter 10 (SHORELINE ZONE S-1), Section 2 (Permitted Uses)
  - Chapter 11 (COMMERCIAL VALLEY RESORT RECREATION ZONE CVR-1), Section 4 (Permitted Uses)
  - Chapter 12 (SINGLE-FAMILY RESIDENTIAL ZONES R-1-12, R-1-10), Section 2 (Permitted Uses)
  - Chapter 13 (FOREST RESIDENTIAL ZONE FR-1), Section 2 (Permitted Uses)
  - Chapter 14 (FOREST VALLEY ZONE FV-3), Section 2 (Permitted Uses)
  - Chapter 15 (TWO-FAMILY RESIDENTIAL ZONE R-2), Section 2 (Permitted Uses)
  - Chapter 16 (MULTIPLE-FAMILY RESIDENTIAL ZONE R-3), Section 2 (Permitted Uses)
  - Chapter 17 (FOREST RESIDENTIAL ZONE FR-3), Section 2 (Permitted Uses)
  - Chapter 18 (RESIDENTIAL MOBILE/MANUFACTURED HOME PARK ZONE RMHP), Section 2 (Permitted Uses)
  - Chapter 19 (RESIDENTIAL MANUFACTURED HOME ZONE RMH-1-6), Section 2 (Permitted Uses)
  - Chapter 20 (COMMERCIAL ZONES C-1, C-2, C-3), Section 5 (Uses)
  - Chapter 21 (COMMERCIAL VALLEY ZONES CV-1 and CV-2), Section 5 (Uses)
  - Chapter 22 (MANUFACTURING ZONE M-1), Section 2 (Permitted Uses)
  - Chapter 23 (OGDEN VALLEY MANUFACTURING ZONE MV-1), Section 2 (Permitted Uses)

- Chapter 25 (MANUFACTURING ZONE M-3), Section 2 (Permitted Uses)
- Chapter 26 (OPEN SPACE ZONE O-1), Section 2 (Permitted Uses)
- Chapter 29 (OGDEN VALLEY DESTINATION AND RECREATION RESORT ZONE DRR-1), Section 8 (Land Uses)

## Legislative Decisions

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

## Background

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

This conflict has caused confusion for administration of the code.

## Policy Analysis

As an interpretive guide, the Planning Commission should know that the difference between a main building and an accessory building is not necessarily based on the specific use of the building as provided in the listed permitted or conditional uses of the zones; it is based on whether the use of the building can be identified as incidental and accessory to the use of another building. If it cannot be, then it is a main building; the use of which must comply with the allowed permitted and conditional uses listed in the zone chapters.

If a building is defined as a main building it has to meet stricter setback requirement than a building defined as an accessory building. These requirements depend on the zone. This is an important distinction, because open-air uses of land typically rely on greater amounts of unobstructed land area. A main building may also be subject to more specific architectural and site design requirements if it is used to accommodate commercial uses, industrial uses, manufacturing uses, public uses, quasi-public uses, or recreation resort uses.<sup>1</sup>

This topic is primarily focused on uses of property that are open-air uses of land that have not otherwise had buildings established on them. One of the primary open-air uses of land in Weber County is agriculture. It will be in the best interest of those agricultural users and agriculture-adjacent land owners for the ordinances to be clarified in a manner that clearly sets forth the expectations.

With the proposal found in Exhibit B, staff are providing a way to allow a “main building designed or used to accommodate the main use to which the premises are devoted,” which for certain types of open-air land uses may in fact look and act like an accessory building, but for the purposes of establishing required setbacks a applicable design standards, is regulated like a main building. Thus, with this addition it is possible for open-air land uses to have a “main building” as an “accessory use” of land. After a “main building” is established, the owner may establish an “accessory building” – at the reduced accessory building setback – as long as the accessory building is incidental and accessory to the use of the main building.

---

<sup>1</sup> See LUC §108-1-2 and LUC §108-2-3 for applicability requirements for Design Review and Ogden Valley Architectural, Landscape, and Screening Design Standards.

As the Planning Commission hears and considers each proposed change there are several things to be looking for:

1. Does the proposed change comply with the purpose and/or intent of the specific code section or relevant zone? Every change should comply with that purpose/intent.
2. Does the proposed change comply with the goals and objectives of the General Plan? The General Plan should act as a guide to vet land use ordinance decisions.
3. Does the proposed change promote the health, safety, and welfare of the community?
4. Does the proposed change provide equitable balance between land use rights and the public good?

## Conformance to the General Plan

The attached proposal generally follows how the current administration is applying the land use code. It simply clarifies the approach. Support for it can be loosely found in both general plans. Providing a code that enables support buildings for open-air land uses promotes those potential land uses.

In Western Weber County the primary open-air land use is agriculture. The West Central Weber County General Plan indicates the desire to protect and promote agricultural uses/lands through agricultural protection and preservation efforts.<sup>2</sup> The plan's Future Land Use Map (aka "proposed land use map") also depicts large quantities of land intended to support agricultural uses.<sup>3</sup>

In the Ogden Valley the primary open air land use may be threefold: agriculture, general open space, and recreation; each having their own unique needs for support buildings, as may be allowed by code. The Ogden Valley General Plan supports the use of land for agriculture,<sup>4</sup> and also sets forth policies and implementation strategies intended to "protect open land and encourage the creation of new recreation facilities..."<sup>5</sup>

## Conditions of Approval

Not Applicable

## Past Action on this Item

The Western Weber Planning Commission reviewed the proposal in a work session on December 9, 2014. The Ogden Valley Planning Commission reviewed the proposal in a work session on January 27, 2015. No formal action was taken in either meeting.

## Noticing Compliance

A hearing for this item before the Planning Commission has been posted for public notice in compliance with UCA §17-27a-205 in the following manners:

- Posted on the County's Official Website
- Posted on the Utah Public Notice Website
- Published in a local newspaper

## Staff Recommendation

Staff recommends approval of the text included as Exhibit B and Exhibit C with the following findings:

1. The changes are necessary to provide an appropriate level of support for open-air uses of land.
2. The clarification will provide for a more efficient administration of code.
3. The changes comply with the intent of the land use code.
4. The changes are supported by the General Plan(s).
5. The clarifications are not detrimental to the health, safety, and welfare of County residents.

<sup>2</sup> See West Central Weber County General Plan (2003), Pg. 2-16.

<sup>3</sup> See West Central Weber County General Plan (2003), Map 2-4.

<sup>4</sup> See Ogden Valley General Plan (1998), Pg 25

<sup>5</sup> See Ogden Valley General Plan Recreation Element (2005), Pg. 143

The Planning Commission's decision should be made as a recommendation to the County Commission. A model motion is provided below.

## Sample Motions

Sample Motion for a **Positive Recommendation** – “I move we forward a positive recommendation to the County Commission for the Zoning Text Amendment regarding regulations and permissions of main buildings and accessory buildings, and main uses and accessory uses, File #ZTA 2014-06, with the following findings:

1. Example: All findings recommended by staff in the staff report dated February 13, 2015;
  - a. [as modified with these changes:\_\_\_\_\_]
2. ... List and additional findings to support the amendment, as may be deemed necessary.”

Sample Motion for a **Negative Recommendation** – “I move we forward a negative recommendation to the County Commission for the Zoning Text Amendment regarding regulations and permissions of main buildings and accessory buildings, and main uses and accessory uses, File #ZTA 2014-06, with the following findings:

1. List any findings...

## Exhibits

- A. Summary, List, and Key to Proposed Changes.
- B. Code Change – Regulations and Permissions of Main Buildings and Accessory Buildings, and Main Uses and Accessory Uses [Redlined].
- C. Code Change – Regulations and Permissions of Main Buildings and Accessory Buildings, and Main Uses and Accessory Uses [Clean].
- D. Land Use Code Revision Process Flowchart.

**EXHIBIT B: CODE CHANGE – REGULATIONS AND PERMISSIONS OF MAIN BUILDINGS AND ACCESSORY BUILDINGS, AND MAIN USES AND ACCESSORY USES [REDLINED].**

---

1 **PART II LAND USE CODE**

---

2 Title 101 - GENERAL PROVISIONS

3 Title 102 - ADMINISTRATION

4 Title 103 - RESERVED

5 Title 104 - ZONES

6 Title 105 - RESERVED

7 Title 106 - SUBDIVISIONS

8 Title 107 - RESERVED

9 Title 108 - STANDARDS

10 Title 109 - RESERVED

11 Title 110 - SIGNS

12 **Title 101 GENERAL PROVISIONS**

---

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

14 Sec. 101-1-2. Purpose.

15 Sec. 101-1-3. Interpretation.

16 Sec. 101-1-4. Conflict.

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

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

19 Sec. 101-1-7. Definitions.

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

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

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

24 Sec. 101-1-11. Altering Code.  
25 Sec. 101-1-12. Severability of parts of Code.  
26 Sec. 101-1-13. General penalty; continuing violations.  
27 Sec. 101-1-14. Certain ordinances not repealed or affected by adoption of Code.

28 ...

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

30 ...

31 *Building, accessory.* The term "building, accessory" means ~~a subordinate structure~~  
32 ~~detached from but located on the same lot as the main structure, the use of which is incidental~~  
33 ~~and accessory to that of the main structure. A main building is required prior to an accessory~~  
34 ~~building; a detached subordinate building located on a lot or parcel with a main building the use of~~  
35 ~~which is incidental to the use of the main building.~~

36 ...

37 *Building, main.* The term "main building" means ~~the principal building or one of the~~  
38 ~~principal buildings located on a lot or parcel designed or used to accommodate the primary use to~~  
39 ~~which the premises are devoted. Where a permissible use involves more than one structure~~  
40 ~~designed or used for the primary purpose, as in the case of apartment groups, each such~~  
41 ~~permitted building on one lot as defined by this Title shall be deemed a main building, the~~  
42 ~~main/principal building and/or structure or one of the main/principal buildings and/or structures~~  
43 ~~housing the main/principal use upon the lot.~~

44 ...

45 *Use, accessory.* The term "accessory use" means a use: ~~of land or structure, or portion~~  
46 ~~thereof, customarily incidental and subordinate to the main use of the land or structure and~~  
47 ~~located on the same lot or parcel with the principal use.~~

48 (1)

~~Incidental to and on the same lot as a main use;~~

49 (2)

~~Customarily found in connection with a main building or use;~~

50 (3)

~~Which is subordinate in area, extent or purpose to the main building or main use~~  
53 ~~served.~~

54 ...

55 *Use, main.* The term "main use" means the principal ~~purpose for which a lot, parcel or~~  
56 ~~structure is designed, arranged or intended, or for which it is occupied or maintained as allowed~~  
57 ~~by the provisions of this Land Use Code, use of land or structures, as distinguished from an~~  
58 ~~accessory use.~~ Dwellings on parcels meeting the definition of an "agricultural parcel" shall be the  
59 main use.  
60

61 ...

62 **Title 104 ZONES**

---

63 CHAPTER 1. - IN GENERAL

64 CHAPTER 2. - (RESERVED)

65 CHAPTER 3. - RESIDENTIAL ESTATES ZONES RE-15 AND RE-20

66 CHAPTER 4. - GRAVEL ZONE G

67 CHAPTER 5. - AGRICULTURAL ZONE A-1

68 CHAPTER 6. - AGRICULTURAL VALLEY AV-3 ZONE

69 CHAPTER 7. - AGRICULTURAL A-2 ZONE

70 CHAPTER 8. - AGRICULTURAL ZONE A-3

71 CHAPTER 9. - FOREST ZONES F-5, F-10, AND F-40

72 CHAPTER 10. - SHORELINE ZONE S-1

73 CHAPTER 11. - COMMERCIAL VALLEY RESORT RECREATION ZONE CVR-1

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

75 CHAPTER 13. - FOREST RESIDENTIAL ZONE FR-1

76 CHAPTER 14. - FOREST VALLEY ZONE FV-3

77 CHAPTER 15. - TWO-FAMILY RESIDENTIAL ZONE R-2

78 CHAPTER 16. - MULTIPLE-FAMILY RESIDENTIAL ZONE R-3

79 CHAPTER 17. - FOREST RESIDENTIAL ZONE FR-3

80 CHAPTER 18. - RESIDENTIAL MOBILE/MANUFACTURED HOME PARK ZONE RMHP

81 CHAPTER 19. - RESIDENTIAL MANUFACTURED HOME ZONE RMH-1-6

82 CHAPTER 20. - COMMERCIAL ZONES C-1, C-2, C-3

83 CHAPTER 21. - COMMERCIAL VALLEY ZONES CV-1 and CV-2

84 CHAPTER 22. - MANUFACTURING ZONE M-1

85 CHAPTER 23. - OGDEN VALLEY MANUFACTURING ZONE MV-1

[Page 3 of 16](#)

Main/Accessory Building/Use [DRAFT Version](#): 3/2/2015 12:23 PM

- 86 CHAPTER 24. - MANUFACTURING ZONE M-2
- 87 CHAPTER 25. - MANUFACTURING ZONE M-3
- 88 CHAPTER 26. - OPEN SPACE ZONE O-1
- 89 CHAPTER 27. - NATURAL HAZARDS OVERLAY DISTRICTS
- 90 CHAPTER 28. - OGDEN VALLEY SENSITIVE LANDS OVERLAY DISTRICTS
- 91 CHAPTER 29. - OGDEN VALLEY DESTINATION AND RECREATION RESORT ZONE DRR-1
- 92 ...

93 **CHAPTER 3. RESIDENTIAL ESTATES ZONES RE-15 AND RE-20**

---

94 ...

95 **Sec. 104-3-2. - Permitted uses.**

96 The following uses are permitted in Residential Estates Zones RE-15 and RE-20:

- 97 (1) [Accessory building incidental to the use of a main building; main building](#)
- 98 [designed or used to accommodate the main use to which the premises are](#)
- 99 [devoted; and accessory uses customarily incidental to a main use;](#)
- 100 ~~Accessory building or use customarily incidental to a permitted or conditional use;~~
- 101 (2) Agriculture and agricultural experiment station;
- 102 ...

103 **CHAPTER 4. GRAVEL ZONE G**

---

104 **Sec. 104-4-1. - Permitted uses.**

105 In Gravel Zone G, no building, structure, or land shall be used, and no building or  
106 structure shall be erected which is arranged, intended or designed to be used for other than one  
107 or more of the following uses:

108 ...

- 109 (4) [Accessory building incidental to the use of a main building; main building](#)
- 110 [designed or used to accommodate the main use to which the premises are](#)
- 111 [devoted; and accessory uses customarily incidental to a main use;](#)



112 **CHAPTER 5. AGRICULTURAL ZONE A-1**

---

113 ...

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

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

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

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

---

123 ...

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

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

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

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

---

133 ...

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

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

- 136 (1) ~~Accessory building or use customarily incidental to any permitted or conditional~~  
137 ~~use.~~ ~~Accessory building incidental to the use of a main building; main building~~  
138

139 | [designed or used to accommodate the main use to which the premises are](#)  
140 | [devoted; and accessory uses customarily incidental to a main use;](#)

141 | (2) Agriculture, agricultural experiment station; apiary; aviary; aquarium.

142 | ...

143 | **CHAPTER 8. AGRICULTURAL ZONE A-3**

---

144 | ...

145 | **Sec. 104-8-3. - Permitted uses.**

146 | The following uses are permitted in the Agriculture Zone A-3:

147 | (1) ~~Accessory building or use customarily incidental to any permitted or conditional~~  
148 | ~~use.~~ [Accessory building incidental to the use of a main building; main building](#)  
149 | [designed or used to accommodate the main use to which the premises are](#)  
150 | [devoted; and accessory uses customarily incidental to a main use;](#)

151 | (2) Agriculture, agricultural experiment station, apiary; aviary.

152 | ...

153 | **CHAPTER 9. FOREST ZONES F-5, F-10, AND F-40**

---

154 | ...

155 | **Sec. 104-9-2. - Permitted uses.**

156 | The following uses are permitted in Forest Zones F-5, F-10, and F-40:

157 | (1) Agriculture.

158 | ...

159 | (7) Signs shall comply with title 110, chapter 2, Ogden Valley signs, if located within  
160 | the Ogden Valley area.

161 | (8) [Accessory building incidental to the use of a main building; main building](#)  
162 | [designed or used to accommodate the main use to which the premises are](#)  
163 | [devoted; and accessory uses customarily incidental to a main use.](#) ~~Accessory~~  
164 | ~~buildings and uses customarily incidental to the primary use.~~

165 | (9) Single-family residences.

166 | ...

167 **CHAPTER 10. SHORELINE ZONE S-1**

---

168 ...

169 **Sec. 104-10-2. - Permitted uses.**

170 The following uses are permitted in the

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

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

---

179 ...

180 **Sec. 104-11-3. - Permitted uses.**

181 The following uses are permitted in the Commercial Valley Resort Recreation Zone CVR-1:

- 182 (1) Accessory building incidental to the use of a main building; main building designed  
183 or used to accommodate the main use to which the premises are devoted; and  
184 accessory uses customarily incidental to a main use;  
185 ~~(1)~~(2) Art gallery.  
186 ~~(2)~~(3) Bank.  
187 ~~(3)~~(4) Bookstore/newsstand.  
188 ~~(4)~~(5) Beauty shop/barbershop.  
189 ~~(5)~~(6) Day spa/fitness center.  
190 ~~(6)~~(7) Deli/small grocery store.  
191 ~~(7)~~(8) Florist shop.  
192 ~~(8)~~(9) Gift shop, boutique.  
193 ~~(9)~~(10) Music and video store.  
194 ~~(10)~~(11) Restaurants, excluding those with drive-up windows.  
195 ~~(11)~~(12) Restaurant: fast food, excluding those with drive-up windows.  
196 ~~(12)~~(13) Sporting goods store.  
197 ~~(13)~~(14) Sports clothing store.  
198 ~~(14)~~(15) Public and private swimming pools.  
199 ~~(15)~~(16) Vendor, short term.  
200

**Comment [c1]:** This is a small policy shift. Eliminating this line defaults access bldgs. and uses to a permitted use regardless of whether or not the main use is permitted or conditional. The idea here is that the main use may require heightened CUP review, but the accessory and incidental buildings may not. A land owner will still be required to amend their site plan to show the new proposed accessory building, and architectural review is still required for certain uses, but approval of the site plan change and architectural design will be done by staff.

201 **Sec. 104-11-4. - Conditional uses.**

202 The following uses shall be allowed only when authorized by a Conditional Use Permit obtained as  
203 provided in [title 108](#), chapter 4 of this Land Use Code.

- 204 |                   ~~(16)~~(17) Beer parlor, sale of draft beer.  
205 |                   ~~(17)~~(18) Bed and breakfast inn.  
206 | ...  
207 |                   (34) Restaurants, including those with drive-up windows.  
208 |                   ~~(35) — Accessory uses to the above listed.~~  
209 | ...

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

---

211 ...

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

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

- 214 |                   (1) [Accessory building incidental to the use of a main building; main building](#)  
215 |                   [designed or used to accommodate the main use to which the premises are](#)  
216 |                   [devoted; and accessory uses customarily incidental to a main use.](#) ~~Accessory~~  
217 |                   ~~buildings and uses customarily incidental to any permitted use.~~  
218 |                   (2) Agriculture.  
219 |                   (3) Church, synagogue or similar building used for regular religious worship.  
220 | ...

221 **CHAPTER 13. FOREST RESIDENTIAL ZONE FR-1**

---

222 ...

223 **Sec. 104-13-2. - Permitted uses.**

224 The following uses are permitted in the Forest Residential Zone FR-1:

- 225 |                   (1) [Accessory building incidental to the use of a main building; main building](#)  
226 |                   [designed or used to accommodate the main use to which the premises are](#)  
227 |                   [devoted; and accessory uses customarily incidental to a main use.](#) ~~Accessory~~  
228 |                   ~~building or accessory use customarily incidental to a permitted use.~~  
229 |                   (2) Agriculture.  
230 |                   (3) Animals and fowl kept for family food production.

231 ...

232 **CHAPTER 14. FOREST VALLEY ZONE FV-3**

---

233 ...

234 **Sec. 104-14-2. - Permitted uses.**

235 The following uses are permitted in the Forest Valley Zone FV-3:

- 236 (1) Accessory building incidental to the use of a main building; main building  
237 designed or used to accommodate the main use to which the premises are  
238 devoted; and accessory uses customarily incidental to a main use. ~~Accessory~~  
239 ~~building or accessory use customarily incidental to a permitted use.~~  
240 (2) Agriculture.  
241 (3) Animals and fowl kept for family food production.  
242 ...

243 **CHAPTER 15. TWO-FAMILY RESIDENTIAL ZONE R-2**

---

244 ...

245 **Sec. 104-15-2. - Permitted uses.**

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

- 247 (1) Accessory building incidental to the use of a main building; main building  
248 designed or used to accommodate the main use to which the premises are  
249 devoted; and accessory uses customarily incidental to a main use. ~~Accessory~~  
250 ~~buildings and uses customarily incidental to any permitted use.~~  
251 (2) Agriculture.  
252 (3) Bachelor and/or bachelorette dwelling with 24 or less dwelling units.  
253 ...

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

---

255 ...

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

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

- 258 (1) Accessory building incidental to the use of a main building; main building  
259 designed or used to accommodate the main use to which the premises are  
260 devoted; and accessory uses customarily incidental to a main use. ~~Accessory~~  
261 ~~buildings and uses customarily incidental to any permitted use.~~  
262 (2) Agriculture.  
263 (3) Bachelor and/or bachelorette dwelling with 24 or less dwelling units.  
264 ...

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

---

266 ...

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

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

- 269 (1) Accessory building incidental to the use of a main building; main building  
270 designed or used to accommodate the main use to which the premises are  
271 devoted; and accessory uses customarily incidental to a main use. ~~Accessory~~  
272 ~~building or accessory use customarily incidental to a use permitted in the zone.~~  
273 (2) Cluster subdivision in accordance with title 108, chapter 3.  
274 ...

275 **CHAPTER 18. RESIDENTIAL MOBILE/MANUFACTURED HOME PARK ZONE RMHP**

---

276 ...

277 **Sec. 104-18-2. - Permitted uses.**

278 The following uses are permitted in the RMHP Zone:

- 279 (1) Accessory building incidental to the use of a main building; main building  
280 designed or used to accommodate the main use to which the premises are  
281 devoted; and accessory uses customarily incidental to a main use. ~~Accessory~~  
282 ~~building and use customarily incidental to any permitted use.~~  
283 (2) Mobile/manufactured home park, trailer court, overnight recreational vehicle park,  
284 provided such park, or court meet the requirements and standards prescribed in  
285 the county mobile home park ordinance.  
286 ...

287 **CHAPTER 19. RESIDENTIAL MANUFACTURED HOME ZONE RMH-1-6**

---

288 ...

289 **Sec. 104-19-2. - Permitted uses.**

290 The following uses are permitted in the Residential Manufactured Home Zone RMH-1-6:

- 291 (1) ~~Accessory building incidental to the use of a main building; main building~~  
 292 ~~designed or used to accommodate the main use to which the premises are~~  
 293 ~~devoted; and accessory uses customarily incidental to a main use. Accessory~~  
 294 ~~building and use customarily incidental to any permitted use.~~  
 295 (2) Manufactured home (double wide or wider) in an approved manufactured home  
 296 subdivision or manufactured home PRUD. (Single wides with or without room  
 297 expansions or extensions are prohibited.)  
 298 ...

299 **CHAPTER 20. COMMERCIAL ZONES C-1, C-2, C-3**

---

300 ...

301 **Sec. 104-20-5. - Uses.**

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

|   | C-1 | C-2 | C-3 |
|---|-----|-----|-----|
| <del>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; Accessory buildings and uses customarily incidental to a permitted use</del> | P   | P   | P   |
| Air conditioning, sales and service   | N   | N   | P   |

305 ...

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

---

307 ...

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

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

|   | CV-1 | CV-2 |
|---|------|------|
| Academies/studios for dance, art, sports, etc.  | C    | P    |
| <a href="#">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.</a> <del>Accessory buildings and uses customarily incidental to a permitted or conditional uses</del> | P    | P    |
| Animal hospital   | N    | C    |

312 ...

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

---

314 ...

315 **Sec. 104-22-2. - Permitted uses.**

316 The following uses are permitted in the Manufacturing Zone M-1:

- 317 (1) [Accessory building incidental to the use of a main building; main building](#)
- 318 [designed or used to accommodate the main use to which the premises are](#)
- 319 [devoted; and accessory uses customarily incidental to a main use.](#)~~Accessory~~
- 320 ~~uses and buildings customarily incidental to a permitted use.~~
- 321 (2) Any permitted use in a C-3 Zone except dwelling units.
- 322 (3) Agriculture.

323 ...

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

---



325 ...

326 **Sec. 104-23-2. - Permitted uses.**

327 The following uses are permitted in the MV-1, Ogden Valley Light Manufacturing Zone:

- 328 (1) Accessory building incidental to the use of a main building; main building
- 329 designed or used to accommodate the main use to which the premises are
- 330 devoted; and accessory uses customarily incidental to a main use. ~~Accessory~~
- 331 ~~uses and buildings customarily incidental to a permitted use.~~
- 332 (2) Agricultural implement repair.

333 ...

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

---

335 ...

336 **Sec. 104-24-2. - Permitted uses.**

337 The following uses are permitted in the M-2 Zone:

- 338 (1) Any permitted use in an M-1 Zone.
- 339 (2) Building material sale yard, blacksmith shop.
- 340 (3) Contractors equipment storage yard.

341 ...

**Comment [c2]:** The M-1 zone allows accessory buildings, main buildings, and accessory uses (see line 299 above).

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

---

343 ...

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

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

- 346 (1) Any permitted use in an M-2 Zone except dwelling units.
- 347 ~~(2)~~ Accessory uses and buildings customarily incidental to a permitted use.
- 348 ~~(3)~~(2) Laboratories.
- 349 ~~(4)~~(3) Machine shop.
- 350 ~~(5)~~(4) Office, business, professional and governmental.
- 351 ~~(6)~~(5) Public buildings and utilities.
- 352 ~~(7)~~(6) Warehouse.
- 353 ~~(8)~~(7) Welding shop.

**Comment [c3]:** This is already provided for in line 328, which references line 320. Line 320 refers to line 299.

354 ...

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

356 The following uses shall be permitted only when authorized by a conditional use permit as provided in title  
357 108, chapter 4 of this Land Use Code:

- 358 (1) Any conditional use in an M-2 Zone.  
359 ~~(2) Accessory uses and buildings customarily incidental to a conditional use.~~  
360 ~~(3)(2)~~ Aircraft engine testing, including jet, missile and chemical engines.  
361 ~~(4)(3)~~ Blast furnace.  
362 ~~(5)(4)~~ Feed, cereal or flour mill.  
363 ~~(6)(5)~~ Forage plant or foundry.  
364 ~~(7)(6)~~ Manufacture, processing, refining, treatment, distillation, storage or compounding  
365 of the following: Acid, ammonia, bleaching powder and chlorine; fireworks or  
366 explosives, asphalt, chemicals of an objectionable or dangerous nature,  
367 creosote, disinfectants or insecticides; bones, coal or wood, fertilizer, gas, glue,  
368 size or gelatin, ore, potash, proxylin, rubber of guttapercha, plastic, tallow, grease  
369 or lard, tar, roofing or waterproofing materials, furs, wool, hides.  
370 ~~(8)(7)~~ Ore beneficiation, smelting, or refining of materials, steel or iron mills, mines,  
371 quarries; gravel pits.  
372 ~~(9)(8)~~ Petroleum refining.  
373 ~~(10)(9)~~ Manufacturing, fabrication, assembly, canning, processing, treatment, or storage  
374 of the following:  
375 a. Acetylene gas, aircraft, airplanes and parts, automobiles and parts; alcohol.  
376 b. Brick, brass.  
377 c. Candles, cans, celluloid, cement, copper.  
378 d. Dyestuff.  
379 e. Emery cloth, excelsior.  
380 f. Feathers, felt, fiber, fish, film.  
381 g. Glass, glucose, gypsum.  
382 h. Hair, hardware.  
383 i. Ink, iron.  
384 j. Lamp black, linoleum, line.  
385 k. Meats, machinery, mail, matches.  
386 l. Oil, oilcloth, oiled rubber goods, oxygen.  
387 m. Paper, paint, pulp, pickles, pottery, plaster of Paris.  
388 n. Shoe polish, stove polish, shoddy, soap and detergents, soda, starch,  
389 sauerkraut, salt, steel, shellac.  
390 o. Turpentine, tile, terra cotta.  
391 p. Vinegar, varnish.  
392 q. Yeast.  
393 ~~(11)(10)~~ Metals and metal products extraction, treatment and processing including the  
394 extraction, processing and manufacturing of magnesium chloride, magnesium,  
395 potassium, sodium, lithium, boron, bromine and their salts or chemical  
396 derivatives.  
397 ~~(12)(11)~~ Missiles and missile parts.

**Comment [c4]:** This is a small policy shift. Eliminating this line defaults access bldgs. and uses to a permitted use regardless of whether or not the main use is permitted or conditional. The idea here is that the main use may require heightened CUP review, but the accessory and incidental buildings may not. A land owner will still be required to amend their site plan to show the new proposed accessory building but approval of the site plan change will be done by staff. This provision is only applicable to the M-3 zone because this specific regulation is only in the M-3 zone.

- 398 | ~~(13)~~(12) Large scale photovoltaic solar energy systems designed to produce energy for
- 399 | wholesale purposes.
- 400 | ~~(14)~~(13) Public utility substations.
- 401 | ~~(15)~~(14) Private recreation areas.
- 402 | ~~(16)~~(15) Railroad yards, shop or roundhouse; rock crusher.
- 403 | ~~(17)~~(16) Site leveling and preparation for future development.
- 404 | ~~(18)~~(17) Space craft and space craft parts.
- 405 | ~~(19)~~(18) Storage of petroleum.

406 | **CHAPTER 26. OPEN SPACE ZONE O-1**

407 | ...

408 | **Sec. 104-26-2. - Permitted uses.**

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

- 410 | (1) Accessory building incidental to the use of a main building; main building
- 411 | designed or used to accommodate the main use to which the premises are
- 412 | devoted; and accessory uses customarily incidental to a main use;
- 413 | ~~(1)~~(2) Agriculture.
- 414 | ~~(2)~~(3) Botanical or zoological garden.
- 415 | ~~(3)~~(4) Cemetery.
- 416 | ~~(4)~~(5) Conservation areas: botanical or zoological.
- 417 | ~~(5)~~(6) Fishing ponds; private or public.
- 418 | ~~(6)~~(7) Golf course, except miniature golf courses.
- 419 | ~~(7)~~(8) Horse raising, provided conducted in a pasture of at least five acre size and with
- 420 | a maximum density of two horses per acre.
- 421 | ~~(8)~~(9) Private park, playground or recreation area.
- 422 | ~~(9)~~(10) Public park, public recreation grounds and associate buildings, but not including
- 423 | privately owned commercial amusement business.
- 424 | ~~(10)~~(11) Public service buildings.
- 425 | ~~(11)~~(12) Wildlife sanctuaries.

**Comment [c5]:** This is a small policy shift. It coincides with the change on line 412. Accessory or incidental buildings in the O-1 zone can be approved after site plan review and approval by staff rather than by the Planning Commission. Review the permitted and conditional uses listed in this zone to determine whether this shift is acceptable.

426 | **Sec. 104-26-3. - Conditional uses.**

427 | The following uses shall be permitted only when authorized by a conditional use permit as provided in title

428 | 108, chapter 4 of this Land Use Code:

- 429 | (1) Golf driving range in conjunction with a golf course.
- 430 | ~~(2) — Main and accessory buildings and uses customarily incidental to any permitted~~
- 431 | ~~use.~~
- 432 | ~~(3)~~(2) Public utility substations.

433 | ...

434 **CHAPTER 29. OGDEN VALLEY DESTINATION AND RECREATION RESORT ZONE DRR-1**

---

435 ...

436 **Sec. 104-29-8. - Land uses.**

|                         |                                  |
|-------------------------|----------------------------------|
| Use                     | Permitted (P)<br>Conditional (C) |
| <i>Residential Uses</i> |                                  |
| Single-family dwelling  | P                                |

437 ...

|   |   |
|---|---|
| Water pumping plants and reservoirs   | C |
| 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; | P |

438

**EXHIBIT C: CODE CHANGE – REGULATIONS AND PERMISSIONS OF MAIN BUILDINGS AND ACCESSORY BUILDINGS, AND MAIN USES AND ACCESSORY USES [CLEAN].**

---

1 **PART II LAND USE CODE**

---

2 Title 101 - GENERAL PROVISIONS

3 Title 102 - ADMINISTRATION

4 Title 103 - RESERVED

5 Title 104 - ZONES

6 Title 105 - RESERVED

7 Title 106 - SUBDIVISIONS

8 Title 107 - RESERVED

9 Title 108 - STANDARDS

10 Title 109 - RESERVED

11 Title 110 - SIGNS

12 **Title 101 GENERAL PROVISIONS**

---

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

14 Sec. 101-1-2. Purpose.

15 Sec. 101-1-3. Interpretation.

16 Sec. 101-1-4. Conflict.

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

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

19 Sec. 101-1-7. Definitions.

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

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

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

24 Sec. 101-1-11. Altering Code.  
25 Sec. 101-1-12. Severability of parts of Code.  
26 Sec. 101-1-13. General penalty; continuing violations.  
27 Sec. 101-1-14. Certain ordinances not repealed or affected by adoption of Code.

28 ...

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

30 ...

31 *Building, accessory.* The term "building, accessory" means a detached subordinate  
32 building located on a lot or parcel with a main building the use of which is incidental to the use of  
33 the main building.

34 ...

35 *Building, main.* The term "main building" means the principal building or one of the  
36 principal buildings located on a lot or parcel designed or used to accommodate the primary use to  
37 which the premises are devoted. Where a permissible use involves more than one structure  
38 designed or used for the primary purpose, as in the case of apartment groups, each such  
39 permitted building on one lot as defined by this Title shall be deemed a main building.

40 ...

41 *Use, accessory.* The term "accessory use" means a use of land or structure, or portion  
42 thereof, customarily incidental and subordinate to the main use of the land or structure and  
43 located on the same lot or parcel with the principal use.

44 ...

45 ...

46 *Use, main.* The term "main use" means the principal purpose for which a lot, parcel or  
47 structure is designed, arranged or intended, or for which it is occupied or maintained as allowed  
48 by the provisions of this Land Use Code. Dwellings on parcels meeting the definition of an  
49 "agricultural parcel" shall be the main use.

50 ...

51 **Title 104 ZONES**

---

52 CHAPTER 1. - IN GENERAL

53 CHAPTER 2. - (RESERVED)

54 CHAPTER 3. - RESIDENTIAL ESTATES ZONES RE-15 AND RE-20

- 55 CHAPTER 4. - GRAVEL ZONE G
- 56 CHAPTER 5. - AGRICULTURAL ZONE A-1
- 57 CHAPTER 6. - AGRICULTURAL VALLEY AV-3 ZONE
- 58 CHAPTER 7. - AGRICULTURAL A-2 ZONE
- 59 CHAPTER 8. - AGRICULTURAL ZONE A-3
- 60 CHAPTER 9. - FOREST ZONES F-5, F-10, AND F-40
- 61 CHAPTER 10. - SHORELINE ZONE S-1
- 62 CHAPTER 11. - COMMERCIAL VALLEY RESORT RECREATION ZONE CVR-1
- 63 CHAPTER 12. - SINGLE-FAMILY RESIDENTIAL ZONES R-1-12, R-1-10
- 64 CHAPTER 13. - FOREST RESIDENTIAL ZONE FR-1
- 65 CHAPTER 14. - FOREST VALLEY ZONE FV-3
- 66 CHAPTER 15. - TWO-FAMILY RESIDENTIAL ZONE R-2
- 67 CHAPTER 16. - MULTIPLE-FAMILY RESIDENTIAL ZONE R-3
- 68 CHAPTER 17. - FOREST RESIDENTIAL ZONE FR-3
- 69 CHAPTER 18. - RESIDENTIAL MOBILE/MANUFACTURED HOME PARK ZONE RMHP
- 70 CHAPTER 19. - RESIDENTIAL MANUFACTURED HOME ZONE RMH-1-6
- 71 CHAPTER 20. - COMMERCIAL ZONES C-1, C-2, C-3
- 72 CHAPTER 21. - COMMERCIAL VALLEY ZONES CV-1 and CV-2
- 73 CHAPTER 22. - MANUFACTURING ZONE M-1
- 74 CHAPTER 23. - OGDEN VALLEY MANUFACTURING ZONE MV-1
- 75 CHAPTER 24. - MANUFACTURING ZONE M-2
- 76 CHAPTER 25. - MANUFACTURING ZONE M-3
- 77 CHAPTER 26. - OPEN SPACE ZONE O-1
- 78 CHAPTER 27. - NATURAL HAZARDS OVERLAY DISTRICTS
- 79 CHAPTER 28. - OGDEN VALLEY SENSITIVE LANDS OVERLAY DISTRICTS
- 80 CHAPTER 29. - OGDEN VALLEY DESTINATION AND RECREATION RESORT ZONE DRR-1

81 ...

82 **CHAPTER 3. RESIDENTIAL ESTATES ZONES RE-15 AND RE-20**

---

83 ...

84 **Sec. 104-3-2. - Permitted uses.**

85 The following uses are permitted in Residential Estates Zones RE-15 and RE-20:

86 (1) Accessory building incidental to the use of a main building; main building  
87 designed or used to accommodate the main use to which the premises are  
88 devoted; and accessory uses customarily incidental to a main use;

89 (2) Agriculture and agricultural experiment station;

90 ...

91 **CHAPTER 4. GRAVEL ZONE G**

---

92 **Sec. 104-4-1. - Permitted uses.**

93 In Gravel Zone G, no building, structure, or land shall be used, and no building or  
94 structure shall be erected which is arranged, intended or designed to be used for other than one  
95 or more of the following uses:

96 ...

97 (4) Accessory building incidental to the use of a main building; main building  
98 designed or used to accommodate the main use to which the premises are  
99 devoted; and accessory uses customarily incidental to a main use;

100 **CHAPTER 5. AGRICULTURAL ZONE A-1**

---

101 ...

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

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

104 (1) Accessory building incidental to the use of a main building; main building  
105 designed or used to accommodate the main use to which the premises are  
106 devoted; and accessory uses customarily incidental to a main use;



107 (2) Agriculture, agricultural experiment station; apiary; aviary; aquarium.  
108 ...

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

---

110 ...

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

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

113 (1) Accessory building incidental to the use of a main building; main building  
114 designed or used to accommodate the main use to which the premises are  
115 devoted; and accessory uses customarily incidental to a main use;

116 (2) Agriculture, agricultural experiment station; apiary; aviary; aquarium.

117 ...

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

---

119 ...

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

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

122  
123 (1) Accessory building incidental to the use of a main building; main building  
124 designed or used to accommodate the main use to which the premises are  
125 devoted; and accessory uses customarily incidental to a main use;

126 (2) Agriculture, agricultural experiment station; apiary; aviary; aquarium.

127 ...

128 **CHAPTER 8. AGRICULTURAL ZONE A-3**

---

129 ...

130 **Sec. 104-8-3. - Permitted uses.**

131 The following uses are permitted in the Agriculture Zone A-3:

- 132 (1) Accessory building incidental to the use of a main building; main building  
133 designed or used to accommodate the main use to which the premises are  
134 devoted; and accessory uses customarily incidental to a main use;  
135 (2) Agriculture, agricultural experiment station, apiary; aviary.  
136 ...

137 **CHAPTER 9. FOREST ZONES F-5, F-10, AND F-40**

---

138 ...

139 **Sec. 104-9-2. - Permitted uses.**

140 The following uses are permitted in Forest Zones F-5, F-10, and F-40:

- 141 (1) Agriculture.  
142 ...  
143 (7) Signs shall comply with title 110, chapter 2, Ogden Valley signs, if located within  
144 the Ogden Valley area.  
145 (8) Accessory building incidental to the use of a main building; main building  
146 designed or used to accommodate the main use to which the premises are  
147 devoted; and accessory uses customarily incidental to a main use;  
148 (9) Single-family residences.  
149 ...

150 **CHAPTER 10. SHORELINE ZONE S-1**

---

151 ...

152 **Sec. 104-10-2. - Permitted uses.**

153 The following uses are permitted in the

- 154 (1) Accessory building incidental to the use of a main building; main building  
155 designed or used to accommodate the main use to which the premises are  
156 devoted; and accessory uses customarily incidental to a main use;  
157 (2) Agriculture, grazing and pasturing of animals.  
158 (3) Boating.  
159 ...

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

---

161 ...

162 **Sec. 104-11-3. - Permitted uses.**

163 The following uses are permitted in the Commercial Valley Resort Recreation Zone CVR-1:

- 164 (1) Accessory building incidental to the use of a main building; main building designed
- 165 or used to accommodate the main use to which the premises are devoted; and
- 166 accessory uses customarily incidental to a main use;
- 167 (2) Art gallery.
- 168 (3) Bank.
- 169 (4) Bookstore/newsstand.
- 170 (5) Beauty shop/barbershop.
- 171 (6) Day spa/fitness center.
- 172 (7) Deli/small grocery store.
- 173 (8) Florist shop.
- 174 (9) Gift shop, boutique.
- 175 (10) Music and video store.
- 176 (11) Restaurants, excluding those with drive-up windows.
- 177 (12) Restaurant: fast food, excluding those with drive-up windows.
- 178 (13) Sporting goods store.
- 179 (14) Sports clothing store.
- 180 (15) Public and private swimming pools.
- 181 (16) Vendor, short term.

182

183 **Sec. 104-11-4. - Conditional uses.**

184 The following uses shall be allowed only when authorized by a Conditional Use Permit obtained as  
185 provided in [title 108](#), chapter 4 of this Land Use Code.

- 186 (17) Beer parlor, sale of draft beer.
- 187 (18) Bed and breakfast inn.
- 188 ...
- 189 (34) Restaurants, including those with drive-up windows.

190 ...

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

---

192 ...

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

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

- 195 (1) Accessory building incidental to the use of a main building; main building  
196 designed or used to accommodate the main use to which the premises are  
197 devoted; and accessory uses customarily incidental to a main use;  
198 (2) Agriculture.  
199 (3) Church, synagogue or similar building used for regular religious worship.  
200 ...

201 **CHAPTER 13. FOREST RESIDENTIAL ZONE FR-1**

---

202 ...

203 **Sec. 104-13-2. - Permitted uses.**

204 The following uses are permitted in the Forest Residential Zone FR-1:

- 205 (1) Accessory building incidental to the use of a main building; main building  
206 designed or used to accommodate the main use to which the premises are  
207 devoted; and accessory uses customarily incidental to a main use;  
208 (2) Agriculture.  
209 (3) Animals and fowl kept for family food production.  
210 ...

211 **CHAPTER 14. FOREST VALLEY ZONE FV-3**

---

212 ...

213 **Sec. 104-14-2. - Permitted uses.**

214 The following uses are permitted in the Forest Valley Zone FV-3:

- 215 (1) Accessory building incidental to the use of a main building; main building  
216 designed or used to accommodate the main use to which the premises are  
217 devoted; and accessory uses customarily incidental to a main use;  
218 (2) Agriculture.  
219 (3) Animals and fowl kept for family food production.  
220 ...

221 **CHAPTER 15. TWO-FAMILY RESIDENTIAL ZONE R-2**

---

222 ...

223 **Sec. 104-15-2. - Permitted uses.**

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

- 225 (1) Accessory building incidental to the use of a main building; main building
- 226 designed or used to accommodate the main use to which the premises are
- 227 devoted; and accessory uses customarily incidental to a main use;
- 228 (2) Agriculture.
- 229 (3) Bachelor and/or bachelorette dwelling with 24 or less dwelling units.
- 230 ...

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

---

232 ...

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

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

- 235 (1) Accessory building incidental to the use of a main building; main building
- 236 designed or used to accommodate the main use to which the premises are
- 237 devoted; and accessory uses customarily incidental to a main use;
- 238 (2) Agriculture.
- 239 (3) Bachelor and/or bachelorette dwelling with 24 or less dwelling units.
- 240 ...

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

---

242 ...

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

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

- 245 (1) Accessory building incidental to the use of a main building; main building
- 246 designed or used to accommodate the main use to which the premises are
- 247 devoted; and accessory uses customarily incidental to a main use.
- 248 (2) Cluster subdivision in accordance with title 108, chapter 3.
- 249 ...

250 **CHAPTER 18. RESIDENTIAL MOBILE/MANUFACTURED HOME PARK ZONE RMHP**

---

251 ...

252 **Sec. 104-18-2. - Permitted uses.**

253 The following uses are permitted in the RMHP Zone:

- 254 (1) Accessory building incidental to the use of a main building; main building
- 255 designed or used to accommodate the main use to which the premises are
- 256 devoted; and accessory uses customarily incidental to a main use.
- 257 (2) Mobile/manufactured home park, trailer court, overnight recreational vehicle park,
- 258 provided such park, or court meet the requirements and standards prescribed in
- 259 the county mobile home park ordinance.
- 260 ...

261 **CHAPTER 19. RESIDENTIAL MANUFACTURED HOME ZONE RMH-1-6**

---

262 ...

263 **Sec. 104-19-2. - Permitted uses.**

264 The following uses are permitted in the Residential Manufactured Home Zone RMH-1-6:

- 265 (1) Accessory building incidental to the use of a main building; main building
- 266 designed or used to accommodate the main use to which the premises are
- 267 devoted; and accessory uses customarily incidental to a main use.
- 268 (2) Manufactured home (double wide or wider) in an approved manufactured home
- 269 subdivision or manufactured home PRUD. (Single wides with or without room
- 270 expansions or extensions are prohibited.)
- 271 ...

272 **CHAPTER 20. COMMERCIAL ZONES C-1, C-2, C-3**

---

273 ...

274 **Sec. 104-20-5. - Uses.**

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

|  |    |    |    |
|--|----|----|----|
|  | C- | C- | C- |
|--|----|----|----|

|   | 1 | 2 | 3 |
|---|---|---|---|
| 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; | P | P | P |
| Air conditioning, sales and service   | N | N | P |

278 ...

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

---

280 ...

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

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

|   | CV-1 | CV-2 |
|---|------|------|
| Academies/studios for dance, art, sports, etc.  | C    | P    |
| 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; | P    | P    |
| Animal hospital   | N    | C    |

285 ...

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

---

287 ...

288 **Sec. 104-22-2. - Permitted uses.**

289 The following uses are permitted in the Manufacturing Zone M-1:

- 290 (1) Accessory building incidental to the use of a main building; main building
- 291 designed or used to accommodate the main use to which the premises are
- 292 devoted; and accessory uses customarily incidental to a main use;
- 293 (2) Any permitted use in a C-3 Zone except dwelling units.
- 294 (3) Agriculture.
- 295 ...

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

---

297 ...

298 **Sec. 104-23-2. - Permitted uses.**

299 The following uses are permitted in the MV-1, Ogden Valley Light Manufacturing Zone:

- 300 (1) Accessory building incidental to the use of a main building; main building
- 301 designed or used to accommodate the main use to which the premises are
- 302 devoted; and accessory uses customarily incidental to a main use.
- 303 (2) Agricultural implement repair.
- 304 ...

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

---

306 ...

307 **Sec. 104-24-2. - Permitted uses.**

308 The following uses are permitted in the M-2 Zone:

- 309 (1) Any permitted use in an M-1 Zone.
- 310 (2) Building material sale yard, blacksmith shop.
- 311 (3) Contractors equipment storage yard.
- 312 ...

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

---

314 ...



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

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

- 317 (1) Any permitted use in an M-2 Zone except dwelling units.
- 318 (2) Laboratories.
- 319 (3) Machine shop.
- 320 (4) Office, business, professional and governmental.
- 321 (5) Public buildings and utilities.
- 322 (6) Warehouse.
- 323 (7) Welding shop.

324 ...

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

326 The following uses shall be permitted only when authorized by a conditional use permit as provided in title  
327 108, chapter 4 of this Land Use Code:

- 328 (1) Any conditional use in an M-2 Zone.
- 329 (2) Aircraft engine testing, including jet, missile and chemical engines.
- 330 (3) Blast furnace.
- 331 (4) Feed, cereal or flour mill.
- 332 (5) Forage plant or foundry.
- 333 (6) Manufacture, processing, refining, treatment, distillation, storage or compounding  
334 of the following: Acid, ammonia, bleaching powder and chlorine; fireworks or  
335 explosives, asphalt, chemicals of an objectionable or dangerous nature,  
336 creosote, disinfectants or insecticides; bones, coal or wood, fertilizer, gas, glue,  
337 size or gelatin, ore, potash, proxylin, rubber of guttapercha, plastic, tallow, grease  
338 or lard, tar, roofing or waterproofing materials, furs, wool, hides.
- 339 (7) Ore beneficiation, smelting, or refining of materials, steel or iron mills, mines,  
340 quarries; gravel pits.
- 341 (8) Petroleum refining.
- 342 (9) Manufacturing, fabrication, assembly, canning, processing, treatment, or storage  
343 of the following:
  - 344 a. Acetylene gas, aircraft, airplanes and parts, automobiles and parts; alcohol.
  - 345 b. Brick, brass.
  - 346 c. Candles, cans, celluloid, cement, copper.
  - 347 d. Dyestuff.
  - 348 e. Emery cloth, excelsior.
  - 349 f. Feathers, felt, fiber, fish, film.
  - 350 g. Glass, glucose, gypsum.
  - 351 h. Hair, hardware.
  - 352 i. Ink, iron.
  - 353 j. Lamp black, linoleum, line.
  - 354 k. Meats, machinery, mail, matches.
  - 355 l. Oil, oilcloth, oiled rubber goods, oxygen.
  - 356 m. Paper, paint, pulp, pickles, pottery, plaster of Paris.

- 357 n. Shoe polish, stove polish, shoddy, soap and detergents, soda, starch,
- 358 sauerkraut, salt, steel, shellac.
- 359 o. Turpentine, tile, terra cotta.
- 360 p. Vinegar, varnish.
- 361 q. Yeast.
- 362 (10) Metals and metal products extraction, treatment and processing including the
- 363 extraction, processing and manufacturing of magnesium chloride, magnesium,
- 364 potassium, sodium, lithium, boron, bromine and their salts or chemical
- 365 derivatives.
- 366 (11) Missiles and missile parts.
- 367 (12) Large scale photovoltaic solar energy systems designed to produce energy for
- 368 wholesale purposes.
- 369 (13) Public utility substations.
- 370 (14) Private recreation areas.
- 371 (15) Railroad yards, shop or roundhouse; rock crusher.
- 372 (16) Site leveling and preparation for future development.
- 373 (17) Space craft and space craft parts.
- 374 (18) Storage of petroleum.

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

---

376 ...

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

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

- 379 (1) Accessory building incidental to the use of a main building; main building
- 380 designed or used to accommodate the main use to which the premises are
- 381 devoted; and accessory uses customarily incidental to a main use;
- 382 (2) Agriculture.
- 383 (3) Botanical or zoological garden.
- 384 (4) Cemetery.
- 385 (5) Conservation areas: botanical or zoological.
- 386 (6) Fishing ponds; private or public.
- 387 (7) Golf course, except miniature golf courses.
- 388 (8) Horse raising, provided conducted in a pasture of at least five acre size and with
- 389 a maximum density of two horses per acre.
- 390 (9) Private park, playground or recreation area.
- 391 (10) Public park, public recreation grounds and associate buildings, but not including
- 392 privately owned commercial amusement business.
- 393 (11) Public service buildings.
- 394 (12) Wildlife sanctuaries.

395 **Sec. 104-26-3. - Conditional uses.**

396 The following uses shall be permitted only when authorized by a conditional use permit as provided in title  
 397 108, chapter 4 of this Land Use Code:

398 (1) Golf driving range in conjunction with a golf course.

399 (2) Public utility substations.

400 ...

401 **CHAPTER 29. OGDEN VALLEY DESTINATION AND RECREATION RESORT ZONE DRR-1**

---

402 ...

403 **Sec. 104-29-8. - Land uses.**

| Use   | Permitted (P)<br>Conditional (C) |
|---|----------------------------------|
| <i>Residential Uses</i>   |                                  |
| Single-family dwelling  | P                                |
| ...   |                                  |
| Water pumping plants and reservoirs   | C                                |
| 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; | P                                |

405

# Exhibit D: Land Use Code Revision Process Flowchart

## 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.

The proposed edits fall here

