

**AN ORDINANCE AMENDING THE WEBER COUNTY LAND USE CODE TO UPDATE AND CLARIFY PROVISIONS RELATED TO STANDARDS FOR SINGLE FAMILY DWELLINGS.**

**WHEREAS**, the Weber County Land Use Code heretofore contained regulations governing the standards for single family dwellings; and

**WHEREAS**, these regulations offered inadequate, vague, or inconsistent provisions related to the standards for single family dwellings; and

**WHEREAS**, on April 11, 2017, the Western Weber Planning Commission, after appropriate notice, held a public hearing to consider public comments regarding proposed amendments to the Weber County Land Use Code with respect to the standards for single family dwellings, and offered a positive recommendation to the County Commission for the changes; and

**WHEREAS**, on March 28, 2017, the Ogden Valley Planning Commission, after appropriate notice, held a public hearing to consider public comments regarding amendments to the Weber County Land Use Code with respect to the standards for single family dwellings, and offered a positive recommendation to the County Commission for the changes; and

**WHEREAS**, on May 9, 2017, the Weber County Board of Commissioners, after appropriate notice, held a public hearing to consider public comments regarding amendments to the County Land Use Code with respect to the standards for single family dwellings; and

**WHEREAS**, the Weber County Board of Commissioners find that the proposed ordinance amendments do not run contrary to the goals and objectives of the General Plan and provide clarification necessary to facilitate efficient administration of the Weber County Land Use Code;

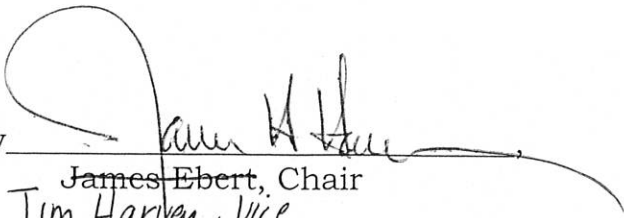
**NOW THEREFORE**, the Weber County Board of Commissioners ordains an amendment to the Weber County Land Use Code as follows:

**See Exhibit A (Clean Copy) and Exhibit B (Track Changes)**

This ordinance shall become effective fifteen (15) days after publication.

Passed, adopted, and ordered published this 9<sup>th</sup> day of May, 2017, by the Weber County Board of Commissioners.

BOARD OF COUNTY COMMISSIONERS  
OF WEBER COUNTY


By   
James Ebert, Chair  
Jim Harvey, Vice  
Commissioner Ebert voted excused

Commissioner Gibson voted aye

Commissioner Harvey voted aye

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ATTEST:

  
Ricky Hatch, CPA  
Weber County Clerk/Auditor

1 CHAPTER 15. - STANDARDS FOR DETACHED SINGLE-FAMILY DWELLINGS

2 Sec. 108-15-1. – Codes and standards.

3 Any structure that is designed to be lived in by one family, and is located outside of a mobile or  
 4 manufactured home park, camp, court, subdivision, or Planned Residential Unit Development (PRUD),  
 5 shall meet all applicable standards and requirements including the International Building Code and  
 6 those others listed below. If a structure, designed to be lived in by one family, is constructed as a  
 7 mobile or manufactured home, it shall also meet all applicable standards and, if appropriate, be certified  
 8 as meeting the U.S. Department of Housing and Urban Development’s (HUD) Manufactured Home  
 9 Construction and Safety Standards including the clear display of all necessary signage, insignias, labels,  
 10 tags, and data plates.

11 (Ord. of 1956, § 37-1)

12 Sec. 108-15-2. – Other standards and requirements.

13 In addition to the above, the following standards and requirements shall also be met:

14 (1) Single-family dwellings shall:

- 15 a. Be attached to a site-built permanent foundation which meets all applicable codes; and
- 16 b. Have all installation and transportation components, consisting of but not limited to, lifting  
 17 shackles or hooks, axles, wheels, brakes, or hitches removed or hidden from view; and
- 18 c. Have an exterior finish made of wood, engineered wood, masonry, concrete, fiber cement,  
 19 stucco, masonite, metal, or vinyl; and
- 20 d. Be permanently connected to all required utilities; and
- 21 e. Be taxed as real property. If the dwelling is a mobile or manufactured home that has previously  
 22 been issued a certificate of title, the owner shall follow and meet all applicable Utah State Code  
 23 titling provisions that result in the mobile or manufactured home being converted to an  
 24 improvement to real property.

25 (2) Single-family dwellings, except for those located within a mobile or manufactured home park, camp,  
 26 court, subdivision, or PRUD or those located within a non-mobile or non-manufactured home PRUD,  
 27 a County approved master planned community, or the Ogden Valley Destination and Recreation  
 28 Resort Zone, that have exterior walls or surfaces, that enclose or create a crawlspace area shall have  
 29 those walls anchored to the perimeter of the dwelling. The walls shall be constructed of or faced  
 30 with the following:

- 31 a. Concrete or masonry materials; or
- 32 b. Weather resistant materials that aesthetically imitate concrete or masonry foundation  
 33 materials; or
- 34 c. Materials that are the same as those used on the portion of the dwelling’s exterior walls that  
 35 enclose and create the habitable space of the dwelling.

36 (3) Single-family dwellings, except for those located within a mobile or manufactured home park, camp,  
 37 court, subdivision, or PRUD, or those located within a non-mobile or non-manufactured home

- 38 PRUD, a County approved master planned community, or the Ogden Valley Destination and  
39 Recreation Resort Zone, shall have:
- 40 a. A roof pitch of not less than a 2:12 ratio; and
  - 41 b. Eaves that project a distance of not less than one foot as measured from the vertical side of the  
42 building. Eaves are not required on exterior bay windows, nooks, morning rooms, or other  
43 similar architectural cantilevers; and
  - 44 c. A width, not including garage area, of at least 20 feet or more. The width of the dwelling is  
45 determined by identifying the lesser of two dimensions when comparing a front elevation to a  
46 side elevation.

47 **Sec. 108-15-3. – Exceptions**

48 The Planning Director, or his/her designee, may waive any of the above architectural and/or massing  
49 standards if the dwelling owner can provide a letter, from a professionally licensed architect, that:

- 50 (1) Explains his/her agreement to the waiver of any particular standard; and
- 51 (2) Certifies that, in the absence of the subject standard(s), the dwelling will be considered  
52 architecturally compatible with the surrounding neighborhood due to the integration and use of  
53 compensating materials and/or architectural features.

54 (Ord. of 1956, § 37-2; Ord. No. 2008-6)

1 CHAPTER 15. - STANDARDS FOR **DETACHED** SINGLE-FAMILY DWELLINGS

2 Sec. 108-15-1. - Codes and standards.

3 Any dwelling or other structure which is designed or intended for human habitation, which is to be  
 4 located in the county outside of a mobile home park, mobile home subdivision or manufactured home  
 5 subdivision or PRUD, must meet the standards of the uniform building and other codes as adopted by the  
 6 county, or if it is a manufactured home, it must meet the standards of, and be certified under the National  
 7 Manufactured Housing and Standards Act of 1974 and must prominently display an insignia approved by  
 8 the United States Department of Housing and Urban Development and must not have been altered in  
 9 violation of such codes.

10 Any structure that is designed to be lived in by one family, and is located outside of a mobile or  
 11 manufactured home park, camp, court, subdivision, or Planned Residential Unit Development (PRUD),  
 12 shall meet all applicable standards and requirements including the International Building Code and those  
 13 others listed below. If a structure, designed to be lived in by one family, is constructed as a mobile or  
 14 manufactured home, it shall also meet all applicable standards and, if appropriate, be certified as meeting  
 15 the U.S Department of Housing and Urban Development's (HUD) Manufactured Home Construction and  
 16 Safety Standards including the clear display of all necessary signage, insignias, labels, tags and data  
 17 plates.

18 (Ord. of 1956, § 37-1)

19 Sec. 108-15-2. - ~~Additional~~ **Other standards and** requirements.

20 In addition to the above codes and standards, the following **standards and** requirements shall also  
 21 be met:

22 (1) The **Single-family dwellings** must **shall** be permanently connected and attached to a site-built  
 23 permanent foundation which meets **all applicable codes**. ICG Guidelines for Manufactured  
 24 Housing Installations if a manufactured home.

25 (2) Installation or transportation components, consisting of but not limited to, lifting shackles or  
 26 hooks, axles, wheels, brakes, or hitches, shall be removed or hidden from view. Any running  
 27 gear shall be removed and stored out of sight.

28 (3) The Single-family dwellings shall have **an** exterior siding **finish** consisting **made** of wood,  
 29 **engineered wood**, masonry, concrete, **fiber cement**, stucco, masonite, metal, **or** vinyl lap

30 (4) Single-family dwellings, except for those located within a mobile or manufactured home park,  
 31 camp, court, subdivision, or PRUD, or those located within a non-mobile or non-manufactured  
 32 home PRUD, a County approved master planned community, or the Destination and Recreation  
 33 Resort Zone, that have exterior walls or surfaces, that enclose or create a crawlspace area,  
 34 shall have those walls Any enclosure must be **anchored** secured to the perimeter of the  
 35 dwelling. The walls shall and **be** constructed of **or faced with** the following:

- 36 a. Concrete or masonry materials; or
- 37 b. that are **Weather resistant materials that** and aesthetically **imitate** consistent with  
 38 concrete and **or** masonry foundation materials; **or**
- 39 c. Materials that are the same as those used on the portion of the dwelling's exterior walls  
 40 that enclose and create the habitable space of the dwelling

41 (2)(5)The **Single-family dwellings** must **shall** be permanently connected to and approved for all  
 42 required utilities.

43 (3)(6)The **Single-family dwellings** must **shall** be taxed as real property. If the dwelling is a **mobile or**  
 44 **manufactured home that has previously been issued a certificate of title, an affidavit the owner**

- 45 must shall follow and meet all applicable Utah State Code titling provisions that result in the  
 46 mobile or manufactured home being converted to an improvement to real property. be filed with  
 47 the state tax commission pursuant to U.C.A. 1953, § 59-2-602 and qualified therefor as an  
 48 improvement to real estate.
- 49 (4) ~~The dwelling must provide a minimum of 72 square feet of enclosed storage with the minimum~~  
 50 ~~height of six feet located in a basement or garage area or in an accessory storage structure.~~  
 51 ~~Such structure shall conform to all applicable building codes.~~
- 52 (5) ~~Porches and landings for ingress and egress to the dwelling must be built in accordance with~~  
 53 ~~chapter 3 of the International Residential Code as adopted by the State of Utah.~~
- 54 (6) ~~At least 60 percent of the roof must be pitched at least 2:12 pitch and shall have a roof surface~~  
 55 ~~of wood shakes, asphalt, composition, wood shingles, concrete, metal tiles, slate, built up gravel~~  
 56 ~~materials or other materials approved by the International Residential Code.~~
- 57 (7) Single-family dwellings, except for those located within a mobile or manufactured home park,  
 58 camp, court, subdivision, or PRUD, or those located within a non-mobile or non-manufactured  
 59 home PRUD, a County approved master planned community, or the Destination and Recreation  
 60 Resort Zone, shall have a roof pitch of not less than a 2:12 ratio.
- 61 (7) ~~The dwelling shall have exterior siding consisting of wood, masonry, concrete, stucco, masonite~~  
 62 ~~or metal or vinyl lap. The roof overhang, including rain gutters, shall not be less than one foot,~~  
 63 ~~measured from the vertical side of the building, but not including bay windows, nooks, morning~~  
 64 ~~rooms, etc.~~
- 65 (8) Single-family dwellings, except for those located within a mobile or manufactured home park,  
 66 camp, court, subdivision, or PRUD, or those located within a non-mobile or non-manufactured  
 67 home PRUD, a County approved master planned community, or the Destination and Recreation  
 68 Resort Zone, shall have eaves that project a distance of not less than one foot as measured  
 69 from the vertical side of the building. Eaves are not required on exterior bay windows, nooks,  
 70 morning rooms, or other similar architectural cantilevers.
- 71 (8) ~~The width of the dwelling shall be at least 20 feet at the narrowest point of its first story for a~~  
 72 ~~depth of at least 20 feet exclusive of any garage area. The width shall be considered the lesser~~  
 73 ~~of two primary dimensions. If the width of the dwelling faces a street and is less than one-half of~~  
 74 ~~the length, the required off-street parking shall be in a two-car garage attached to the length of~~  
 75 ~~the dwelling.~~
- 76 (9) Single-family dwellings, except for those located within a mobile or manufactured home park,  
 77 camp, court, subdivision, or PRUD, or those located within a non-mobile or non-manufactured  
 78 home PRUD, a County approved master planned community, or the Destination and Recreation  
 79 Resort Zone, shall have a width, not including garage area, of at least 20 feet or more. The  
 80 width of the dwelling is determined by indentifying the lesser of two dimensions when comparing  
 81 a front elevation to a side elevation.
- 82 (9) ~~Required off-street parking spaces shall be side-by-side. (See section 108-8-2.)~~
- 83 (10) ~~The county building inspector, as the zoning enforcement officer in concert with the county~~  
 84 ~~planning commission, may approve deviations from one or more of the development or~~  
 85 ~~architectural standards provided herein on the basis of a finding that the architectural style~~  
 86 ~~proposed provides compensating design features and that the proposed dwelling will be~~  
 87 ~~compatible and harmonious with existing structures in the vicinity. Together, they may also~~  
 88 ~~require other deviations to achieve the overall goals and purposes of this chapter. These~~  
 89 ~~requirements may be appealed to the board of adjustment.~~

90

91 Sec. 108-15-3. - Exceptions.

92 The Planning Director, or his/her designee, may waive any of the above architectural and/or massing  
93 standards if the dwelling owner can provide a letter, from a professionally licensed architect, that:

- 94 (1) Explains their agreement to the waiver of any particular standard; and  
95 (2) Certifies that, in the absence of the subject standard(s), the dwelling will be considered  
96 architecturally compatible with existing homes within 500 feet due to the integration and use of  
97 compensating materials and/or architectural features.

98 (Ord. of 1956, § 37-2; Ord. No. 2008-6)