



Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request:	Public hearing to discuss and/or take action on a county-initiated ordinance to amend various sections of the County's zoning ordinance to adjust and clarify permitted and conditional uses and site development standards in the manufacturing zones (MV-1, M-1, M-2, & M-3), to include general administrative and clerical amendments along with a county-initiated proposal to amend the Unified Land Use Code's definitions of a "Lot of Record".
Agenda Date:	Tuesday, January 25, 2022
Applicant:	Weber County Planning Division
File Number:	ZTA 2021-08

Staff Information

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

Applicable Ordinances

- Weber County Land Use Code Title 101 (General Provisions); Chapter 2 (Definitions)
- Weber County Land Use Code Title 102 (Administration); Chapter 5 (Rezoning Procedures); Section 4 (Application Requirements)
- Weber County Land Use Code Title 104 (Zones); Chapter 21 (Manufacturing Zones MV-1, M-1, M-2, & M-3)
- Weber County Land Use Code Title 108 (Standards; Chapter 1 (Design Review)
- Weber County Land Use Code Title 108 (Standards); Chapter 3 (Cluster Subdivisions); Section 7 (Lot Development Standards)

Summary and Background

This County-driven text amendment (see **Exhibit A**) has been undertaken primarily due to interest having been shown from a food processing and manufacturing company that is looking to potentially locate in the Manufacturing zoned areas of western Weber County. However, certain provisions of the existing manufacturing zoning ordinance have been identified as concerns for a potential food processing/manufacturing operation. As such, staff have combed through the existing ordinance and identified several amendments and clarifications needed to not only facilitate a food processing/manufacturing operation within a modified M-2 zoning classification, but to also prepare for other potential mixed-uses that are likely to locate within the manufacturing areas of west Weber County. In addition to the food processing/manufacturing provisions and protections, other general improvements, clarifications, and desired formatting have been proposed to allow the manufacturing zoning ordinance to be consistent with updating efforts that have already been done with the agricultural zoning ordinance, and that which is desired for the commercial zoning ordinance through future amendments.

Summary of Proposed Amendments

Clerical Edits (House Keeping):

With all text amendments, there are a certain number of clerical edits that are proposed to adjust overall ordinance formatting and to clarify both existing and proposed language. These clerical edits can be found in various sections of the proposed ordinance and are generally "House Keeping" in nature.

Edits to Add/Edit Definitions for Terms Within the Land Use Code:

- An amended definition has been proposed for "Lot of Record". The amended definition is needed due to three separate reasons.
 - 1) Adjustments to the existing paragraphs (d) &(e) are proposed as House Keeping adjustments to facilitate the

identification of historic lots of record (grandfathered) that may have met the zoning at a specific point in time (December 31, 1992) that represents a cut off of grandfathered rights.

- 2) The added paragraph (g) has been added as a reprieve to the platting requirements for especially large lots (>100 acres) that may accommodate larger scale developments.
- 3) The added paragraph (h) is proposed as a House Keeping provision to help existing unplatted lots of record to be adjusted without having to go through a full subdivision platting process.

Edits to the Application Requirements for Rezoning Procedures: This edit softens the requirements for applicants to provide a will-serve letter for water and sewer connectivity at the time of rezone application. This edit is proposed to allow large-scale projects to propose rezoning requests while working through water and sewer connections that may require larger infrastructure connections or the formation of a service district prior to the ability to obtain traditional will-serve letters.

Edits to the Manufacturing Zoning Ordinance Use Tables: The language in the header paragraph for the proposed manufacturing zoning use tables has been updated to provide specificities related to uses found in the tables and to clearly indicate that all uses are considered “indoor” unless explicitly stated otherwise with the terms “outdoor” or “yard”.

The current manufacturing zoning use tables are proposed to be repealed in place of the proposed tables. The proposed tables have been reformatted and recategorized under a logical hierarchy of manufacturing uses and include minor adjustments to permitted, conditionally-permitted, and not-permitted uses. These minor adjustments have been selective and intentional to further stratify and create a distinct separation between the M-1, M-2, and M-3 zones. Special attention has been placed on the allowances and protections surrounding food processing/manufacturing within the M-2 classification. More specifically, proposed adjustments have been selected to ensure potentially impactful manufacturing uses (inks, paints, chemicals, odorous processes, dust generation, etc.) are adequately separated and mitigated from impacting food processing/manufacturing uses.

At this time, the majority of uses currently listed as permitted, conditionally permitted, or not permitted in the MV-1 zone are proposed to continue to hold true through the rest of the proposed amendments. However, as part of the restructuring of the land use tables, some uses have been moved and/or regrouped based on their stage and type of manufacturing process. Additionally, some uses have been further separated out as unique uses. In these instances, a new MV-1 zoning allowance has been assigned. Staff recommends that commissioners read through the full list of uses as they pertain to the MV-1 zone to ensure comfort with what is being proposed as permitted, conditionally permitted, and not permitted uses.

Edits to the Manufacturing Zones Special Regulations: A special regulation is proposed for an Automobile Wrecking Yard or Junkyard use. This special regulation intends to help further mitigate and separate such a use from other uses in the M zones as well as other adjacent zoning classifications.

Additional edits to the manufacturing zones special regulations include a separation of requirements for a “Mixing Plant for Certain Construction Material” and a “Mixing Facility for Asphalt or Concrete, Temporary”.

Edits to the Manufacturing Zoning Site Development Standards: These edits remove a minimum lot width requirement and clarify setback requirements based on a lot’s proximity to existing or planned rights-of-way/s or residential zones. These adjustments are house keeping in nature, but also anticipate and facilitate a variety of manufacturing uses in the County.

Edits to the Application and Review Section of the Design Review Chapter: The proposal adds a provision to the application and review section of the Design Review chapter. This added provision will allow the Design Review requirements to be waived or modified by the County Commission by means of an executed and recorded development agreement.

Edits to the Cluster Subdivision Lot Development Standards: These edits are House Keeping in nature and address an omission in rear yard setback requirements for accessory buildings in cluster subdivided lots. This adjustment brings the setback requirements into alignment with the setbacks required for accessory buildings in other residential zones.

Analysis of the 2016 Ogden Valley General Plan

The 2016 Ogden Valley General Plan is quite limited in its references to manufacturing uses. In its limited referencing, manufacturing is generally grouped together with references to commercial development. That said, implementation strategy 1.1.2 under the commercial development goal # 1 states that the community should avoid rezoning new property to

commercial or manufacturing until such time that the community supports it. At present, there are only about 8 acres of land zoned MV-1. The proposed amendments to the manufacturing zoning ordinance are intended to leave the MV-1 zoning allowances largely unchanged.

Noticing Compliance

A hearing for this item was published in compliance with UCA §17-27a-205 and UCA §17-27a-502 in the following manners:

1. Posted on the County's Official Website
2. Posted on the Utah Public Notice Website
3. Published in a local newspaper

Staff Recommendation

Staff's recommendation to the Ogden Valley Planning Commission is outlined below:

Staff recommends that the Ogden Valley Planning Commission review the proposed amendments with special attention to the proposed permitted, conditionally permitted, and not permitted uses in the MV-1 Zone. If the Commission is comfortable with the proposal a positive recommendation could be forwarded to the County Commission based on the following findings:

1. The changes are supported by the 2016 Oden Valley General Plan.
2. The changes are necessary to address the growing needs of manufacturing uses looking to locate in Weber County.
3. The changes will enhance the general health and welfare of County residents.

Exhibits

- A. Proposed Manufacturing Zoning Amendments