

WEBER COUNTY ORDINANCE 2023-__

ON ORDINANCE AMENDING THE COUNTY'S LAND USE CODE CREATING A M-T (MANUFACTURING AND TECHNOLOGY) ZONE, AND PROVIDING OTHER ADMINISTRATIVE AND CLERICAL EDITS.

WHEREAS, the County has an interest in regulating zoning districts in the unincorporated areas of the County to promote the orderly and regular development and use of property; and,

WHEREAS, State Code Section 17-27a-502 (1) states that a planning commission shall provide notice, hold a public hearing, and forward a recommendation to the legislative body for all proposed land use regulation changes; and,

WHEREAS, on December 13, 2022, the Western Weber Planning Commission, after proper notice of the meeting, held a public hearing to receive comment about the proposed ordinance changes; and,

WHEREAS, in that meeting, the Planning Commission voted to forward a positive recommendation to the County Commission; and,

WHEREAS, State Code Section 17-27a-502 (2) states that the legislative body shall consider each proposed land use regulation that the Planning Commission has forwarded; and,

WHEREAS, the County wishes to comply with all appertaining State regulations and codes related to ordinance amendments; and,

WHEREAS, residents of the County have a right to quiet use and enjoyment of their property, including regulating the establishment and use of manufacturing zones and those properties nearby;

NOW THEREFORE, be it ordained by the Board of County Commissioners of Weber County, in the State of Utah, as follows in Exhibit A. The Weber County Board of Commissioners also delegates authority to staff to reformat the ordinance attached hereto for public publishing purposes and in doing so make any clerical or administrative edits necessary to produce a professionally published document:

EXHIBIT A

Chapter 104-21 Manufacturing Zones M-T, MV-1, M-1, M-2, And M-3

Sec 104-21-1 Purpose And Intent

Section 104-21-1 (e) The purpose of the Manufacturing and Technology (M-T) District is to provide for and encourage the development of well-planned and designed technological and manufacturing parks. These areas are characterized by uses such as research, development, manufacturing, fabrication, processing, storage, warehousing and wholesale distribution. These areas are to be located in proximity to adequate transportation facilities and infrastructure so that the needs of these users may be met in an efficient manner with consideration to adjoining uses.

Sec 104-21-3 Land Use Tables

In the following tables of possible uses, a use designated in any zone as "P" is a permitted use. A use designated in any zone as "C" will be allowed only when authorized by a conditional use permit obtained as provided in Title 108, Chapter 4 of this Land Use Code. Uses designated as "N" will not be allowed in that respective zone. Unless more specifically regulated in the following table, any use listed as "P" in the C-3 zone is a permitted use in the M-T, M-1, M-2, and M-3 zones, and any use listed as "C" in the C-3 zone is a conditional use. Likewise, any use listed as "P" in the CV-2 zone is a permitted use in the MV-1 zone, and any use listed as "C" in the CV-2 zone is a conditional use. All uses listed are indoor uses, unless explicitly stated otherwise with the terms "outdoor" or "yard." When a use fits more than one use listed in these tables, the more specific or more restrictive provision applies. In all manufacturing zones, any manufacturing process that will result in odors, dust, fumes, or other airborne contaminants that have the potential of negatively affecting the manufacturing of products, or the work environment in which this manufacturing occurs, shall provide mechanisms, by installation or otherwise, that keep the airborne contaminants from leaving the site.

Sec 104-21-3.010 Aeronautical, Space-Based, Or Defense-Based Manufacturing Table

USE	M-T	MV-1	M-1	M-2	M-3	SPECIAL REGULATIONS
<i>Aircraft engine testing, including jet, missile and chemical engines.</i>	N	N	N	N	C	This use shall be located at least 600 feet from any zone boundary.
<i>Aircraft or aircraft parts manufacturing.</i>	N	N	N	P	P	In the M-2 zone, this use shall be located at least 600 feet from any zone boundary.

<i>Missile and missile parts manufacturing.</i>	N	N	N	N	C	This use shall be located at least 600 feet from any zone boundary.
<i>Spacecraft and spacecraft parts manufacturing.</i>	N	N	N	N	C	This use shall be located at least 600 feet from any zone boundary.

25 [Sec 104-21-3.020 Animal Byproduct Harvesting, Processing, Or Refining Table](#)

USE	M-T	MV-1	M-1	M-2	M-3	SPECIAL REGULATIONS
<i>Animal byproduct manufacturing, generally.</i>	N	N	N	N	C	This use shall be located at least 600 feet from any zone boundary.
<i>Fat rendering.</i>	N	N	N	N	C	This use shall be located at least 600 feet from any zone boundary.

26 [Sec 104-21-3.030 Animal-Related Uses Table](#)

USE	M-T	MV-1	M-1	M-2	M-3	SPECIAL REGULATIONS
<i>Animal feeding operation.</i> An animal feeding operation, as defined in Section 101-2.	N	N	N	N	C	
<i>Animal feeding operation, large concentrated.</i> A large concentrated animal feeding operation, as defined in Section 101-2.	N	N	N	N	C	
<i>Animal grazing.</i> Animal grazing, as defined in Section 101-2.	P	P	P	P	P	
<i>Animal hospital.</i> An animal hospital.	P	P	P	P	P	
<i>Apiary.</i> The keeping of bees.	N	P	P	P	P	
<i>Aviary.</i> The keeping and feeding of birds.	N	P	P	P	P	
<i>Kennel.</i> Kennel.	N	N	P	P	P	

Stockyard. A stockyard.	N	N	N	N	C	This use shall be located at least 600 feet from any zone boundary.
Slaughterhouse. A slaughterhouse.	N	N	N	N	C	This use shall be located at least 600 feet from any zone boundary.
Veterinarian and small animal grooming. Veterinarian or animal grooming services.	P	P	P	P	P	

[Sec 104-21-3.040 Commercial Services Table](#)

USE	M-T	MV-1	M-1	M-2	M-3	SPECIAL REGULATIONS
Building maintenance services. Services for the maintenance of buildings.	P	P	P	P	P	
Building material sales yard.	N	N	P	P	P	See Section 104-21-4.
Conference Center and Convention Center.	P	P	P	P	P	
Contractor's equipment storage yard. A contractor's equipment storage yard or rental of equipment used by contractors. (Indoor or outdoor)	N	C	C	P	P	
	P	P	P	P	P	
Fertilizer and soil conditioner. The manufacturing or processing of fertilizer and soil conditioner. (Indoor or outdoor)	N	N	N	N	C	No animal products or byproducts allowed to be used.
Gas station or convenient store. A gas station or convenience store, with accessory and incidental outdoor uses.	P	P	P	P	P	
Laboratory. A laboratory.	P	N	P	P	P	
Light Office/Warehouse Combination.	P	P	P	P	P	
Machine shop. A machine shop.	P	P	P	P	P	
Medical and Dental Clinics.	P	P	P	P	P	
Medical Research Facility.	P	P	P	P	P	

<i>Metal working shop.</i> Metal working, shaping, or assembling shop.	P	N	P	P	P
<i>Motion picture studio.</i> A motion picture studio.	P	N	C	C	P
<i>Motion picture studio, outdoor.</i> An outdoor motion picture studio.	P	N	C	C	P
<i>Printing and Publishing Facilities.</i>	P	P	P	P	P
<i>Repairing of vehicles.</i> The repairing of motor vehicles, trailers, bicycles, boats, and similar.	P	C	P	P	P
<i>Research and Development Facilities.</i>	P	P	P	P	P
<i>Retail Facilities and Services accessory to a principal use.</i>	P	P	P	P	P
<i>Schools - Vocational and Technical.</i>	P	P	P	P	P
<i>Sandblasting.</i> Sandblasting.	P	N	P	P	P

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Sec 104-21-3.050 Commercial Sales Table

USE	M-T	MV-1	M-1	M-2	M-3	SPECIAL REGULATIONS
<i>Fertilizer and soil conditioner sales.</i> Fertilizer and soil conditioner sales. (Indoor or outdoor)	N	N	C	C	C	
<i>Wrecked car sales.</i> Wrecked car sales. (Indoor or outdoor)	N	N	N	C	C	

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Sec 104-21-3.060 Temporary Construction Material Manufacturing Table

USE	M-T	MV-1	M-1	M-2	M-3	SPECIAL REGULATIONS
<i>Mixing facility for asphalt or concrete, temporary.</i> An onsite asphalt or concrete mixing facility, incidental to large site development. (Indoor or outdoor)	N	N	C	C	C	See Section 104-21-4
<i>Rock crusher, temporary.</i> A mobile rock crushing operation incidental to large site development. (Indoor or outdoor)	N	N	C	C	C	
<i>Temporary Construction Buildings & Yards (12 months maximum)</i>	P	P	P	P	P	

30 [Sec 104-21-3.070 Food Manufacturing And Packaging Table](#)

USE	M-T	MV-1	M-1	M-2	M-3	SPECIAL REGULATIONS
<i>Alcohol distillery.</i> An alcohol distillery.	P	P	P	P	P	
<i>Bakery goods manufacturing.</i> The manufacturing of bakery goods.	P	P	P	P	P	
<i>Brewery.</i> A brewery.	P	P	P	P	P	
<i>Dairy and dairy product processing.</i> The processing of dairy and dairy products.	N	N	P	P	P	
<i>Fat rendering.</i> The rendering of fat.	N	N	N	N	C	This use shall be located at least 600 feet from any zone boundary
<i>Food packaging and distribution, onsite.</i> The packaging and distribution of food products produced onsite.	P	P	P	P	P	
<i>Food packaging and distribution, offsite.</i> The packaging and distribution of food products produced offsite.	P	N	P	P	P	
<i>Food products, small-batch artisan.</i> The creation of small-batch artisan food products.	P	P	P	P	P	Limited to food for human consumption. e.g., baked goods, confectionaries, and craft cheese.
<i>Food products manufacturing.</i> The manufacturing of food products, which may include use of potentially hazardous chemicals incidental and accessory to the processing of food onsite.	P	N	C	P	P	
<i>Meat custom cutting and wrapping.</i> The custom cutting and wrapping of meat, excluding slaughtering.	P	P	P	P	P	
<i>Meat products smoking, curing, and packaging.</i> The smoking, curing, and packaging of meat products.	N	N	C	C	C	
<i>Tobacco manufacturing.</i> The manufacturing of tobacco products.	N	N	N	N	C	

31 [Sec 104-21-3.080 Gaseous Or Liquid Nonfood Manufacturing Table](#)

USE	M-T	MV-	M-1	M-2	M-3	SPECIAL REGULATIONS
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Hazardous products. Gaseous or liquid nonfood products, such as chemicals, paints, inks, and other products that are or have potential of being combustible, explosive, oxidizers, organic peroxides, poisonous or infections, radioactive, or otherwise hazardous or capable of posing a risk to health, safety, property, or environment.

N N N N C

This use shall be located at least 600 feet from any zone boundary.

Nonhazardous products. Gaseous or liquid nonfood products that are not hazardous.

P C C P P

32 [Sec 104-21-3.090 Mining, Rock, Or Gravel Production Table](#)

USE	M-T	MV-1	M-1	M-2	M-3	SPECIAL REGULATIONS
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Mining or extraction of metals or other minerals. The mining or extraction of metals or other minerals. (Indoor or outdoor)

N N N N C

This use shall be located at least 600 feet from any zone boundary.

Gravel extraction. The extraction of gravel. (Indoor or outdoor).

N N N N C

This use shall be located at least 600 feet from any zone boundary.

Rock crusher. A rock crusher. (indoor or outdoor)

N N N N C

33 [Sec 104-21-3.100 Pharmaceutical Table](#)

USE	M-T	MV-1	M-1	M-2	M-3	SPECIAL REGULATIONS
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Cannabis cultivation establishment. A cannabis cultivation establishment.

N N P P P

See Section 108-7-34.

Cannabis production establishment. A cannabis production establishment.

P N N N P

See Section 108-7-34.

Pharmaceuticals, generally. The general manufacturing of pharmaceuticals.

P N P P P

34 [Sec 104-21-3.110 Basic Materials Manufacturing Table](#)

35 **Basic materials manufacturing.** The processing or refining of raw material into the basic material from which a final or semi-final
 36 nonfood product can be made.

USE	M-T	MV-1	M-1	M-2	M-3	SPECIAL REGULATIONS
Metals processing or refining, hazardous. The processing or refining of metals that are or have potential of being combustible, explosive, oxidizers, organic peroxides, poisonous or infections, radioactive, or otherwise hazardous or capable of posing a risk to health, safety, property, or environment.	N	N	N	N	C	This use shall be located at least 600 feet from any zone boundary.
Metals processing or refining, nonhazardous. The processing or refining of nonhazardous metals.	N	N	N	C	P	
Foundry or forage plant, large. A large foundry or forage plant for the processing or refining of metals.	N	N	N	N	C	
Foundry, small. A small foundry for the processing or refining of lightweight and nonferrous metals.	N	N	C	C	P	
Organics processing or refining, hazardous. The processing or refining of organics that are or have potential of being combustible, explosive, oxidizers, organic peroxides, poisonous or infectious, radioactive, or otherwise hazardous or capable of posing a risk to health, safety, property, or environment.	N	N	N	N	C	This use shall be located at least 600 feet from any zone boundary.
Organics processing or refining, nonhazardous. The processing or refining of nonhazardous organics.	N	N	N	C	C	
Plastic processing or refining. The processing or refining of plastics.	N	N	N	N	C	

37 [Sec 104-21-3.120 Final Product Manufacturing Table](#)

38 **Final product manufacturing table.** Processing, compounding, assembling, or fabricating of a final or semi-final product from solid
 39 materials previously processed or refined.

USE	M-T	MV-1	M-1	M-2	M-3	SPECIAL REGULATIONS
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Batteries. The compounding, assembling, or fabricating of batteries or battery parts. P N C C C

Mixing plant for certain construction material. A mixing or batching plant for cement, cinder, mortar, brick, plaster, paving or similar construction material. (Indoor or outdoor) N N N N C

Vehicle assembly. The assembly of motor vehicle, bicycle, boat, and similar manufacturing, including parts thereof. P N N P P

Products, hazardous. The creation of hazardous products that are or have potential of being combustible, explosive, oxidizers, organic peroxide, poisonous or infectious, radioactive, or otherwise hazardous or capable of posing a risk to health, safety, property, or environment. N N N N C

Products, nonhazardous. The creation of nonhazardous products. P P P P P

Rubber products. The creation of real or synthetic rubber products. N N N N P

See Section 104-21-4.

In the M-2 zone, this use shall be located at least 600 feet from any zone boundary. In the M-T zone, no outdoor storage of vehicles or parts for assembly are permitted.

This use shall be located at least 600 feet from any zone boundary.

40 [Sec 104 21-3.130 Public, Quasi-Public, And Institutional Table](#)

USE	M-T	MV-1	M-1	M-2	M-3	SPECIAL REGULATIONS
Public or quasi-public uses. A public or quasi-public use, including public buildings. (Indoor or outdoor)	P	P	P	P	P	
Public safety training facility. A public safety training facility. (Indoor or outdoor)	P	N	C	C	C	
Public transit facility. A public transit storage or maintenance facility. (Indoor or outdoor)	N	N	P	P	P	
Recreation center. A recreation center, which may also include a daycare center as an incidental and accessory use.	P	P	P	P	P	

Sec 104-21-3.140 Recreational Table

USE	M-T	MV-1	M-1	M-2	M-3	SPECIAL REGULATIONS
<i>Go cart racing or drag strip, indoor.</i> A go cart or drag strip racing facility. (Indoor)	P	P	P	P	P	
<i>Go cart racing or drag strip, outdoor.</i> A go cart or drag strip racing facility. (Outdoor)	N	N	N	N	C	
<i>Race track, indoor.</i> A track or course for motor vehicle competition. (Indoor)	N	N	C	C	C	
<i>Race track, outdoor.</i> A track or course for motor vehicle competition, with spectators. (Outdoor)	N	N	N	C	P	
<i>Recreation area, private.</i> A private recreation area. (Outdoor)	N	N	N	N	C	
<i>Shooting range or training course.</i> A shooting range or training course. (Indoor or outdoor)	P	N	N	N	C	See Section 104-21-4. In the M-T zone only indoor shooting range or training course are permitted.
<i>Vehicle training course.</i> A track or course for motor vehicle training, without spectators. (Outdoor)	N	N	C	P	P	

Sec 104-21-3.150 Storage Table

USE	M-T	MV-1	M-1	M-2	M-3	SPECIAL REGULATIONS
<i>Commercial Storage and Distribution Center.</i> A center for the storage and local distribution of commercial products.	P	P	P	P	P	
<i>Self-storage.</i> Indoor self-storage units for personal and household items.	N	P	P	P	P	
<i>Recreational vehicle storage.</i> The indoor storage of a recreational vehicle.	P	P	P	P	P	

Outdoor storage. Outdoor storage.

N N N C C

43 [Sec 104-21-3.160 Textiles Table](#)

USE	M-T	MV-1	M-1	M-2	M-3	SPECIAL REGULATIONS
Carpet and rug manufacturing and dyeing. The manufacturing and dyeing of a carpet or rug.	P	N	P	P	P	
Dry cleaning plant. A dry cleaning plant.	P	N	P	P	P	
Textile manufacturing or maintenance. The manufacturing or maintenance of textiles.	P	N	P	P	P	
Upholstering. Upholstering, including furniture manufacturing, rebuilding, and renovating.	P	P	P	P	P	

44 [Sec 104-21-3.170 Transportation Table](#)

USE	M-T	MV-1	M-1	M-2	M-3	SPECIAL REGULATIONS
Airport. An airport	N	N	P	P	P	
Freight transfer, indoor. The indoor transfer of freight.	P	N	P	P	P	
Freight transfer, outdoor. The outdoor transfer of freight.	P	N	P	P	P	
Parking lot. An outdoor parking lot.	P	P	P	P	P	
Parking structure. A parking structure.	P	P	P	P	P	
Railroad yard. A railroad yard, which may include a shop and/or a roundhouse. (Indoor or outdoor)	N	N	N	C	C	
Truck service station. A truck service station.	P	N	P	P	P	

45 [Sec 104-21-3.180 Waste Disposal And Recycling](#)

USE	M-T	MV-1	M-1	M-2	M-3	SPECIAL REGULATIONS
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Automobile wrecking yard or junkyard. A junkyard or automobile wrecking yard. (Indoor or outdoor)	N	N	N	N	N	
Automobile recycling and parts dismantling. The dismantling and recycling of automobile or automobile parts.	N	N	N	C	C	See Section 104-21-4.
Incinerator. An incinerator.	N	N	N	N	N	
Solid waste disposal facility. A solid waste disposal facility as defined in Section 101-2-20. (Indoor or outdoor)	N	N	N	N	N	
Solid waste transfer station, indoor. The indoor transfer of solid waste.	N	N	N	N	N	
Solid waste transfer station, outdoor. The outdoor transfer of solid waste.	N	N	N	N	N	
Radioactive waste disposal. The disposal of radioactive waste.	N	N	N	N	N	
Recycling facility. The recycling of metals, plastics, paper, or glass.	N	N	C	C	P	

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[Sec 104-21-5 Site Development Standards](#)
 The following site development standards shall apply to the Manufacturing Zones:

Development standards

(a) Lot area:

	M-T	MV-1	M-1	M-2	M-3	ADDITIONAL RESTRICTION
Minimum lot area:	None	None	None	None	20,000 square feet	Except minimum required by health department if not connected to sewer system.

(b) Lot width:

	M-T	MV-1	M-1	M-2	M-3	ADDITIONAL RESTRICTION
Minimum lot width:	None	None	None	None	None	

(c) Yard Setbacks

(1) Front yard setbacks:

	M-T	MV-1	M-1	M-2	M-3	ADDITIONAL RESTRICTION
Minimum front yard setback	30 feet ¹	30 feet	30 feet	30 feet	50 feet	Except 50 feet if on a street right-of-way that is or is planned to be 80 feet or wider. ¹ When adjacent to a street right-of-way that is or is planned to be 80 feet or wider, then shall the setback be one foot (1') beyond the minimum setback for every one foot (1') of building height above thirty feet (30'). When the road adjacent to the property is planned to be expanded, the setback shall be measured from the centerline of the road plus one-half of the planned expanded right-of-way.

(2) Side yard setbacks:

	M-T	MV-1	M-1	M-2	M-3	ADDITIONAL RESTRICTION
Minimum side yard setback	None	None	None	None	None	Except 20 feet where the lot is adjacent to a residential zone, or for a side yard on a corner lot.

(3) Rear yard setback:

	M-T	MV-1	M-1	M-2	M-3	ADDITIONAL RESTRICTION
Minimum rear yard setback	None	None	None	None	None	Except 30 feet where the lot rears on a residential zone

(d) Building height:

	M-T	MV-1	M-1	M-2	M-3	ADDITIONAL RESTRICTION
Minimum building height	1 story	1 story	1 story	1 story	1 story	
Maximum building height	None ¹	50 feet	None	None	None	¹ Except 40 feet, if adjacent to a street right-of-way that is or is planned to be expanded.

(e) Lot coverage:

	M-T	MV-1	M-1	M-2	M-3	ADDITIONAL RESTRICTION
Maximum lot coverage by buildings	80 percent	10,000 square feet	80 percent	80 percent	80 percent	

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52 [Sec 108-2-3 Applicability](#)

53 Applicability. The architectural, landscape and screening design standards, as set forth in this chapter, shall only apply to the
54 following:

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(1) All commercial, and public or quasi-public uses, except public park facilities;

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(2) Multi-family dwellings of three or more units, including townhouses, condominiums, apartments and bed and breakfast inns;

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(3) Industrial and manufacturing uses, except those uses located in an M-T, M-1, M-2, or M-3 zone; and

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(4) Yurts, except the standards of Section 108-2-4(b) if this chapter shall not apply.

PASSED AND ADOPTED BY THE WEBER COUNTY BOARD OF COUNTY COMMISSIONERS ON THIS ____ DAY OF _____, 20__.

AYE NAY ABSENT ABSTAIN

Gage Froerer

Jim "H" Harvey

Sharon Arrington
Bolos

Presiding Officer

Attest

Gage Froerer, Board of
Commissioners Chair, Weber
County

Ricky D. Hatch, CPA, Clerk/Auditor
Weber County