



Staff Report to the Weber County Commission

Weber County Planning Division

Synopsis

Application Information

- Application Request:** Public hearing to consider and take action on a county-initiated ordinance to amend various sections of the Weber County Land Use Code to define and regulate Animal Grazing, Animal Feeding Operations, and Large Concentrated Animal Feeding Operations, and to include general administrative and clerical amendments.
- Agenda Date:** Tuesday, February 1, 2022
- Report Author:** Scott Perkes (sperkes@webercountyutah.gov)
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Applicable Ordinances

- § 101-2-2 – An Definitions
- § 104-1-2 – Boundaries of Zones
- § 104-1-3 – Rules of Ordinance and Maps
- § 104-2 – Agricultural Zones
- § 104-21 – Manufacturing Zones

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. Legislative decisions have 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.

Summary and Policy Analysis

During the 2021 General Session, the Utah State Legislature passed S.B. 130, which served to accomplish the following:

- 1) Enacted the Large Concentrated Animal Feeding Operations Act (17-27a-11) (Effective 5/5/2021).
- 2) Provide defined terms for Animal Feeding Operations (AFO) and Large Concentrated Animal Feeding Operations (LCAFO).
- 3) Required adoption of a county LCAFO land use ordinance.
- 4) Addressed the scope of a county LCAFO land use ordinance.
- 5) Addressed the geographic area where large concentrated animal feeding operations may be located.

Per item #3 above, the Act requires that counties adopt an LCAFO land use ordinance by no later than February 1st 2022. Pursuant to this requirement, Planning staff have worked with the County Commission, as well as the Western Weber and Ogden Valley Planning Commissions in work sessions and public hearings, on potential regulation scenarios for consideration.

Through work sessions and a public hearings, both the Western Weber and Ogden Valley Planning Commissions moved to forward a positive recommendation on a regulation scenario that would serve to accomplish the following:

Proposed Regulation Scenario:

- 1) Only allow new LCAFOs to locate in the A-3 or M-3 zones as Conditionally Permitted Uses.
- 2) Existing LCAFOs not located in the A-3 or M-3 zones may continue to operate as non-conforming uses.
- 3) Although unlikely, any existing LCAFOs located in the A-3 or M-3 zones may expand if market forces support an expansion.
- 4) Existing AFOs (Animal Feeding Operations) in the A-3 or M-3 zones, known as “Livestock Feed Yards” under the current land use code, may continue operating as conforming uses and may expand if market forces support an expansion.

- 5) Existing AFOs not located in the A-3 or M-3 zones may continue to operate as nonconforming uses but are not allowed to expand.
- 6) New and existing farms (dairy, poultry, cattle, sheep, goats, etc.) that are able to sustain their animals with on-site vegetation (Proposed to be defined as an Animal Grazing operation), will continue to be a permitted use in all Agriculture zones with applicable special regulations.

Additional feedback through work session discussion with the County Commission also suggested that if the scenario above were to be implemented, a buffer area of a quarter mile should also be required for any new LCAFOs conditionally permitted in the A-3 or M-3 zones. This would ensure additional separation between the impacts of an LCAFO operation and surrounding uses.

The attached ordinance (**Attachment A**) has been crafted to implement the regulatory scenario listed above into the Land Use Code. Some edits are clerical in nature and are intended to allow the proposed amendments to merge into the structure of the existing code.

Past Action

- The Western Weber Planning Commission held a work session on this item during their December 14, 2021 meeting.
- The Ogden Valley Planning Commission held a work session on this item during their December 28, 2021 meeting.
- The Western Weber Planning Commission held a public hearing during their January 4, 2022 meeting and forwarded a positive recommendation by a vote of 5 to 1, with Commissioner Call voting nay.
- The Ogden Valley Planning Commission held a public hearing on this item during their January 25, 2022 meeting and forwarded a positive recommendation through a unanimous vote.

Noticing Compliance

Public notice for this item has been posted in compliance with UCA §17-27a-205 and UCA §17-27a-502 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

State code requires the County Commission to review the version of an ordinance that the planning commission/s recommended. State code further allows the County Commission to modify the proposal prior to adopting it. Staff are recommending adoption of the version provided in the attached ordinance (**Attachment A**) with the following findings:

1. The proposal protects existing Animal Grazing, AFOs and LCAFOs ability to continue operations for as long as the prevailing markets allow.
2. The proposal gives clear direction to any potentially new Animal Grazing, AFO, or LCAFO operation regarding the zones where such uses are permissible and the associated operational standards under which they will need to operate.
3. The proposal is in the best interest of the public both in the short term and in the long term.
4. The proposal is not detrimental to either the 2003 West Central Weber General Plan or the 2016 Ogden Valley General Plan.

Attachments

- A. Proposed ordinance to define and regulate Animal Grazing, Animal Feeding Operations (AFOs), and Large Concentrated Animal Feeding Operations (LCAFOs).

WEBER COUNTY

ORDINANCE 2022-_____

AN ORDINANCE TO AMEND VARIOUS SECTIONS OF THE WEBER COUNTY LAND USE CODE TO DEFINE AND REGULATE ANIMAL GRAZING, ANIMAL FEEDING OPERATIONS, AND LARGE CONCENTRATED ANIMAL FEEDING OPERATIONS.

WHEREAS, The Board of Commissioners of Weber County has heretofore adopted a land use code that includes zones for the purpose of providing for an orderly development of land; and

WHEREAS, The Utah State Legislature adopted S.B. 130 during the 2021 General Session which enacted the Large Concentrated Animal Feeding Operations Act requiring that County adopt an ordinance regulating Large Concentrated Animal Feeding Operations by no later than February 1st 2022; and

WHEREAS, On, January 4th 2022, the Western Weber Planning Commission offered a favorable recommendation for the regulation proposed herein; and

WHEREAS, On, January 25th 2022, the Ogden Valley Planning Commission offered a favorable recommendation for the regulation proposed herein; and

WHEREAS, The proposed ordinance is consistent with the goals and objectives of both the 2003 West Central Weber General Plan and the 2016 Ogden Valley General Plan; and

NOW THEREFORE, be it ordained by the Board of Commissioners of Weber County, in the State of Utah, as follows:

SECTION 1: AMENDMENT. The Weber County Code is hereby amended as provided in Exhibit A. Any part of the Weber County Code not explicitly provided herein shall remain unchanged. For all text herein, text in blue underline is being added, text in red strikeout is being deleted.

PASSED AND ADOPTED BY THE BOARD OF WEBER COUNTY COMMISSIONERS ON THIS ____ DAY OF _____, 2022.

Gage Froerer: AYE____ NAY____ ABSENT____ ABSTAIN____
Jim "H" Harvey: AYE____ NAY____ ABSENT____ ABSTAIN____
Scott K. Jenkins: AYE____ NAY____ ABSENT____ ABSTAIN____

Presiding Officer

Attest

Scott K. Jenkins, Chair

Ricky D. Hatch, Clerk

39 **Sec 101-2-2 An-Definitions**

40 Animal feeding operation. The term "animal feeding operation" means a lot or facility where the following
41 conditions are met:

- 42 (a) animals have been, are, or will be stabled or confined and fed or maintained for a total of 45 days
43 or more in any 12-month period; and
- 44 (b) the area of confinement devoted to the feeding of the animals does not sustain grazing vegetation
45 during the normal growing season for the purpose of feeding the confined animals.

46 Animal feeding operation, large concentrated. The term "large concentrated animal feeding operation"
47 means the same as provided in the Large Concentrated Animal Feeding Operations Act of State Code.

48 Animal grazing. The term "animal grazing" means the pasturing or ranging of animals for the purpose of
49 grazing at an animal density that does not exceed the land's ability to perpetually sustain vegetation for
50 grazing during the normal growing season.

51 Animal/veterinary hospital. The term "animal/veterinary hospital" means any building or structure used
52 for medical and/or surgical care, treatment of animals, including boarding of domesticated animals. The
53 term "animal/veterinary hospital" does not include an animal rescue facility, nor an animal sanctuary.

54 Antenna. The term "antenna" means any system of wires, poles, rods, reflecting discs, or similar devices
55 used for the transmission or reception of electromagnetic waves external to or attached to the exterior of
56 any building and including the supporting structure; includes, but is not limited to amateur radio antennas,
57 television antennas, an

58 ...

59 **Sec 104-1-2 Boundaries Of Zones**

60 (a) The boundaries of each of the said zones are hereby established as described herein or as shown
61 on the maps entitled "Zoning Map of Weber County", which map or maps are attached and all
62 boundaries, notations and other data shown thereon are made by this reference as much a part of
63 this title as if fully described and detailed herein.

64 (b) Where uncertainty exists as to the boundary of any zone, the following rules shall apply:

- 65 (1) Wherever the zone boundary is indicated as being approximately upon the centerline of
66 a street, alley or block, or along a property line, then, unless otherwise definitely
67 indicated on the map, the centerline of such street, alley or block or such property line,
68 shall be construed to be the boundary of such zone.
- 69 (2) Whenever such boundary line of such zone is indicated as being approximately at the
70 line of any river, irrigation canal or other waterway or railroad right-of-way, or public
71 park or other public land or any section line, then in such case the center of such stream,
72 canal or waterway, or of such railroad right-of-way or the boundary line of such public
73 land or such section line shall be deemed to be the boundary of such zone.
- 74 (3) Where such zone boundary lines cannot be determined by the above rules, their location
75 may be found by the use of the scale appearing upon the map.
- 76 (4) Where the application of the above rules does not clarify the zone boundary location, the
77 board of adjustment shall interpret the map.

78 ***Editors Note:*** Ord. No. 2021-XX consolidated the text that was in Section 104-1-3 Rules or Ordinance And
79 Maps into this Section 104-1-2 Boundaries Of Zones, and changed Section 104-1-3 to Rules of
80 Interpretation.

81 (Ord. of 1956, § 2-2 and § 2-4; Ord. No. 2008-20; Ord. No. 2009-15; Ord. No. 2010-09)

Attachment A Exhibit A

82 ...

83 **Sec 104-1-3 Rules Of Interpretation of Land Use Tables or Lists of Uses. ~~Ordinance and Maps~~**

84 ~~Where uncertainty exists as to the boundary of any zone, the following rules shall apply:~~

85 ~~1. Wherever the zone boundary is indicated as being approximately upon the centerline of a street,~~
 86 ~~alley or block, or along a property line, then, unless otherwise definitely indicated on the map, the~~
 87 ~~centerline of such street, alley or block or such property line, shall be construed to be the boundary~~
 88 ~~of such zone.~~

89 ~~2. Whenever such boundary line of such zone is indicated as being approximately at the line of any~~
 90 ~~river, irrigation canal or other waterway or railroad right of way, or public park or other public land~~
 91 ~~or any section line, then in such case the center of such stream, canal or waterway, or of such~~
 92 ~~railroad right of way or the boundary line of such public land or such section line shall be deemed~~
 93 ~~to be the boundary of such zone.~~

94 ~~3. Where such zone boundary lines cannot be determined by the above rules, their location may be~~
 95 ~~found by the use of the scale appearing upon the map.~~

96 ~~4. Where the application of the above rules does not clarify the zone boundary location, the board of~~
 97 ~~adjustment shall interpret the map.~~

98 The Land Use Table or list of permitted uses and conditional uses of each zone are plenary. As such, the
 99 following rules of interpretation apply:

100 (a) A use that is not explicitly listed as a permitted or conditional use in the respective zone is not an
 101 allowed use in that zone.

102 (b) The omission of a use from a zone's Land Use Table or a zone's list of permitted or conditional
 103 uses shall not be construed in any manner as an allowed use in the zone.

104 (c) A use that is specifically listed in one zone's Land Use Table or the zone's list of permitted or
 105 conditional uses that is not specifically listed in another zone's Land Use Table or list of permitted
 106 or conditional uses is not permitted in the other zone.

107 *Editors Note: Ord. No. 2021-XX consolidated the text that was in this section, which was named Section*
 108 *104-1-3 Rules or Ordinance And Maps, into Section 104-1-2 Boundaries Of Zones, and changed this*
 109 *Section 104-1-3 to Rules of Interpretation.*

110 (Ord. of 1956, § 2-4; Ord. No. 2008-20; Ord. No. 2009-15; Ord. No. 2010-09)

111 ...

112 **Animal-related agricultural-wholesale or noncommercial uses.** The following are animal-related uses
 113 that do not and shall not typically generate customer-oriented traffic to the lot or parcel.

	AV-3	A-1	A-2	A-3	Special Provisions
<u>Animal grazing. Animal grazing, as defined in Section 101-2.</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>See Section 104-2-4.</u> <u>5-acre use.</u>
<u>Animal feeding operation. An animal feeding operation, as defined in Section 101-2.</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>See Section 104-2-4.</u> <u>5-acre use.</u>

Attachment A Exhibit A

<u>Animal feeding operation, large concentrated.</u> A large concentrated animal feeding operation, as defined in Section 101-2.	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>See Section 104-2-4. 5-acre use.</u>
Apiary.	P	P	P	P	
<u>Aquaculture, animal related.</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
Aviary.	P	P	P	P	
Chinchilla raising.	P	P	P	P	
Corral, stable or building for keeping animals or fowl.	P	P	P	P	See <u>Section 104-2-4.</u>
Dairy farm, including milk processing and sale, when at least 50 percent of milk is produced on the farm.	P	P	P	P	5-acre use.
Dairy or creamery.	N	N	N	P	5-acre use.
Dog breeding, dog kennels, or dog training school.	C	C	C	N	See <u>Section 104-2-4. 2-acre use.</u>
Farm for the hatching or raising of chickens, turkeys, or other fowl, rabbits, fish, frogs or beaver.	P	P	P	P	5-acre use.
Farm for the raising and grazing of horses, cattle, sheep or goats.	P	P	P	P	See <u>Section 104-2-4. 5-acre use.</u>
Fur farm.	N	N	N	P	5-acre use.
Hog farm, small.	P	P	P	P	See <u>Section 104-2-4. 5-acre use.</u>
Hog farm, large.	N	N	N	C	See <u>Section 104-2-4. 5-acre use.</u>
Livestock feed or sales yard.	N	N	N	C	
Stable <u>for horses</u>, noncommercial. Horses shall be for noncommercial use	P	P	P	P	

Attachment A Exhibit A

only. No more than two horses shall be kept for each one-half acre of land used for the horses.					
Slaughterhouse.	N	N	N	C	
Slaughtering, dressing, and marketing on a commercial scale of chickens, turkeys, or other fowl, fish, or frogs, when the animals or fowl were raised on the lot or parcel.	C	C	C	C	5-acre use.
Slaughtering of rabbits or beavers raised on the lot or parcel. This use is limited to a maximum of 500 rabbits at any one time.	C	C	C	C	

114 ...

115 **Sec 104-2-4 Special Regulations**

116 The uses listed below correspond with certain uses listed in the Land Use Table in Section 104-2-3. Due to
117 the nature of the use, each shall be further regulated as follows:

118 (a) *Animal grazing.* This use shall not include the supplementary or full feeding of the animals,
119 except when in compliance with the following:

120 (1) It may only be carried on during times that are reasonable and necessary due to lack of
121 natural growing feed as a result of seasonal changes or extreme and temporary
122 meteorological events.

123 (2) It shall not exceed a density of 25 head per acre of used land in the AV-3 and A-1 zones,
124 and 40 head per acre of used land in the A-2 and A-3 zones;

125 (3) It shall not be closer than 75 feet to any dwelling, public or semi-public building on an
126 adjoining parcel of land; and

127 (b) *Animal feeding operation.* This use may include supplemental or full feeding. However, it is
128 prohibited to feed animals any market refuse, house refuse, garbage, or offal that was not
129 produced on the premises. The following additional standards apply for hog feeding:

130 (1) All pens and housing for hogs shall be concrete and maintained in a sanitary manner.

131 (2) Drainage structures and disposal of animal waste shall be provided and properly
132 maintained as required by the local health department.

133 (c) *Animal feeding operation, large concentrated.* A large concentrated animal feeding operation
134 shall not be located within a half-mile of a zone boundary, unless the boundary is shared with
135 another zone in which this use is allowed. Additionally, any new large concentrated animal
136 feeding operation shall be sited on a lot or parcel with enough area for the operation to
137 accommodate a setback of not less than a quarter-mile to any property boundary.

138 (d) *Corral, stable or building for keeping animals or fowl.* This use shall be located no less
139 than 100 feet from a public street and not less than 25 feet from any side or rear lot line.

Attachment A Exhibit A

140 ~~(b)~~(e) **Custom exempt meat cutting.** This use shall be limited to animals that are part of one or
141 more livestock operation(s) in Weber County. This use shall only occur if it is accessory to a
142 dwelling onsite, completely enclosed within a building with no outdoor storage, and located on
143 and with access directly from a collector or arterial street.

144 ~~(e)~~(f) **Dog breeding, dog kennels, or dog training school.** This use shall not exceed ten dogs of
145 more than ten weeks old, per acre, at any time. Any building or enclosure for animals shall be
146 located not less than 100 feet from a public street and not less than 50 feet from any side or rear
147 property line.

148 ~~(d)~~(g) **Family food production.**

149 (1) As used in this subsection, a Group A animal is either one pig, one sheep, one cow, or
150 one goat, and Group B animals or fowl are either a set of ten rabbits, ten chickens, ten
151 pheasants, five turkeys, five ducks, five geese, or five pigeons.

152 (2) No more than four sets of Group B animals or fowl may be kept on a lot or parcel that
153 is less than 40,000 square feet.

154 (3) No more than six combined Group A animals and sets of Group B animals or fowl may
155 be kept on a lot or parcel that is less than two acres. The same applies to a lot or parcel
156 greater than two acres, except that an additional six combined Group A and and sets of
157 Group B animals or fowl may be kept per each additional acre greater than two.

158 ~~1. Hog farm.~~

159 ~~1. Hog farm, small.~~ This use is limited to not more than ten hogs, more than 16 weeks old. It
160 is prohibited to feed hogs any market refuse, house refuse, garbage, or offal that was not
161 produced on the premises.

162 ~~2. Hog farm, large.~~ It is prohibited to feed hogs any market refuse, house refuse, garbage, or
163 offal that was not produced on the premises. All pens and housing for hogs shall be concrete
164 and maintained in a sanitary manner. Drainage structures and disposal of animal waste
165 shall be provided and properly maintained as required by the local health department.

166 ~~2. Raising and grazing of horses, cattle, sheep or goats.~~ This use shall not include the supplementary
167 or full feeding of the animals in conjunction with any livestock feed yard, livestock sales, or
168 slaughterhouse except when in compliance with the following:

169 ~~1. It shall not exceed a density of 25 head per acre of used land in the AV-3 and A-1 zones,
170 and 40 head per acre of used land in the A-2 and A-3 zones;~~

171 ~~2. It may only be carried on during the period of September 15 through April 15;~~

172 ~~3. It shall not closer than 300 feet to any dwelling, public or semi public building on an
173 adjoining parcel of land; and~~

174 ~~(4) It shall not include the erection of any permanent fences, corrals, chutes, structures or
175 other buildings normally associated with a feeding operation.~~

176 ~~(e)~~(h) **Parking of construction vehicle.** The off-site for-profit nonagricultural use of the
177 construction vehicle shall be restricted to the owner or operator of an actively operating
178 agricultural use on the same lot or parcel on which it is parked, or the owner or operator's
179 employee. This use shall:

180 (1) Be accessory to an actively-operating agricultural use on the lot or parcel;

181 (2) Be restricted to vehicles and related equipment that are used for the actively-operating
182 agricultural use;

Attachment A Exhibit A

- 183 (3) Include no more than one three-axle truck, and no pups.
- 184 ~~(i)~~ ***Parking of large vehicle.*** This use shall be restricted to one vehicle, no greater than 24,000
- 185 pound GVW, which shall be parked at least 50 feet from a public street. Recreational vehicles are
- 186 exempt from these restrictions.
- 187 ~~(j)~~ ***Temporary building or use.*** The building or use shall be removed upon completion or
- 188 abandonment of the construction work.

189 HISTORY

190 *Adopted by Ord. 2021-6 on 3/23/2021*

191 ...

192 **Chapter 104-21 Manufacturing Zones MV-1, M-1, M-2, and M-3**

193 ...

194 **Sec 104-21-3 Land Use Table**

...

	MV-1	M-1	M-2	M-3	Special Provisions
Accessory use customarily incidental to a main use, including an accessory building incidental to the use of a main building, and a main building designed or used to accommodate the main use to which the premises are devoted.	P	P	P	P	
Acetylene gas manufacturing, compounding, processing, packing, treatment, and/or storage.	N	N	C	C	
Aircraft engine testing, including jet, missile and chemical engines.	N	N	N	C	
Aircraft or aircraft parts manufacturing.	N	N	P	P	In the M-2 zone, this use shall be located at least 600 feet from any zone boundary.
Airport.	N	P	P	P	
Any permitted use in a C-3 Zone, except dwelling unit.	P	P	P	P	
Any conditional use allowed in a C-3 Zone, except dwelling unit.	C	C	C	C	

Attachment A Exhibit A

<u>Animal feeding operation. An animal feeding operation, as defined in Section 101-2.</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>See Section 104-21-4. 5-acre use.</u>
<u>Animal feeding operation, large concentrated. A large concentrated animal feeding operation, as defined in Section 101-2.</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>See Section 104-21-4. 5-acre use.</u>
<u>Animal grazing. Animal grazing, as defined in Section 101-2.</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>See Section 104-21-4. 5-acre use.</u>
Animal hospital.	P	P	P	P	
<u>Apiary.</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
Automobile or automobile part manufacturing.	N	N	P	P	In the M-2 zone, this use shall be located at least 600 feet from any zone boundary.
Automobile recycling (parts dismantling).	N	N	C	C	See Section 104-21-4.
Automobile repair, auto body and fender work.	C	P	P	P	The use shall be conducted within an enclosed building.
Automobile wrecking yard.	N	N	C	C	The use shall be enclosed within a seven foot high solid fence or wall. In the M-2 zone, this use shall be located at least 600 feet from any zone boundary.
<u>Aviary.</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	-
Battery manufacture.	N	C	C	C	
Blacksmith shop.	N	C	P	P	

195 ...

Railroad yards, shop and/or roundhouse.	N	N	C	C	
Raising and grazing of horses, cattle, sheep or goats as part of a farming operation, including the supplementary or full feeding of such animals.	N	C	C	C	
Recreation area, private.	N	N	N	C	

196 ...

197 **Sec 104-21-4 Special Regulations**

198 The uses listed below correspond with certain uses listed in the Land Use Table in Section 104-21-3. Due
 199 to the nature of the use, each shall be further regulated as follows:

200 (a) Animal grazing. This use shall not include the supplementary or full feeding of the animals,
 201 except when in compliance with the following:

202 (1) It may only be carried on during times that are reasonable and necessary due to lack of
 203 natural growing feed as a result of seasonal changes or extreme and temporary
 204 meteorological events.

205 (2) It shall not exceed a density of 25 head per acre of used land in the AV-3 and A-1 zones,
 206 and 40 head per acre of used land in the A-2 and A-3 zones;

207 (3) It shall not be closer than 75 feet to any dwelling, public or semi-public building on an
 208 adjoining parcel of land; and

209 (b) Animal feeding operation. This use may include supplemental or full feeding. However, it is
 210 prohibited to feed animals any market refuse, house refuse, garbage, or offal that was not
 211 produced on the premises. The following additional standards apply for hog feeding:

212 (1) All pens and housing for hogs shall be concrete and maintained in a sanitary manner.

213 (2) Drainage structures and disposal of animal waste shall be provided and properly
 214 maintained as required by the local health department.

215 (c) Animal feeding operation, large concentrated. A large concentrated animal feeding operation
 216 shall not be located within a half-mile of a zone boundary, unless the boundary is shared with
 217 another zone in which this use is allowed. Additionally, any new large concentrated animal
 218 feeding operation shall be sited on a lot or parcel with enough area for the operation to
 219 accommodate a setback of not less than a quarter-mile to any property boundary.

220 ~~(a)~~(d) Automobile recycling (parts dismantling). This use shall be conducted within a completely
 221 enclosed building. In the M-2 zone, the recycling facility shall have no more than 40 automobiles
 222 at the site at any one time. Any automobile recycling vehicle storage area must be enclosed by a
 223 solid wall or fence of not less than seven feet in height

Attachment A Exhibit A

224 ~~(b)~~(e) **Building material sales yard.** In the M-1 zone, a building material sales yard may include
225 the sale of rock, sand, gravel and the like, as an incidental part of the main business, but shall
226 exclude concrete mixing except as such concrete mixing is necessary in the preparation and
227 manufacture of any of the products specified in this section.

228 ~~(e)~~(f) **Cement batch plants.** The following standards apply to a cement batch plant:

229 (1) The cement silo mixer shall not be larger than 300 barrel in the M-1, M-2, and M-3
230 zones, and 200 barrel in the MV-1 zone.

231 (2) There shall be a 15-foot landscape buffer with a six-foot-high earth berm planted with
232 six feet or larger evergreen trees. The trees shall be Canada Hemlock, Scotch Pines,
233 Douglas Fir, or Blue Spruce. The trees shall be planted every 15 feet on center. The
234 evergreen shrubs shall be Junipers, Mugo Pines, or Spreading Yew. The shrubs shall be
235 36 inches high and there shall be 15 shrubs per 100 feet. There shall be five canopy trees
236 per 100 feet. These trees shall be Maples, Linden, Quaking Aspens, Cottonless
237 Cottonwood, Honey Locust, or Birch trees. These trees shall be a minimum of two-inch
238 caliper. This landscaping shall be planted on the crest of the six-foot berm when the
239 property abuts agricultural or residential zones.

240 (3) There shall be no more than three cement trucks, and no more than two other semi-trucks
241 and trailers used with this operation stored on site.

242 (4) There shall be no more than 40 yards of sand and gravel mix stored on this site. The sand
243 and gravel mix shall be stored in a three-wall bin and covered when not in use.

244 (5) All cement product on site shall be stored within the silo. At least 15,000 square feet of
245 the lot shall be dedicated for this use.

246 (6) The property shall be at least one acre in size.

247 (7) A vehicle/trailer washout area is required. A detailed plan for the washout area shall be
248 submitted with the permit application.

249 ~~(d)~~(g) **Dwelling unit for night watchman or guard and family.** The dwelling unit shall be for the
250 exclusive use of a night watchman or guard and his or her immediate family. The site shall provide
251 an additional 3,000 square feet of landscaped area for the residential use.

252 ~~(e)~~(h) **Retail sales, limited.** This use is limited to the sales of products produced by, developed in
253 conjunction with, or normally required and used in the performance of a commercial or
254 manufacturing operation permitted in this zone, and provided the retail sales is clearly an
255 accessory use to the main permitted use and is conducted within the same building or, if the main
256 use is not a building, then on the same property. No retail sale of products may be made in
257 conjunction with a warehousing or wholesale business.

258 ~~(f)~~(i) **Shooting range or training course, indoor or outdoor.** The facility shall provide
259 designated shooting positions for which ballistic backstops are designed. No shooting is allowed
260 except in these designated shooting positions. All sides down range of a shooting position shall
261 have a non-ricochet ballistic backstop, including overhead and on the ground or floor, capable of
262 containing all errant bullets. For an outdoor range, the overhead backstop may be a series of
263 baffles. Approval shall be subject to the requirements and conditions of the local fire authority.
264 The range operator shall be onsite at all times shooting is occurring.

265 ~~Reserved.~~

266 (Ord. of 1956, § 18B-4; Ord. No. 2011-5, § 18B-4, 3-15-2011; Ord. No. 2012-17, § 18B-4, 10-23-2012;
267 Ord. No. 2016-10, Exh. A, 8-23-2016)

Attachment A Exhibit A

268 HISTORY
269 Amended by Ord. 2020-11 on 8/4/2020
270 Amended by Ord. 2020-24 on 12/15/2020
271 Amended by Ord. 2021-16 on 5/25/2021