

WESTERN WEBER PLANNING COMMISSION MEETING

MEETING AGENDA

November 9, 2021

4:30 p.m.

- *Pledge of Allegiance*
- *Roll Call:*

1. Minutes: October 12, 2021

Petitions, Applications, and Public Hearings:

2. Legislative Items:

2.1 ZTA 2021-08: A county-initiated proposal to amend various sections of the County's zoning ordinance to adjust and clarify permitted and conditional uses as well as the site development standards in the manufacturing zones (MV-1, M-1, M-2, & M-3) along with a county-initiated proposal to amend the Unified Land Use Code's definitions of a "Lot of Record"; **Staff Presenters: Charlie Ewert & Scott Perkes**

2.2 ZMA 2021-10: A county-initiated request to rezone Parcel ID: 10-042-0001 from its current M-3 zoning classification to an M-2 classification. **Staff Presenters: Charlie Ewert & Scott Perkes**

3. Public Comment for Items not on the Agenda:

4. Remarks from Planning Commissioners:

5. Planning Director Report:

6. Remarks from Legal Counsel

Adjourn

The regular meeting will be held in the Weber County Commission Chambers, in the Weber Center, 1st Floor, 2380 Washington Blvd., Ogden, Utah.

Public comment may not be heard during administrative items. Please contact the Planning Division Project Manager at 801-399-8371 before the meeting if you have questions or comments regarding an item.

A Pre-Meeting will be held at 4:30 p.m. The agenda for the pre-meeting consists of discussion of the same items listed above, on the agenda for the meeting.

No decisions are made in the pre-meeting, but it is an open public meeting.

In compliance with the Americans with Disabilities Act, persons needing auxiliary services for these meetings should call the Weber County Planning Commission at 801-399-8371

Meeting Procedures

Outline of Meeting Procedures:

- ❖ The Chair will call the meeting to order, read the opening meeting statement, and then introduce the item.
- ❖ The typical order is for consent items, old business, and then any new business.
- ❖ Please respect the right of other participants to see, hear, and fully participate in the proceedings. In this regard, anyone who becomes disruptive, or refuses to follow the outlined procedures, is subject to removal from the meeting.

Role of Staff:

- ❖ Staff will review the staff report, address the approval criteria, and give a recommendation on the application.
- ❖ The Staff recommendation is based on conformance to the general plan and meeting the ordinance approval criteria.

Role of the Applicant:

- ❖ The applicant will outline the nature of the request and present supporting evidence.
- ❖ The applicant will address any questions the Planning Commission may have.

Role of the Planning Commission:

- ❖ To judge applications based upon the ordinance criteria, not emotions.
- ❖ The Planning Commission's decision is based upon making findings consistent with the ordinance criteria.

Public Comment:

- ❖ The meeting will then be open for either public hearing or comment. Persons in support of and in opposition to the application or item for discussion will provide input and comments.
- ❖ The commission may impose time limits for comment to facilitate the business of the Planning Commission.

Planning Commission Action:

- ❖ The Chair will then close the agenda item from any further public comments. Staff is asked if they have further comments or recommendations.
- ❖ A Planning Commissioner makes a motion and second, then the Planning Commission deliberates the issue. The Planning Commission may ask questions for further clarification.
- ❖ The Chair then calls for a vote and announces the decision.

Commenting at Public Meetings and Public Hearings

Public comment may NOT be heard during Administrative items, the Planning Division Project Manager may be reached at 801-399-8371 before the meeting if you have questions or comments regarding an item.

Address the Decision Makers:

- ❖ When commenting please step to the podium and state your name and address.
- ❖ Please speak into the microphone as the proceedings are being recorded and will be transcribed to written minutes.
- ❖ All comments must be directed toward the matter at hand.
- ❖ All questions must be directed to the Planning Commission.
- ❖ The Planning Commission is grateful and appreciative when comments are pertinent, well organized, and directed specifically to the matter at hand.

Speak to the Point:

- ❖ Do your homework. Obtain the criteria upon which the Planning Commission will base their decision. Know the facts. Don't rely on hearsay and rumor.
- ❖ The application is available for review in the Planning Division office.
- ❖ Speak to the criteria outlined in the ordinances.
- ❖ Don't repeat information that has already been given. If you agree with previous comments, then state that you agree with that comment.
- ❖ Support your arguments with relevant facts and figures.
- ❖ Data should never be distorted to suit your argument; credibility and accuracy are important assets.
- ❖ State your position and your recommendations.

Handouts:

- ❖ Written statements should be accurate and either typed or neatly handwritten with enough copies (10) for the Planning Commission, Staff, and the recorder of the minutes.
- ❖ Handouts and pictures presented as part of the record shall be left with the Planning Commission.

Remember Your Objective:

- ❖ Keep your emotions under control, be polite, and be respectful.
- ❖ It does not do your cause any good to anger, alienate, or antagonize the group you are standing in front of.

Minutes for Western Weber Planning Commission meeting of October 12, 2021, held in the Weber County Commission Chamber, 2380 Washington Blvd. Floor 1 Ogden UT at 5:00 pm

Members Present: Andrew Favero--Chair
Bren Edwards-- Vice Chair
Wayne Andreotti
Greg Bell
Chad Call
Jed McCormick

Pledge of Allegiance

Roll Call: Andrew Favero, Bren Edwards, Wayne Andreotti, Greg Bell, Chad Call, Jed McCormick

Staff Present: Rick Grover, Liam Keogh, Charlie Ewert, Felix Lleverino, Steve Burton, Tammy Aydelotte, June Nelson

1. Minutes were approved September 21, 2021, 6-0.

2. Consent Items

2.1 DR2021-12: Consideration and action on a design review amendment for a warehouse addition to the Kimberly Clark site located at 2010 N Rulon White Blvd, Ogden. **Presenter Steven Burton, Applicant Kenton Wall**

Motion Made to Approve by Commissioner Bren Edwards, Second by Commissioner Wayne Andreotti. All in favor 6-0. Motion Passed.

Petitions, Applications, and Public Hearings:

3. Administrative items:

3.1 LVLO91521 - Request for preliminary subdivision approval of Lilac Estates PRUD, consisting of 23 townhouse units and 15 storage units, with an existing building and house available to be sold as units. **Presenter Felix Lleverino, Applicant Mel Peterson**

Commissioner Bren Edwards states that he rents-leases agriculture land from the applicant and plans to continue. He does not feel that this will affect his judgement on this matter.

The applicant is requesting preliminary approval of Lilac Estates Subdivision consisting of 23 townhome units and a single family dwelling lot. The proposal includes 15 storage units that are to be used by the families who reside in the townhomes. Culinary water will be provided by Taylor West Weber Water District and sewer service will be provided by Central Weber Sewer. Lot area, frontage/width and yard regulations: The purpose and intent of a Planned Residential Unit Development (PRUD) is to “allow for diversification in the relationship of various uses and structures to their sites and to permit more flexibility of such sites and to encourage new and imaginative concepts in the design of neighborhood and housing projects in urbanizing areas.” *Public Road Infrastructure:* The proposal includes a sidewalk along 3500 W. A condition of preliminary approval will be that the sidewalk be changed to a six foot paved pathway on the improvement plans. An interior alleyway that is 26 feet wide will provide access to the 23 townhome units. Each unit will have a one-car garage and two paved parking spaces in front of each unit. A snow storage area is shown on the landscaping plan at the north end of the project. There will also be a 26-foot wide drive that leads to the gravel parking area for storage unit staging and access Felix Lleverino would like to see 5 foot sidewalks. Commissioner Bell asks what recourse we have to work with West Haven for road plans. The developer owns other land in the area.

Commissioner Bren Edwards makes a motion to approve with the following conditions. Commissioner Bell seconds the motion. Staff recommends preliminary approval of Lilac Estates PRUD Subdivision consisting of 24 lots, and a 10.79-acre open space parcel. This recommendation is based on the review agency requirements and the following conditions:

1. A final will serve letter from Taylor West Weber Water will be submitted.
2. Hooper Irrigation or Weber Basin shall provide a will-serve letter verifying pressurized irrigation water services for all lots and open spaces, before Lilac Estates may return for final approval from the Planning Commission.
3. The five-foot sidewalk must be shown as a five-foot paved pathway on the improvement plans.

4. Will have a Will Serve letter from Central Weber Sewer provided prior to final.
5. Engineering will look at connectivity of 2900 South.

This recommendation is based on the following findings:

1. The proposed PRUD conforms to the West Central Weber County General Plan.
2. The lot area, width, yard, height, and coverage regulations proposed are acceptable as shown on the submitted plat.
3. The proposal will not be detrimental to public health, safety, or welfare.
4. The proposal will not deteriorate the environment of the general area to negatively impact surrounding properties and uses.

All Commissioners voted Aye Motion passed 6-0.

3.2 LVS042621 - Consideration and action on an administrative application, final approval of Phase 1 of Smart Fields Subdivision (13 lots) located at 4300 W 1400 S. **Presenter Felix Lleverino, Applicant Pat Burns, Joshua Wiscombe (Authorized Representative)**

The applicant is requesting final approval of Smart Fields Subdivision Phase 1 (13 lots) at approximately 1740 S 4300 West. The applicant is requesting to divide one vacant parcel, which amounts to 11.03 acres and create 13 new building lots. This development is considered a connectivity incentivized subdivision because the road alignment follows the Planning Division's recommendations for roadway connectivity. Commissioners asked if curb, gutter and sidewalk were included in the subdivision. Felix Lleverino answered that it was included.

Motion made by Commissioner Andreotti to pass with the following conditions, Commissioner Bren Edwards seconded the motion.

Staff recommends final approval of Smart Fields Subdivision Phase 1, consisting of 13 residential lots. This recommendation is based on the following conditions:

1. The final civil drawings will be approved by the County Engineer before going to the County Commission.
2. A final subdivision plat will be approved by all applicable county review agencies before going to the County Commission.
3. A monument improvement agreement will be included with the final plat.
4. All remaining subdivision improvements will be escrowed for before approval from the County Commission.
5. A subdivision improvement agreement will be included with the final plat.
6. The developer provides a final will-serve letter from Taylor West Weber Water District.

This recommendation is based on the following findings:

1. The proposed subdivision conforms to the West Central Weber General Plan.
2. The proposed subdivision complies with the applicable County codes.
3. The subdivision conforms to zoning and subdivision ordinances.

Motion passed 6-0

3.3 LVA07192021- Consideration and action on preliminary approval of Angie's Acres Subdivision, consisting of five lots, and a concurrent alternative access request. **Presenter Tammy Aydelotte, Applicant Larry Johnson**

Commissioner Andreotti stated that he had met the owner near his home, but there was no inappropriate ex-parte conversation. An alternative access request is included with this application. This alternative access approval allows the owner to have a private access easement to access two of the five proposed lots. The owner will be required to record a covenant with the subdivision plat, where the owner agrees to dedicate to the county and improve the access easement at the time the county so requests. The applicant is requesting preliminary approval of Angie's Acres Subdivision, a single-phase subdivision consisting of five lots, in the A-2 Zone. The proposed subdivision and lot configuration are in conformance with the applicable zoning and subdivision requirements as required by the Uniform Land Use Code of Weber County (LUC). The following is a brief synopsis of the review criteria and conformance with LUC. Each of the proposed lots exceeds the minimum 40,000 square feet and 150 feet in width, as required for residential use in the A-2 zone. Two of the proposed lots do not front along a County road. LUC 108-7-31 allows for an access exception, granting access by a private right-of-way, if it is shown to be infeasible or impractical to extend a county road. Requiring a roadway through this subdivision would give a block of around 350 feet, less than the minimum required of 500 feet (LUC 106-2-3 Blocks).

Commissioner Edwards states that the north property boundary splits the distance between access for a future road. Can we add a road requirement for north side road access? Commissioner Favero agrees that 5500-5900 needs a connection. Tammy Aydelotte states that the applicant wants south facing homes. Commissioner Favero is concerned about having double access for the homes. Larry Johnson 1342 S 2500 W Syracuse is the applicant. He states that they would like South facing homes to avoid ice on driveways. Commissioners say that they want engineers to look at future connectivity. Commissioner Bell would like engineers to look at the roads so others who want to develop in the area can do so with good access and connectivity. He suggested tabling the item. Commissioner Favero agrees. Commissioner Edwards does not want to table the item, but add a condition.

Motion: Commissioner Edwards makes the motion with the following conditions. Commissioner Andreotti seconds.

Staff recommends preliminary approval of Angie's Acres Subdivision, consisting of five lots located at approximately 300 N 5500 W, Ogden, UT, 84401. This recommendation is subject to all review agency requirements prior to recording of the subdivision, and the following conditions:

1. A proposed final plat must be submitted prior to appearing before the Planning Commission for a recommendation for final approval.
2. Written capacity assessment for culinary and secondary water shall be submitted prior to appearing before the Planning Commission for a recommendation of final approval.
3. Engineering and Planning to look at future connection in the area and possibility of moving access to the north side to accommodate the best interest of all properties for future access.

This recommendation is based on the following findings:

1. The proposed subdivision conforms to the Western Weber General Plan
2. The proposed subdivision complies with applicable county ordinances

Motion passed 6-0.

3.4 LVA07272021: Request for preliminary approval of Ali Farms Cluster Subdivision, a proposal consisting of 30 lots and open space parcels totaling 25.15 acres. **Presenter Tammy Aydelotte, Applicant Chris Cave (Authorized Representative)**

9/14/2021 – Sketch Plan Endorsement received from the Planning Commission.

This is a request for preliminary approval of Ali Farms Cluster Subdivision, consisting of 30 lots, and public roadways throughout this proposed subdivision. This plan includes open space parcels to the west of the proposed lot layout. The total project area amounts to 25.15-acres. The open space area encompasses an area of 11.26 acres. The applicant is proposing to preserve 50.6 percent open space, meeting the required minimum open space preservation of 50 percent for the A-1 and A- 2 Zones, for requested bonus density, as outlined in LUC §108-3-5. The following is a brief synopsis of the review and criteria and conformance with LUC. The developer shall install Each of the proposed lots exceeds the minimum area and width for a cluster subdivision. Lot sizes range from 13,505-18,595 square feet. Lot widths range from 70-95 feet. The applicant is proposing 66' wide publicly dedicated right-of-ways throughout this development. Sidewalks on both sides of the roadways are proposed. Sidewalks shall be stubbed to all lot boundaries where the proposed roadways shall be stubbed. An open space plan has been submitted with this application. The developer has indicated that the open space will continue to be used for agricultural purposes, and owned and maintained by an HOA. Commissioner Bell asks if the road is wide enough to permit agricultural equipment enough room to access safely. Commissioner Edwards said that there is enough room for agriculture equipment.

Motion: Commissioner Bells makes a motion with the following conditions. Commissioner Edwards seconds the motion.

Staff recommends preliminary approval of Ali Farms Subdivision, consisting of 30 lots located at approximately 750 S 4700 West, Ogden, UT, 84401. This recommendation is subject to all review agency requirements prior to recording of the subdivision, and the following conditions:

1. A will serve letter from Hooper Irrigation is required prior to a recommendation of final approval.
2. A final will serve letter from Taylor West Weber is required prior to a recommendation of final approval.
3. A street tree plan is required prior to a recommendation of final approval.

This recommendation is based on the following findings:

1. The proposed subdivision conforms to the Western Weber General Plan
2. The proposed subdivision complies with applicable county ordinances

Motion passes 6-0

Planning Director Grover goes over the rules for a Public Hearing.

Petitions, Applications, and Public Hearings:

4. Legislative Items:

4.1 ZMA 2020-01 To hold a public hearing, and consider and take action on file ZMA2020-01, an application to rezone approximately 242 acres, located t approximately 2875 W. 2600 N. from the A-1 zone to the C-1, R-2, R-3, R-1-10, RE-15, and Master Planned Development (MPD) Overlay Zones. The rezone application is accompanied by file and GPA2020-01, an application to amend the unincorporated area's general plan to facilitate the proposed master planned development. **Presenter Charles Ewert, Applicant JDC Ranch Properties, Jay V. Christensen, Nilson Homes Agent: Bryan Bayle**

Commissioner Edwards will time 3 minutes for each speaker from the public.

This project was first proposed to Weber County early in 2020. The proposal was placed on hold by the applicant pending negotiations with adjacent cities. The applicant is now requesting that the project continue to be processed by the County. When the Planning Commission is acting as a recommending body to the County Commission, it is acting in a legislative capacity and has wide discretion. Examples of legislative actions are general plan, zoning map, and land use code amendments. Legislative actions require that the Planning Commission give a recommendation to the County Commission. For this circumstance, criteria for recommendations in a legislative matter require compatibility with the general plan and existing ordinances. This application a request to rezone approximately 242 acres from the A1 and A-2 zones to the C-2 zone. The application is accompanied by a request to modify the general plan for the area to match the rezone request. The purpose of the rezone is to master plan the property. The applicant desires to provide commercial, residential, and parks, trails, open space, and other community amenities within the project. The subject property is located in an unincorporated island, sandwiched between Plain City and Farr West City. As a point of policy, the county typically prefers significant development activities to occur within incorporated cities. For whatever reason, the applicant and adjoining cities have not been able to come to a negotiated agreement regarding the development. As such, the applicant is requesting that the county process the application to vest the development under county laws, after which the applicant has agreed to work with Plain City to annex, in accordance with their general plan. Staff have determined that the applicant's proposal meets best planning practices for master planned development. The proposal is well thought out and considers the development context beyond the project borders. These practices typical include provisions for street connectivity, walkability via trails and pedestrian connections, a mixture of residential opportunities, as well as a mixture of supporting commercial opportunities. The project also offers a fair share of open space preservation, green area, and recreational corridors and amenities. Many of the open space, recreation, and trails proposed will be open to the general public. Given these considerations, staff supports the proposal as offered by the applicant. However, an important consideration for the project is how well it fits into the existing community. The proposal is denser than most development in both Plain City and Farr West, and there are residents in both cities that have voiced their concern over how the density will affect their quality of life. After reviewing the general plan for Plain City, and discussing the proposal with members of the County Commission, the final recommendation for the proposal is to cut the applicant's requested density by approximately 50 percent, and require some of the higher density lots and uses to be located in the interior of the development in a manner that is not as visually impactful to surrounding landowners. In effect, this practice is to hide the density in the interior of the development. In this report, you will find an analysis of the applicant's proposal, which is accompanied by staff's review and final recommendation. The staff recommendation at the end of the report is intended to be used by the planning commission as a guide to make a planning commission recommendation to the county commission. Staff is recommending approval of the proposal with a reduction to density, and slight modifications to proposed infrastructure.

Planner Charlie Ewert states that this area is an island between two cities-Farr West and Plain City. Both have denied annexation. In the original plan, density was on the high side. Developers have decreased that density. They are proposing having 725 units with larger lots on the outside area of the development and smaller lots in the center of the development. Streets are well laid out with good connectivity and good trail connections. The public is concerned about the infrastructure. Applicant will work with UDOT after the rezone for infrastructure. This is just a rezone. We can offer rezone with conditions if needed. County Commissioners have the final say. Plain City shows east west connectivity. Farr West has changed its road plan. -1900 West connectivity will help alleviate congestion. Applicant proposes working with cities master plans. We would like to see more xeriscaping in park strips. Developer does not want duplexes and is willing to put that in writing.

Commissioner Favero asks about some changes on a new map. Charlie Ewert states that both plans limit density to 700 + lots. Commissioner Bell states that we need to look at housing for all stages of life. Developer wants to put smaller housing in the center so as to not detract from larger lots. Staff is not advocating for either city to annex this property, but thinks that it will be annexed by one of the cities in the future.

Developer, Bryan Bayles, 1656 Equestrian Parkway, Kaysville, states that he has been working with property owners. We want a project that we can be proud of. We are doing other projects in the area, but we see this as one big project. We want to add amenities and affordability. This is a convenient location. Bona Vista Water is in the area and we are also looking to Pineview or Mountain View for secondary water. Sewer is in the area. Drainage is in the area and studies have been done. There is a high water table that must be considered. Phase 1 and 2 are already in progress. This is a 10-12 year project. We would also like to talk to and incorporate the school district and churches in the area. Charlie Ewert has added lots of conditions.

Commissioner Edwards makes a motion to open the public hearing. Commissioner McCormick seconds. All vote in favor 6-0.

Jon Beesley, 2348 N 4350 W Plain City. I am the Mayor of Plain City. Who benefits from this development? Plain City and Farr West have denied this project. County should not change the zone for this development. I hope that you will all listen to the residents and deny the rezone.

Rebecca Cannon, 3439 W 2350 N, Plain City. We try to have plans for reasonable growth. Based on higher density, you will swamp the schools. The School District is trying to bond now for money for new schools. Plain City does have a plan for higher density housing. Braden Sander, 2727 Prairie Circle, Farr West. There are a lot of unknowns. We don't want to force this development on the cities. We should have the annexation conversation first. This is not fair to the communities, schools and traffic concerns. 2700 N is a problem. To vote for this is irresponsible.

Jared Maw, 4000 W 2200 N, Plain City. I am on the Planning Commission for Plain City. When this project came through the city, it was denied because it was too dense. It does not fit our General Plan. We should decide when to annex before you rezone.

Monica Hanks, 2732 N 3375 W, Plain City. I will be able to see this from my yard. We agreed on larger lot sizes for our community. It is a bad precedent for developers to come to the County when denied by the City.

Eric Jones, 2435 N 3425 W, Plain City. Please deny this application. Both cities have turned this down. There is no money to improve 2700 N. UDOT has plans to move roads. Planning Commission should protect what is already there. I moved here to be away from the growth.

Crystal Sander, 2727 Prairie Circle, Farr West. We moved here to get away from 5600 in Roy. The road in our area is dangerous. It is not good to add more traffic to 2700 N. There is already so much traffic. Please deny.

Curtis Kennedy, 2151 W 2700 N. I live on 2700 N. I can't back out of my driveway.

Lisa Cox, 2041 N 3900 W, Plain City. There is too much growth. Please listen and don't approve.

Ken Phippen, 3372 N 2575 W There is sewer capacity to treat sewage at the plant, but not the pipes. You will have to go through someone's yard.

Tara Savage, 2850 W We just had a sewer system flood. This is too much.

Dustin Skeen, 2466 N 4100 W, Plain City. I serve on the Plain City Planning Commission. This does fall into Plain City's Pioneering Boundary. We would like to annex this into Plain City, but the density is just too high. Everyone is against the 700 number. I would like to see a work meeting for this to find the best solution.

Kendra Palmer, 2734 N 2675 W. What is the difference between townhomes and duplexes? Farr West does not allow this zoning.

Commissioners asked if there were any other speakers. There were none.

Motion was made by Wayne Andreotti to close the Public Hearing, It was seconded by Greg Bell. All voted in favor 6-0.

Commissioner Edwards says that he hears about cramming this plan down to the cities. There has been a process, it is being vetted. Schools should have similar numbers with this plan. 2700 is a mess. UDOT is the one who should work on that road. It is a collector road. Are we going to stop all development? Commissioner Bell asked how this proposal is different from what the cities were presented. Charlie Ewert said that the original plan to the county is on the web site. Commissioner Edwards stated that they built a larger sewer line in the area. We usually work out this in the subdivision plat. Developer can only plan the sewer after the subdivision plat. Commissioner Andreotti stated that storm water plan and streets is the next step. Commissioner Bell asks who will maintain the roads. Charlie Ewert stated that there is some discretion. The developer did a master plan for all acres. Commissioner Call asked how long this has been going on. Charlie Ewert said 18-19 months. Why was a deal not made with other cities? They could not agree. Commissioner Andreotti said that if the developer is willing to meet zoning standards, sooner or later, this development is going to happen. It should go along with the cities. Commissioner Bell stated it is critically important that to grant a rezone, we should not casually give out development rights. We need to consider the neighbors. I am not comfortable unless we meet the zoning of the cities. Commissioner Favero likes that there is a master plan. The development offers a good plan. With growth, comes improvements. We need affordable housing for families. This checks a lot of boxes for down the road. Commissioner Edwards says that this is a 10-12 year plan. People will pay their fair share for the road development. Commissioner Favero states that this is no subdivision plan, only rezone. There are a lot of boxes to check. That does not mean that everything will be as planned. We can't make decisions based on future possibilities. Commissioner Bell says that we should look at the concerns of the cities. We should consider input from other communities. We should consider what we have heard tonight. Commissioner Edwards says that there are certain things that the developer must do before moving forward with development agreement. Charlie Ewert said that if the development is approved, we want to do the zoning right the first time. The development agreement can ensure that important things are included.

The developer states that schools, sewer and water will all be a problem no matter who develops in this area. This plan is different from what Plain City saw. Communities need affordable housing. Traffic will be addressed through a traffic study.

Commissioner Bell said that the feedback today is that the community doesn't like this.

Motion: Commissioner Bell moves to deny application and send back to work with cities. Commissioner Andreotti seconded for a vote. Commissioner Bell voted yes. All other commissioners voted no. Motion did not pass 1-5.

Motion made by Commissioner Edwards to vote for a positive recommendation for the rezone with the staff recommendation and conditions and findings. Commissioner McCormick seconded the motion.

If the Planning Commission supports the proposed general plan amendment, then staff recommends that the Planning Commission forward a positive recommendation to the County Commission for the general plan amendment, File #GPA2020-01, and the rezone, File #ZMA 2020-01 with the following requirements to be executed by means of a development agreement:

1. The development agreement should contain a requirement for the applicant to not protest an annexation from an adjacent city.
2. The development agreement should limit the number of attached patio homes and fourplex townhomes to no more than 100 total units.
3. The development agreement should limit the total number of housing units to no more than 725 units.
4. The project layout should be changed to reflect the street connectivity of Figure 4 herein.
5. The development agreement should omit the street design standards of Page 8 of the applicant's proposal and defer to Plain City's adopted street design standards.
6. In the development agreement, the project zoning (Page 7 of the proposal) is changed as provided by Figure 3B.
7. Trails should be constructed in accordance with the standards in the Plain City General Plan, or as otherwise adopted by Plain City standards. More specifically:
 - a. The trail along 2700/2600 North Street should be constructed as a Class 2 or Class 3 Trail, as listed on page 19 of the Plain City General Plan. The trail should be at least 10 feet wide and paved, with at least a 10 foot landscape buffer between the trail and the street. The trail shall be constructed from the existing sidewalk in Farr West City and extend westward to the existing Plain City boundary, including a bridge or other mutually agreeable crossing of the canal that runs along the existing Plain City Boundary.
 - b. The trail that runs north/south along the power line corridor, and the trail that runs east/west through the middle of the project (through the park area) should be constructed as a Class 1 Trail, as listed on page 19 of the Plain City General Plan. Both should be at least 10 feet wide and paved with at least five feet landscaped area between the trail and a paralleling street.
 - c. All other trails should be at least a Class 3 paved trail, as listed on page 19 of the Plain City General Plan
 - d. Any trail that connects between lots or parcels, including those stubbing to the exterior boundary of the subject property, should have a landscaped trail corridor that is at least 20 feet wide.
8. The parks and open space areas should be as provided in the proposal, and phased in a proportionate amount as the project is phased.
9. All park strips and trail corridors should be planted with and irrigated for drought tolerant (water wise) vegetation. No turf grass. Parks have limited turf grass on areas for sports/play fields.
10. Trees, no less than 2" caliper, should be planted along trails and in park strips at a distance no greater than the tree species typical canopy width. The species should follow Plain City's adopted tree species list.
11. The HOA should be professionally managed. Until the area is annexed into a city, the HOA management company should be responsible for managing all open space areas, park strips, landscaping, and common area, and provide street snow removal.
12. The project should follow the architecture design contained in the applicant's proposal.
13. That all other agency concerns should be accounted for as may be necessary in the development agreement.
14. That the West Central Weber County General Plan should be amended to include the entire unincorporated island, and should be designed and/or annotated to encourage development that will stimulate incorporated into an adjoining city, and provide general support for the adjoining city's general plan.

This recommendation may come with the following findings:

1. With the proposed amendment to the West Central Weber County General Plan, the proposed rezone complies with the general plan. The proposed amendment corresponds with the objectives of the Plain City General Plan
2. With the exception to zoning, the proposal complies with the Plain City General Plan.
3. The proposal offers public recreation, shopping, jobs, and has the potential to offer a mixture of housing options, all cornerstones of sustainable community planning principles.
4. The impacts of the development on adjacent landowners is proposed to be appropriately minimized by buffering similar land uses, and screening higher density housing from view by locating it in the middle of the project.
5. The development is not detrimental to the overall health, safety, and welfare of the community.

Motion passed 5-1 with Commission Bell voting against the rezone.

5. Public Comment for Items not on the Agenda: No Comments

6. Remarks from Planning Commissioners: Commissioner Bell asks about feedback from a recent survey and open house in Western Weber area. Charlie Ewert stated that there was not a lot different from the survey. There will be a meeting with consultants soon. People realize that growth is inevitable. No one scenario will be the perfect solution. We will have at least 3 scenarios to look over. Others would like to voice their opinion. Planning department asks that the Commissioners be at the next meeting to help answer questions. We are planning a meeting at Uinta Highlands. Commissioner Andreotti says that he wishes that cluster subdivisions would go away. The only person to save agricultural and farming is the farmer. Commissioner Edwards believes that this development will be an asset to the community in the future.

7. Planning Director Report: Thank you for the deliberations and handling of the public comments. We can remove public comment if you want or move it to another part of the meeting. The Commissioners say that they would like to keep public comment.

8. Remarks from Legal Counsel: I can echo Director Grover about the handling of the public meeting.

Motion to adjourn by Commissioner Bell. Seconded by Commissioner McCormick. All voted to adjourn the meeting. Motion carried unanimously.

Respectfully Submitted,
June Nelson
Lead Office Specialist



Staff Report to the Western Weber Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request:	A county-initiated proposal to amend various sections of the County's zoning ordinance to adjust and clarify permitted and conditional uses as well as the site development standards in the manufacturing zones (MV-1, M-1, M-2, & M-3) along with a county-initiated proposal to amend the Unified Land Use Code's definitions of a "Lot of Record".
Agenda Date:	Tuesday, November 09, 2021
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 104 (Zones); Chapter 1 (In General); Subsection 5 (Large Concentrated Animal Feed Operation (**ADDED**))
- 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); Subsection 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 and clarifications have been proposed to allow the manufacturing zoning ordinance to be consistent with that which has 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:

- A new definition has been added for a "Large concentrated animal feeding operation". This new definition matches that which has been established under state code and is needed due to the current lack of a definition under the County's Land Use Code.
- An amended definition has been proposed for "Lot Frontage". This definition has been simplified and is being incorporated as a House Keeping item.
- 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.

Additional Clarification to Zone Boundaries: The existing Sec.104-1-3 titled “Rules or Ordinance and Maps” has been separated into two sections (Sec. 104-1-2 “Boundaries of Zones” & Sec. 104-1-3 “Rules of Interpretation”) for better formatting and clarity. These edits are House Keeping in nature.

Addition of New Section to the General Zoning Provisions in Section 104-1: Subsection 104-1-5 (Large Concentrated Animal Feed Operation) is proposed as an addition to the land use code and is considered a House Keeping item. State code recently changed (2021 General Session) requiring Counties to adopt a large concentrated animal feeding operation land use ordinance by no later than February 1, 2022. The proposed added language is simply addressing this state requirement prior to the deadline.

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.

Edits to the Manufacturing Zones Special Regulations: A special regulation is proposed for a 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 setbacks required for accessory buildings on all other lots-of-record.

Analysis of the 2003 West Central Weber County General Plan

The 2003 West Central Weber County General Plan address a preferred approach regarding manufacturing uses. As a policy, the general plan indicates that “industrial uses that are non-polluting and which do not harm the environment, the health and safety of residents, or create nuisances for nearby property owners are favored.” The proposed amendments serve to address the manufacturing zones as a whole from a higher macro perspective by adding more stratification between manufacturing zoning classifications, adding additional separation between potentially impactful uses, and adding provisions that serve to specifically protect food processing/manufacturing uses without being overly restrictive to other uses.

The general plan also speaks to the need for clean, light industry within existing areas as a means to increase and stabilize the tax base, which in-turn would provide funding for parks and open spaces. The proposed amendments make special provisions to ensure varying manufacturing uses are clean, self-contained, and non-intrusive to adjacent uses and land owners.

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:

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

Staff Recommendation

Staff’s recommendation to the Western Weber Planning Commission is outlined below:

Staff recommends that the Western Weber Planning Commission pass a positive recommendation regarding the propose text amendments to the County Commission. Should the County Commission be comfortable with the proposal, it could be approved based on the following findings:

1. The changes are supported by the 2003 West Central Weber 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 Ordinance Redline

SECTION 1: AMENDMENT “Sec 101-2-13 La Definitions” of the Weber County Code is hereby *amended* as follows:

AMENDMENT

Sec 101-2-13 La Definitions

Land use authority. The term "land use authority" means a person, board, commission, agency, or other body designated by the local legislative body to act upon a land use application.

Landscape plan. The term "landscape plan" means:

- (a) Detailed plans depicting the layout and design for landscaping, including, but not limited to location, height and materials of walls, fences, hedges and screen plantings;
- (b) Ground cover plantings or other surfacing to break monotony of building materials, concrete and asphalt;
- (c) Number, type, maturity, and planted size of all landscape plantings; method of watering, location of water meter, piping, pumps, timers, point of connection and any blow-out or winterizing system; location, type and size of any existing trees over four-inch caliper;
- (d) Location, type and size of any existing landscaping not planned for removal; location, type and size of any decorative lighting systems.

Large concentrated animal feeding operation. The term "large concentrated animal feed operation" means the same as provided in the Large Concentrated Animal Feeding Operations Act of state code.

SECTION 2: AMENDMENT “Sec 101-2-13 Lot Definitions” of the Weber County Code is hereby *amended* as follows:

AMENDMENT

Sec 101-2-13 Lot Definitions

Lot. The term "lot" means a parcel of land capable of being occupied by an allowed use, building or group of buildings (main or accessory), and approved for human occupancy either full- or part-time; together with such yards, open spaces, parking spaces and other areas required by this title and the Land Use Code. Such parcel shall also have frontage on a street or on a right-of-way approved by the planning director. Except for group dwellings and guest houses, not more than one dwelling structure shall occupy any one lot.

Lot area. The term "lot area" means the area contained within the boundary of a lot.

Lot, corner. The term "corner lot" means a lot abutting on two intersecting or intercepting streets, where the interior angle of intersection or interception does not exceed 135 degrees.

Lot coverage. The term "lot coverage" means the percentage of the lot area which is occupied by all building, and other covered structures and impervious surfaces.

Lot, double frontage. The term "double frontage lot" means any building lot which has both the front and rear yard lot line abutting a street.

Lot, flag. The term "flag lot" means an "L" shaped lot comprised of a narrow access strip connected to a street (staff portion) which opens into the lot area (flag portion).

Lot, frontage. The term "~~frontage~~ lot frontage" also referred herein as "street frontage" or "street frontage of a lot." means the yard lot line all the property fronting or abutting one side of the street and/or right-of-way. ~~No lot shall utilize any part of the temporary end or dead end of a street for frontage. At no point shall the frontage be less than 50 feet, and shall meet the lot width at the front yard setback.~~

Lot, interior. The term "lot, interior" means any building lot other than a corner lot.

Lot, irregular shaped. The term "irregular shaped lot" means any building lot whose boundaries are:

- (a) Comprised of three or more than four lot lines;
- (b) A lot in which the side lot lines are not radial or perpendicular to the front lot line; or
- (c) In which the rear lot line is not parallel to the front lot line.
- (d) Where an irregular shaped lot occurs, the interior angle of intercepting lot lines with an angle of 135 degrees or greater shall be considered the same lot line and yard designation. If the angle is less than 135 degrees, the yard designation shall be determined to be different and the applicable yard requirements would apply.

Lot line adjustment. The term "lot line adjustment" means the relocation of the property boundary line in a subdivision between two adjoining lots with the consent of the owners of record. An amended plat is required to do a lot line adjustment.

Lot, lot line. The term "lot line lot" means the boundary of a lot traditionally prescribed with a front, a rear and two sides. Where two lot lines converge and the lot's line bearing changes, the interior angle of which will determine, if it is greater than 135 degrees, whether the lot line may continue with the same yard designation. When the interior angle is 135 degrees or less, then the lot lines designation shall be different.

Lot line, front. The term "front lot line" means the boundary line of the lot which abuts a public dedicated street or other legal access from which the front yard setback is measured which determines the lot width and where ingress and egress generally is made to the lot.

Lot line, front for flag lot. The term "lot line, front for flag lot" means the front lot line of a flag lot which is the lot line parallel to a dedicated public street and at the end of the stem.

Lot line, rear. The term "rear lot line" means the boundary of a lot which is most distant from, and is most parallel to the front lot line; except that in the case of an irregular shaped lot, the rear lot line is the line within the lot parallel to and at a maximum distance from the front lot line, having a length of not less than ten feet.

Lot line, side, for corner lots. The term "side lot line for corner lots" means all interior lot lines for multi-frontage lots. For other corner lots, that interior lot line which has been designated as the side lot line by the lot owner previously demonstrated by placement of structures.

Lot line, side, for interior lots. The term "side lot line for interior lots" means those interior lines laying opposite each other, running between the front and rear lot lines.

Lot, nonconforming. The term "nonconforming lot" means a lot or parcel that complied with lot standards in effect at the time of the lot's creation and, because of subsequent changes to the Land Use Code, does not conform to the current lot standards. Applicable standards include lot standards of the zone in which the lot is located, lot standards of the subdivision ordinance, and other lot standards of this Land Use Code.

Lot, restricted. The term "restricted lot" means a lot or parcel of land which has an average slope of 25 percent or more and does not contain a buildable area as defined in this section.

Lot of record. A lot of record is defined as any one of the following circumstances:

- (a) A parcel of real property identified as a building lot on an unrecorded subdivision plat that has been approved by Weber County and is on file in the Weber County Planning Office; or
- (b) A parcel of real property identified as a building lot on a subdivision plat that has been approved by Weber County and recorded in the office of the Weber County Recorder; or
- (c) A parcel or lot described in a deed, sales contract or survey that was recorded in the office of the Weber County Recorder before January 1, 1966; or
- (d) A parcel or lot described in a deed, sales contract or survey that was recorded in the office of the Weber County Recorder ~~in between January 1, 1966, and June 30~~ on December 31, 1992, which complied with the zoning requirements in effect on the same date ~~at the time of its creation and was shown to be the first or second division of a larger parent parcel~~; or
- (e) A parcel or lot that was created in its current size and configuration and contained a lawfully permitted single-family dwelling prior to ~~July 1~~ December 31, 1992; ~~or~~
- (f) A parcel of real property that contains at least 100 acres;
- (g) A parcel ~~or~~ lot that does not fall within any one of the previously listed circumstances but has received a variance from the Weber County Board of Adjustment which has otherwise deemed a particular parcel/lot as a lot of record; ~~or~~
- (h) A parcel or lot that meets the criteria of (a) through (g) of this definition may be

reconfigured as long as:

- (1) The reconfiguration does not make the parcel or lot more nonconforming;
- (2) No new lot or parcel is created; and
- (3) All affected property is outside of a platted subdivision.

Lot right-of-way. The term "lot right-of-way" means a strip of land of not less than 16 feet wide connecting a lot to a street for use as private access to that lot.

SECTION 3: AMENDMENT “Sec 102-5-4 Application Requirements” of the Weber County County Code is hereby *amended* as follows:

AMENDMENT

Sec 102-5-4 Application Requirements

- (a) A rezoning application may be initiated by an owner of any property or any person, firm, or corporation with the written consent of the owner of the property, or be county-initiated.
- (b) An application for a rezoning shall be prepared and submitted on forms provided by the planning division. The application shall be accompanied with the following information:
 - (1) The application shall be signed by the landowner or their duly authorized representative and shall be accompanied by the necessary fee as shown within the applicable fee schedule.
 - (2) A proposed rezone to any zone may be required to be accompanied by a concept development plan, may be required in accordance with Section 102-5-5 of this chapter. A detailed site plan, in lieu of a concept development plan.
 - (3) ~~Letters of feasibility from the appropriate state or county agencies for water and wastewater.~~ A narrative explaining the potential for future access to water and wastewater facilities.
 - (4) A narrative from the project engineer discussing the feasibility for the mitigation of stormwater runoff.
 - (5) The applicant shall provide a narrative addressing the following information:
 - a. How is the change in compliance with the general plan?
 - b. Why should the present zoning be changed to allow this proposal?
 - c. How is the change in the public interest?
 - d. What conditions and circumstances have taken place in the general area since the general plan was adopted to warrant such a change?
 - e. How does this proposal promote the health, safety and welfare of the inhabitants of the county?
 - f. Project narrative describing the project vision.
- (c) Destination and recreation resort zone supplementary requirements.
 - (1) Due to the anticipated scale and potential impact of a destination and

recreation resort on the county and other surrounding areas, additional information, shall be required to accompany any application submitted for consideration of a destination and recreation resort zone approval. The additional information shall consist of the following:

- a. Concept development plan showing sensitive land areas as described/mapped in [Title 104, Chapter 28](#), Ogden Valley Sensitive Lands Overlay Zone.
 - b. Traffic impact analysis.
 - c. Cost benefit analysis.
 - d. Recreation facilities plan.
 - e. Seasonal workforce housing plan.
 - f. Emergency services plan including a letter of feasibility from the Weber fire district and Weber County sheriff's office.
 - g. Letter of feasibility from the electrical power provider.
 - h. Density calculation table showing proposed density calculations.
 - i. Thematic renderings demonstrating the general vision and character of the proposed development.
- (d) All documents submitted as part of the application shall be accompanied by a corresponding PDF formatted file.

(Ord. of 1956, § 35-4; Ord. No. 2009-29)

SECTION 4:**AMENDMENT** “Sec 104-1-2 Boundaries Of Zones” of the Weber County County Code is hereby *amended* as follows:

AMENDMENT

Sec 104-1-2 Boundaries Of Zones

- (a) The boundaries of each of the said zones are hereby established as described herein or as shown on the maps entitled "Zoning Map of Weber County", which map or maps are attached and all boundaries, notations and other data shown thereon are made by this reference as much a part of this title as if fully described and detailed herein.
- (b) Where uncertainty exists as to the boundary of any zone, the following rules shall apply:
 - (1) Wherever the zone boundary is indicated as being approximately upon the centerline of a street, alley or block, or along a property line, then, unless otherwise definitely indicated on the map, the centerline of such street, alley or block or such property line, shall be construed to be the boundary of such zone.
 - (2) Whenever such boundary line of such zone is indicated as being approximately at the line of any river, irrigation canal or other waterway or railroad right-of-way, or public park or other public land or any section line,

- then in such case the center of such stream, canal or waterway, or of such railroad right-of-way or the boundary line of such public land or such section line shall be deemed to be the boundary of such zone.
- (3) Where such zone boundary lines cannot be determined by the above rules, their location may be found by the use of the scale appearing upon the map.
- (4) Where the application of the above rules does not clarify the zone boundary location, the board of adjustment shall interpret the map.

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

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

;~~Ord. No. 2008-20; Ord. No. 2009-15; Ord. No. 2010-09)~~

SECTION 5: ADOPTION “Sec 104-1-3 Rules Of Interpretation” of the Weber County County Code is hereby *added* as follows:

ADOPTION

Sec 104-1-3 Rules Of Interpretation(*Added*)

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

- (a) A use that is not explicitly listed as a permitted or conditional use in the respective zone is not an allowed use in that zone.
- (b) The omission of a use from a zone's Land Use Table or a zone's list of permitted or conditional uses shall not be construed in any manner as an allowed use in the zone.
- (c) A use that is specifically listed in one zone's Land Use Table or the zone's list of permitted or conditional uses that is not specifically listed in another zone's Land Use Table or list of permitted or conditional uses is not permitted in the other zone.

Editors Note: Ord. No. 2021-XX consolidated the text that was in this section, which was named Section 104-1-3 Rules or Ordinance And Maps, into Section 104-1-2 Boundaries Of Zones, and changed this Section 104-1-3 to Rules of Interpretation. (Ord. of 1956, § 2-4; Ord. No. 2008-20; Ord. No. 2009-15; Ord. No. 2010-09)

SECTION 6: REPEAL “Sec 104-1-3 Rules Or Ordinance And Maps” of the Weber County County Code is hereby *repealed* as follows:

REPEAL

~~Sec 104-1-3 Rules Or Ordinance And Maps (Repealed)~~

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

- ~~(a) Wherever the zone boundary is indicated as being approximately upon the centerline of a street, alley or block, or along a property line, then, unless otherwise definitely indicated on the map, the centerline of such street, alley or block or such property line, shall be construed to be the boundary of such zone.~~
- ~~(b) Whenever such boundary line of such zone is indicated as being approximately at the line of any river, irrigation canal or other waterway or railroad right of way, or public park or other public land or any section line, then in such case the center of such stream, canal or waterway, or of such railroad right of way or the boundary line of such public land or such section line shall be deemed to be the boundary of such zone.~~
- ~~(c) Where such zone boundary lines cannot be determined by the above rules, their location may be found by the use of the scale appearing upon the map.~~
- ~~(d) Where the application of the above rules does not clarify the zone boundary location, the board of adjustment shall interpret the map.~~

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

SECTION 7: ADOPTION “Sec 104-1-5 Large Concentrated Animal Feed Operation” of the Weber County County Code is hereby *added* as follows:

ADOPTION

Sec 104-1-5 Large Concentrated Animal Feed Operation(*Added*)

A large concentrated animal feeding operation, as defined by UCA Section 17-27a-1102, is a use not permitted in any zone in Unincorporated Weber County. Considering all criteria of UCA Section 17-27a-1104, it has been determined that the geography and geometry of the densely populated areas of the county, both existing and planned, renders virtually no suitable locations for the siting of a large concentrated animal feeding operation except for higher elevations that are generally inhospitable for year-round animal operations.

SECTION 8: ADOPTION “Sec 104-21-3 Land Use Table**” of the Weber County County Code is hereby *added* as follows:

ADOPTION

Sec 104-21-3 Land Use Table**(Added)

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 each manufacturing zone, and any use listed as "C" in the C-3 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 food products intended for human consumption, or the work environment in which such manufacturing occurs, shall provide mechanisms, by installation or otherwise, that will keep the airborne contaminants from leaving the site.

(a) Accessory Uses.

	MV-1	M-1	M-2	M-3	SPECIAL PROVISIONS
<u><i>Accessory use customarily incidental to a main use.</i></u> <u>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.</u>	P	P	P	P	
<u><i>Dwelling unit for night watchman or guard and family.</i></u>	P	P	P	P	<u>See Section 104-21-4.</u>
<u><i>Retail sales, limited.</i></u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>See Section 104-21-4.</u>
<u><i>Temporary building for uses incidental to construction work.</i></u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>The buildings must be removed upon completion or abandonment of the construction work.</u>

(b) Aeronautical, Space-Based, or Defense-Based Manufacturing.

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

(c) Animal Byproduct Harvesting, Processing, or Refining.

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

(d) Animal-Related Uses.

	<u>MV-1</u>	<u>M-1</u>	<u>M-2</u>	<u>M-3</u>	SPECIAL PROVISIONS
<i><u>Animal hospital.</u></i>	P	P	P	P	
<i><u>Farm for the raising and grazing of horses, cattle, sheep or goats.</u></i>	N	N	C	C	
<i><u>Kennel.</u></i>	P	P	P	P	
<i><u>Large concentrated animal feed operation.</u></i> The siting of a large concentrated animal feed operation, as defined by State Code.	N	N	N	N	See Section 104-1-5.
<i><u>Stockyards.</u></i>	N	N	N	C	<u>This use shall be located at least 600 feet from any zone boundary.</u>
<i><u>Slaughterhouse.</u></i>	N	N	N	C	<u>This use shall be located at least 600 feet from any zone boundary.</u>
<i><u>Veterinarian and small animal grooming.</u></i>	P	P	P	P	

(e) *Commercial Services.*

	<u>MV-1</u>	<u>M-1</u>	<u>M-2</u>	<u>M-3</u>	<u>SPECIAL PROVISIONS</u>
<u>Building material sales yard.</u>	N	P	P	P	See Section 104-21-4
<u>Contractor's equipment storage yard or rental of equipment used by contractors (indoor or outdoor).</u>	<u>C</u>	<u>C</u>	<u>P</u>	<u>P</u>	
<u>Fertilizer and soil conditioner manufacturing or processing (indoor or outdoor).</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	No animal products or by-products allowed to be used.
<u>Gas station or convenience store.</u> A gas station or convenience store, with accessory and incidental outdoor uses.	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Laboratory.</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Machine shop.</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Metal working, shaping, or assembling shop.</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Motion picture studio.</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Motion picture studio, outdoor.</u>	<u>N</u>	<u>C</u>	<u>C</u>	<u>P</u>	
<u>Repairing or reconditioning of motor vehicles, trailers, bicycles, boats, and similar.</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Sand blasting.</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	

(f) Commercial Sales.

	<u>MV-1</u>	<u>M-1</u>	<u>M-2</u>	<u>M-3</u>	<u>SPECIAL PROVISIONS</u>
<u>Fertilizer and soil conditioner sales (indoor or outdoor).</u>	N	C	C	C	
<u>Wrecked car sales (indoor or outdoor).</u>	N	N	C	C	

(g) Construction Material Manufacturing, Temporary.

	<u>MV-1</u>	<u>M-1</u>	<u>M-2</u>	<u>M-3</u>	SPECIAL PROVISIONS
<u>Mixing facility for asphalt or concrete, temporary (indoor or outdoor).</u> An onsite asphalt or concrete mixing facility, incidental to large site development.	C	C	C	C	<u>See Section 104-21-4.</u>
<u>Rock crusher, temporary (indoor or outdoor).</u> A mobile rock crushing operation incidental to large site development.	C	C	C	C	

(h) Food Manufacturing and Packaging.

	<u>MV-1</u>	<u>M-1</u>	<u>M-2</u>	<u>M-3</u>	SPECIAL PROVISIONS
<i><u>Alcohol distillery.</u></i>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<i><u>Bakery goods manufacturing.</u></i>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<i><u>Brewery.</u></i>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<i><u>Dairy and dairy product processing.</u></i>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<i><u>Fat rendering.</u></i>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	
<i><u>Food products, small-batch artisan.</u></i>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	Limited to food for human consumption, e.g., baked goods, confectioneries, and craft cheese.
<i><u>Food products manufacturing.</u></i> The manufacturing of food products may include use of potentially hazardous chemicals necessary to process food.	<u>N</u>	<u>C</u>	<u>P</u>	<u>P</u>	
<i><u>Meat custom cutting and wrapping, excluding slaughtering.</u></i>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<i><u>Meat products smoking, curing and packing.</u></i>	<u>N</u>	<u>C</u>	<u>C</u>	<u>C</u>	
<i><u>Packaging and distribution of food products.</u></i>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<i><u>Tobacco manufacturing.</u></i>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	

(i) *Gaseous or Liquid Nonfood Manufacturing.*

	<u>MV-1</u>	<u>M-1</u>	<u>M-2</u>	<u>M-3</u>	SPECIAL PROVISIONS
<u>Hazardous products.</u> <u>Chemicals, paints, inks, and other products 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.</u>	N	N	N	C	<u>This use shall be located at least 600 feet from any zone boundary.</u>
<u>Nonhazardous products.</u>	N	C	P	P	

(j) **Mining, Rock, or Gravel Production.**

	<u>MV-1</u>	<u>M-1</u>	<u>M-2</u>	<u>M-3</u>	SPECIAL PROVISIONS
<u>Mining or extraction of metals or other minerals (indoor or outdoor).</u>	N	N	N	C	<u>This use shall be located at least 600 feet from any zone boundary.</u>
<u>Gravel extraction (indoor or outdoor).</u>	N	N	N	C	<u>This use shall be located at least 600 feet from any zone boundary.</u>
<u>Rock crusher (indoor or outdoor).</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	

(k) **Pharmaceutical.**

	<u>MV-1</u>	<u>M-1</u>	<u>M-2</u>	<u>M-3</u>	SPECIAL PROVISIONS
<u>Cannabis cultivation establishment.</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>See Section 108-7-34.</u>
<u>Cannabis production establishment.</u>	N	N	N	P	<u>See Section 108-7-34.</u>
<u>Pharmaceuticals, generally.</u>	P	P	P	P	

(l) Processing or Refining of Raw Material Into the Basic Material From Which a Final or Semi-Final Nonfood Product Can be Made.

	<u>MV-1</u>	<u>M-1</u>	<u>M-2</u>	<u>M-3</u>	<u>SPECIAL PROVISIONS</u>
<u>Metals processing or refining, hazardous metals.</u> Products 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	C	<u>This use shall be located at least 600 feet from any zone boundary.</u>
<u>Metals processing or refining, nonhazardous metals.</u>	N	N	C	P	
<u>Metals processing or refining, large foundry or forage plant.</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	
<u>Metals processing or refining, small foundry for light weight and non-ferrous metals.</u>	<u>N</u>	<u>C</u>	<u>C</u>	<u>P</u>	
<u>Plastic processing or refining.</u>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	
<u>Organics processing or refining, hazardous organics.</u> Products 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	C	<u>This use shall be located at least 600 feet from any zone boundary.</u>
<u>Organics processing or refining, nonhazardous organics.</u>	<u>N</u>	<u>N</u>	<u>C</u>	<u>C</u>	

(m) Processing, Compounding, Assembling, or Fabricating of a Final or Semi-Final Product From Solid Materials Previously Processed or Refined.

	<u>MV-1</u>	<u>M-1</u>	<u>M-2</u>	<u>M-3</u>	<u>SPECIAL PROVISIONS</u>
<u>Batteries.</u> The compounding, assembling, or fabricating of batteries or battery parts.	N	C	C	C	
<u>Mixing plant for certain construction material (indoor or outdoor).</u> A mixing or batching plant for cement, cinder, mortar, brick, plaster, paving or similar construction material or products.	N	N	N	C	<u>See Section 104-21-4.</u>
<u>Motor vehicle, trailer, bicycle, boat, and similar manufacturing, including parts thereof.</u>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	<u>In the M-2 zone, this use shall be located at least 600 feet from any zone boundary.</u>
<u>Products, hazardous.</u> Products 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.	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	
<u>Products, nonhazardous.</u> The creation of nonhazardous products.	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<u>Rubber products.</u> The compounding, assembling, or fabricating of real or synthetic rubber products.	<u>N</u>	<u>N</u>	<u>N</u>	<u>P</u>	

(n) Public, Quasipublic, and Institutional.

	<u>MV-1</u>	<u>M-1</u>	<u>M-2</u>	<u>M-3</u>	<u>SPECIAL PROVISIONS</u>
<i>Public and quasi public uses, including public buildings (indoor or outdoor).</i>	P	P	P	P	
<i>Public safety training facility (indoor or outdoor).</i>	N	C	C	C	
<i>Public transit storage or maintenance facility (indoor or outdoor).</i>	P	P	P	P	
<i>Recreation center. May also include a daycare center as an incidental and accessory use.</i>	P	P	P	P	

(o) Recreational.

	<u>MV-1</u>	<u>M-1</u>	<u>M-2</u>	<u>M-3</u>	<u>SPECIAL PROVISIONS</u>
<i>Racing, go cart racing or drag strip.</i>	P	P	P	P	
<i>Racing, go cart racing or drag strip, outdoor.</i>	N	N	N	C	
<i>Recreation area, private, outdoor.</i>	N	N	N	C	
<i>Shooting range or training course, indoor or outdoor.</i>	N	N	N	C	See Section 104-21-4.
<i>Track or course for motor vehicle competition, outdoor without spectators</i>	N	C	P	P	
<i>Track or course for motor vehicle competition, outdoor with spectators</i>	N	N	C	P	
<i>Track or course for motor vehicle competition, indoor</i>	P	P	P	P	
<i>Track or course for off road vehicles</i>	N	C	C	C	

(p) Storage.

	<u>MV-1</u>	<u>M-1</u>	<u>M-2</u>	<u>M-3</u>	<u>SPECIAL PROVISIONS</u>
<i><u>Self-storage.</u></i> Indoor self storage units for personal and household items.	P	P	P	P	
<i><u>Recreational vehicle storage, indoor.</u></i>	P	P	P	P	
<i><u>Outdoor storage.</u></i>	<u>N</u>	<u>N</u>	<u>C</u>	<u>C</u>	

(q) *Textiles.*

	<u>MV-1</u>	<u>M-1</u>	<u>M-2</u>	<u>M-3</u>	<u>SPECIAL PROVISIONS</u>
<i><u>Carpet and rug manufacturing and dyeing.</u></i>	N	P	P	P	
<i><u>Dry cleaning plant.</u></i>	N	P	P	P	
<i><u>Textile manufacturing or maintenance.</u></i>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<i><u>Upholstering, including furniture manufacturing, rebuilding and renovating.</u></i>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	

(r) *Transportation, Nonmanufacturing.*

	<u>MV-1</u>	<u>M-1</u>	<u>M-2</u>	<u>M-3</u>	SPECIAL PROVISIONS
<i><u>Airport.</u></i>	N	P	P	P	
<i><u>Freight transfer, indoor.</u></i>	N	P	P	P	
<i><u>Freight transfer, outdoor.</u></i>	<u>N</u>	<u>N</u>	<u>P</u>	<u>P</u>	
<i><u>Parking lot, outdoor.</u></i>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<i><u>Parking structure.</u></i>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	
<i><u>Railroad yards, shop and/or roundhouse (indoor or outdoor).</u></i>	<u>N</u>	<u>N</u>	<u>C</u>	<u>C</u>	
<i><u>Truck service station.</u></i>	<u>N</u>	<u>P</u>	<u>P</u>	<u>P</u>	

(s) *Waste Disposal and Recycling.*

	<u>MV-1</u>	<u>M-1</u>	<u>M-2</u>	<u>M-3</u>	SPECIAL PROVISIONS
<i><u>Automobile wrecking yard or junkyard. (Indoor or outdoor)</u></i>	N	N	N	C	<u>See Section 104-21-4</u>
<i><u>Automobile recycling and parts dismantling.</u></i>	N	N	C	C	<u>See Section 104-21-4</u>
<i><u>Disposal, reduction, or dumping of animal by-product, plant, garbage, offal or dead animals. (Indoor or outdoor)</u></i>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	
<i><u>Incinerator.</u></i>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	
<i><u>Solid waste dump. (Indoor or outdoor)</u></i>	<u>N</u>	<u>N</u>	<u>N</u>	<u>C</u>	
<i><u>Radioactive waste disposal.</u></i>	<u>N</u>	<u>N</u>	<u>N</u>	<u>N</u>	
<i><u>Recycling facility. The recycling of metals, plastics, paper, or glass.</u></i>	<u>N</u>	<u>C</u>	<u>C</u>	<u>P</u>	

SECTION 9: REPEAL “Sec 104-21-3 Land Use Table” of the Weber County Code is hereby *repealed* as follows:

REPEAL

~~Sec 104-21-3 Land Use Table (Repealed)~~

USE	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	E	E	
Aircraft engine testing, including jet, missile and chemical engines.	N	N	N	E	
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	
Animal hospital.	P	P	P	P	
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.
					The use shall be enclosed within a seven foot high solid fence or wall. In the M-2

Automobile wrecking yard.	N	N	C	C	zone, this use shall be located at least 600 feet from any zone boundary.
Battery manufacture.	N	C	C	C	
Blacksmith shop.	N	C	P	P	
Blast furnace.	N	N	C	C	In the M-2 zone, this use shall be located at least 600 feet from any zone boundary.
Boat building.	N	P	P	P	
Bookbinding.	N	P	P	P	
Bottling works, soft drinks.	N	P	P	P	
Brewery, small.	P	P	P	P	
Building materials sale yard.	N	C	P	P	See Section 108-7-34. See Section 104-21-4.
Cannabis production establishment.	N	P	P	P	
Carnival or other transient amusement enterprise.	N	C	C	C	
Carpenter shop, cabinet shop.	P	P	P	P	

Carpet and rug cleaning and dyeing.	N	P	P	P	
Cement batch plants.	E	E	E	E	See Section 104-21-4.
Cement, mortar, plaster or paving material, central mixing plant.	N	N	E	E	In the M-2 zone, this use shall be located at least 600 feet from any zone boundary.
Coal, fuel and wood yards.	N	P	P	P	The use shall be enclosed within a building or by a solid fence of not less than six feet in height.
Construction of buildings to be sold and moved off the premises.	N	P	P	P	
Contractor's equipment storage yard or rental of equipment used by contractors.	P	E	P	P	
Dairy.	N	P	P	P	
Disposal, reduction, or dumping of animal by product, plant, garbage, offal or dead animals.	N	N	E	E	In the M-2 zone, this use shall be located at least 600 feet

					from any zone boundary.
Dry cleaning plant.	N	P	P	P	
Dwelling unit for night watchman or guard and family.	P	P	P	P	See Section 104-21-4.
Egg handling, processing and sales.	N	P	P	P	
Electric appliances and/or electronic instruments assembling.	N	P	P	P	
Express office.	N	P	P	P	
Family food production.	N	P	P	P	
Farm implement sales.	P	P	P	P	
Fat rendering.	N	E	E	E	In the M-2 zone, this use shall be located at least 600 feet from any zone boundary.
Feed, cereal or flour mill.	N	N	N	E	
Fertilizer and soil conditioner manufacture, processing and/or sales.	N	E	E	E	Limited to non-animal products and by-products.
					Limited to food for human consumption.

Food processing, small batch artisan.	P	P	P	P	e.g., baked goods, confectioneries, and craft cheese.
Foundry, casting light weight, non-ferrous metal without causing noxious odors or fumes.	N	C	C	C	
Foundry or forage plant.	N	N	N	C	
Garage, public.	N	P	P	P	
Garden supplies and plant material sales.	P	P	P	P	
Gravel pit, quarry, or mine.	N	N	C	C	In the M-2 zone, this use shall be located at least 600 feet from any zone boundary.
Greenhouse and nursery.	P	P	P	P	
Gymnasium.	P	P	P	P	
Honey extraction.	P	P	P	P	
Ice manufacturing and storage.	N	P	P	P	
Incinerator.	N	N	C	C	No objectionable fumes and odors shall emitted.
Kennel.	N	P	P	P	
Knitting mill.	N	P	P	P	

Laboratory.	N	P	P	P	
Lawn mower sales and/or service.	P	P	P	P	
Laundry.	P	P	P	P	
Machine shop.	P	P	P	P	
Manufacturing, compounding, processing, packing and treatment of bakery goods, candy, dairy products, and pharmaceuticals.	N	P	P	P	
Manufacturing, compounding, assembling and treatment of articles of merchandise from the following previously prepared materials: cellophane, canvas, cloth, cork, felt, shell, straw, textile, wood, and yarn.	N	P	P	P	
Manufacturing, compounding, processing, packing and treatment of the products: cosmetics, food products, excluding the following: fish, sauerkraut, pickles, vinegar, yeast, toiletries.	N	E	E	E	
Manufacturing, compounding and treatment of articles or merchandise from the following previously prepared material: bone, feathers, Fiber, fish, glass, hair, horn, leather, paint, paper, plastic, rubber, tobacco.	N	E	E	E	
Manufacturing, fabrication, assembly, canning, compounding, packaging process treatment, storage and/or maintenance of the following: alcohol; brass, brick; candles, cast stone products, cement and cinder products, copper, ceramic products, clay products; dyestuff; feathers, felt, fiber, fish, fish food products, and film; glass, glucose, gypsum; hair; ink, iron; lampblack, linoleum, lime; malt, meats, oileloth, oiled rubber goods; paper, paint, pulp, pickles, plaster, plaster of paris, plastic; sauerkraut, sheet metal, shellac, shoddy, shoe polish, stove polish soap and detergent, soda, starch, steel; terracotta.	N	N	E	E	

tile, turpentine; varnish, vinegar; yeast.					
Manufacturing, fabrication, assembly, canning, compounding, packaging process, treatment, storage and/or maintenance of the following: automobile and parts; cans; emery cloth excelsior; hardware; machinery; matches; oxygen; salt.	N	N	P	P	
Manufacturing, fabrication, assembly, compounding, process, treatment and storage of products made from the family of metals and carbons, including but not limited to the following: brass; iron; copper; steel; graphite and their substitutes.	N	C	C	C	
Manufacturing, processing, refining, treatment, distillation, storage or compounding of the following: Acid, ammonia, asphalt, bleaching powder and chlorine, bone, chemicals of an objectionable or dangerous nature, coal or wood, creosote, disinfectants or insecticides, fat, fireworks or explosives, fur, gas, gelatin or size, glue, hide, ore, plastic, potash, pyroxylin, roofing or waterproofing materials, rubber or guttapercha, tallow grease or lard, tar, wood, roofing or waterproofing materials, furs, wool, hides, or metals crushing for salvage.	N	N	C	C	In the M-2 zone, this use shall be located at least 600 feet from any zone boundary.
Manufacturing and maintenance of the following: business machines; cameras and photographic equipment; electric and neon sign, billboards and/or commercial advertising structures; light sheet metal products, including heating and ventilating ducts and equipment; musical instruments; novelties; rubber and metal stamps; and toys.	N	P	P	P	
Manufacturing of brick and all clay, ceramic, cinder, concrete, synthetic, cast stone, plastic and pumice stone products;					

including the manufacture or fabrication of building blocks, tile or pipe from raw material for use in building construction or for sewer or drainage purposes, and including rock or gravel crushings or raw materials which is incidental to the manufacture or fabrication of the above described products, and provided that such crushing facilities shall be located not closer than 200 feet to any property line.	N	E	E	E	
Meat custom cutting and wrapping.	P	P	P	P	No slaughtering allowed.
Meat products smoking, curing and packing, provided that no objectionable fumes are emitted.	N	E	E	E	
Metals and metal products treatment and processing.	N	N	E	E	
Metals extraction. The extraction, processing and manufacturing of magnesium chloride, magnesium, potassium, sodium, lithium, boron, bromine and their salts or chemical derivatives.	N	N	N	E	
Missiles and missile parts.	N	N	N	E	
Monument works or sales.	P	P	P	P	
Motion picture studio.	N	P	P	P	
Motor vehicles, trailers, bicycles and machinery repairing, rentals, sales and reconditioning.	N	P	P	P	
Oil or lubricating grease compounding.	N	N	E	E	
Ore beneficiation, smelting, or refining of metal materials.	N	N	E	E	In the M-2 zone, this use shall be located at least

					600 feet from any zone boundary.
Ornamental iron sales or repair.	P	P	P	P	
Outdoor storage.	N	N	C	C	
Parking lot.	N	P	P	P	
Pest control.	P	P	P	P	
Petroleum refining and storage.	N	N	C	C	
Planing mill.	N	P	P	P	
Plumbing shop.	P	P	P	P	
Printing services.	P	P	P	P	
Public and quasi public uses.	P	P	P	P	
Public safety training facility.	N	C	C	C	
Public transit yards.	N	P	P	P	
Public utility substations.	C	C	C	C	
Racing, go cart racing or drag strip.	N	N	C	C	
Radio and television transmitting towers.	N	P	P	P	
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	
Recreation center.	P	P	P	P	
Recreation center daycare. A daycare accessory to a recreation center.	P	P	P	P	
Recreational vehicle storage.	P	P	P	P	
Rental shop, home and garden equipment.	P	P	P	P	
Retail sales, limited.	P	P	P	P	See Section

					104-21-4.
Rock crusher.	N	N	C	C	
Roofing sales or shop.	P	P	P	P	
Rubber welding.	N	P	P	P	
Sand blasting.	N	P	P	P	
Self storage. Indoor self storage units for personal and household items.	P	P	P	P	
Service station.	N	P	P	P	
Shooting range or training course, indoor or outdoor.	N	N	N	C	See Section 104-21-4.
Sign painting shop.	P	P	P	P	
Site leveling and preparation for future development.	C	C	C	C	
Smelting or refining of materials.	N	N	C	C	In the M-2 zone, this use shall be located at least 600 feet from any zone boundary.
Soil and lawn service.	P	P	P	P	
Space craft and space craft parts manufacturing.	N	N	N	C	
Steel or iron mill mines.	N	N	C	C	In the M-2 zone, this use shall be located at least 600 feet

					from any zone boundary.
Stockyards, slaughterhouse.	N	N	C	C	In the M-2 zone, this use shall be located at least 600 feet from any zone boundary.
Taxidermist.	P	P	P	P	
Temporary building for uses incidental to construction work.	P	P	P	P	The buildings must be removed upon completion or abandonment of the construction work.
Tire retreading and/or vulcanizing.	N	P	P	P	
Track or trails for motorcycle and off road vehicle.	N	C	C	C	Accessory concession stand, picnic area, park and playground facilities are

					allowed.
Trade or industrial school.	P	P	P	P	
Transfer company.	N	P	P	P	
Truck service station.	N	P	P	P	
Trucking terminal.	N	P	P	P	
Upholstering, including mattress manufacturing, rebuilding and renovating.	P	P	P	P	
Used car lot.	N	P	P	P	
Ventilating equipment sales and service.	P	P	P	P	
Veterinarian and small animal grooming.	N	P	P	P	
Warehouse.	P	P	P	P	
Wastewater treatment or disposal facility.	E	E	E	E	
Water storage reservoir.	E	E	E	E	Only allowed when developed by a public agency and meeting the requirements of Title 108, Chapter 10 of this Land Use Code.
Weaving.	N	P	P	P	
Welding shop.	N	P	P	P	
Wholesale business.	N	P	P	P	
Window washing establishment.	P	P	P	P	

Wrecked car sales.	N	N	C	C	
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SECTION 10: AMENDMENT “Sec 104-21-4 Special Regulations” of the Weber County County Code is hereby *amended* as follows:

AMENDMENT

Sec 104-21-4 Special Regulations

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

- (a) ***Automobile recycling (and parts dismantling)***. This use shall be conducted within a completely enclosed building. In the M-2 zone, the recycling facility shall have no more than 40 automobiles at the site at any one time. Any automobile recycling vehicle storage area must be enclosed by a solid wall or fence of not less than seven feet in height.
- (b) ***Automobile wrecking yard or junkyard***. This use shall be enclosed within a solid wall or fence of not less than seven feet in height. In the M-2 zone, this use shall be located at least 600 feet from any zone boundary.
- (c) ***Building material sales yard***. In the M-1 and M-2 zones, a building material sales yard may include the sale of rock, sand, gravel and the like, as an incidental part of the main business, but shall exclude concrete mixing except as such concrete mixing is necessary in the preparation and manufacture of any of the products specified in this section.
- (d) ***Cement batch plants*** ~~Mixing plant for certain construction material~~. The following standards apply to ~~a cement batch~~ a mixing plant:
 - (1) The cement silo mixer shall not be larger than 300 barrels. ~~in the M-1, M-2, and M-3 zones, and 200 barrel in the MV-1 zone.~~
 - (2) There shall be a 15-foot landscape buffer with a six-foot-high earth berm planted with six feet or larger evergreen trees. The trees shall be Canada Hemlock, Scotch Pines, Douglas Fir, or Blue Spruce. The trees shall be planted every 15 feet on center. The evergreen shrubs shall be Junipers, Mugo Pines, or Spreading Yew. The shrubs shall be 36 inches high and there shall be 15 shrubs per 100 feet. There shall be five canopy trees per 100 feet. These trees shall be Maples, Linden, Quaking Aspens, Cottonless Cottonwood, Honey Locust, or Birch trees. These trees shall be a minimum of two-inch caliper. This landscaping shall be planted on the crest of the six-foot berm when the property abuts agricultural or residential zones.
 - (3) There shall be no more than three cement trucks, and no more than two other

semi-trucks and trailers used with this operation stored on site.

- (4) There shall be no more than 40 yards of sand and gravel mix stored on this site. The sand and gravel mix shall be stored in a three-wall bin and covered when not in use.
 - (5) All cement product on site shall be stored within the silo. At least 15,000 square feet of the lot shall be dedicated for this use.
 - (6) The property shall be at least one acre in size.
 - (7) A vehicle/trailer washout area is required. A detailed plan for the washout area shall be submitted with the permit application.
- (e) **Mixing facility for asphalt or concrete, temporary.** The following standards apply to a temporary mixing facility:
- (1) The cement silo mixer shall not be larger than 200 barrels.
 - (2) There shall be no more than two cement trucks, and no more than two other semi-trucks and trailers used with this operation stored on site.
 - (3) There shall be no more than 40 yards of sand and gravel mix stored on this site. The sand and gravel mix shall be stored in a three-wall bin and covered when not in use.
 - (4) All cement product on site shall be stored within the silo. At least 15,000 square feet of the lot shall be dedicated for this use.
 - (5) The project site shall be at least ten acres in size.
 - (6) A vehicle/trailer washout area is required. A detailed plan for the washout area shall be submitted with the permit application.
- (f) ***Dwelling unit for night watchman or guard and family.*** The dwelling unit shall be for the exclusive use of a night watchman or guard and his or her immediate family. The site shall provide an additional 3,000 square feet of landscaped area for the residential use.
- (g) ***Retail sales, limited.*** This use is limited to the sales of products produced by, developed in conjunction with, or normally required and used in the performance of a commercial or manufacturing operation ~~permitted~~ allowed in this zone, and provided the retail sales is clearly an accessory use to the main permitted use and is conducted within the same building or, if the main use is not a building, then on the same property. No retail sale of products may be made in conjunction with a warehousing or wholesale business.
- (h) ***Shooting range or training course, indoor or outdoor.*** The facility shall provide designated shooting positions for which ballistic backstops are designed. No shooting is allowed except in these designated shooting positions. All sides down range of a shooting position shall have a non-ricochet ballistic backstop, including overhead and on the ground or floor, capable of containing all errant bullets. For an outdoor range, the overhead backstop may be a series of baffles. Approval shall be subject to the requirements and conditions of the local fire authority. The range operator shall be onsite at all times shooting is occurring.

~~Reserved.~~

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

SECTION 11: AMENDMENT “Sec 104-21-5 Site Development Standards” of the Weber County County Code is hereby *amended* as follows:

AMENDMENT

Sec 104-21-5 Site Development Standards

The following site development standards shall apply to the Manufacturing Zones:

(a) Lot area:

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

(b) Lot width:

	MV-1	M-1	M-2	M-3	ADDITIONAL RESTRICTION
Minimum lot width:	100 None feet	100 None feet	100 None feet	100 None feet	

(c) Yard Setbacks

(1) Front yard setbacks:

	MV-1	M-1	M-2	M-3	ADDITIONAL RESTRICTION
Minimum front yard setback	30 feet	30 feet	30 feet	50 feet	Except 50 feet if on a street <u>right-of-ways that is or is planned to become</u> 80 feet or wider.

(2) Side yard setbacks:

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

(3) Rear yard setback:

	MV-1	M-1	M-2	M-3	ADDITIONAL RESTRICTION
Minimum rear yard setback	None	None	None	None	Except 30 feet where building <u>the lot</u> rear on a residential zone.

(d) Building height:

	MV-1	M-1	M-2	M-3	ADDITIONAL RESTRICTION
Minimum building height	1 story	1 story	1 story	1 story	
Maximum building height	50 feet	None	None	None	

(e) Lot coverage:

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

Editors note: This section was previously devoted to the CV-1 and CV-2 zones. Ordinance No. 2020-24 consolidated the CV-1 and CV-2 zones into Chapter 104-20.

(Ord. of 1956, § 18B-2; Ord. No. 2011-5, § 18B-2, 3-15-2011; Ord. No. 2012-17, § 18B-2, 10-23-2012; Ord. No. 2016-10, Exh. A, 8-23-2016)

SECTION 12: AMENDMENT “Sec 108-1-2 Application And Review” of the Weber County County Code is hereby *amended* as follows:

AMENDMENT

Sec 108-1-2 Application And Review

- (a) All applications for occupancy permits or building permits for all multifamily (over eight) dwellings, recreation resort uses, public and quasi-public uses, business, commercial and manufacturing buildings, structures and uses and their accessory buildings, shall be accompanied by architectural elevations and site development plans to scale, which shall show building locations, major exterior elevations, exterior building materials and color schemes, landscaping, prominent existing trees, ground treatment, fences, off-street parking, vehicle and pedestrian circulation, adjacent buildings, streets and property lines, and existing grades and proposed new grades. All plans shall be reviewed and approved by the planning commission with the exception that small buildings or additions with a total footprint of less than 10,000 square feet, and which impact an area of less than one acre may be reviewed and approved by the planning director after meeting the requirements of all applicable ordinances. In the Ogden Valley Destination and Recreation Resort Zone at elevations of at least 6,200 feet above sea level, the buildings with a total footprint of less than 75,000 square feet may be reviewed and approved by the planning director after meeting the requirements of all applicable ordinances and/or the intent of the applicable master plan. All of the above required architectural and site development plans shall be reviewed and approved prior to the issuing of any land use, occupancy or building permit.
- (b) All documents submitted in the application shall be accompanied by a PDF file of the respective document. All plans (including but not limited to site plans, architectural elevations/renderings, etc.), and subsequent submittals and revisions, shall be accompanied by a full scale set of PDF files of the respective plans.
- (c) The applicability of the provisions of this chapter may be waived or modified by the County Commission by means of an executed and recorded development agreement. The specific waiver or modification shall be explicitly stated in the development agreement.

(Ord. of 1956, § 36-2; Ord. No. 2009-3; Ord. No. 2014-6, § 1, 4-1-2014; Ord. No. 2016-4, Exh. C2, 5-24-2016)

SECTION 13: AMENDMENT “Sec 108-3-7 Lot Development Standards” of the Weber County County Code is hereby *amended* as follows:

AMENDMENT

Sec 108-3-7 Lot Development Standards

Unless otherwise provided for in this section, residential building lots shall be developed in a manner that meets all applicable standards, including but not limited to those found in the Weber County Land Use Code and the requirements and standards of the Weber-Morgan Health Department, if applicable. The following specific site development standards apply to lots in cluster subdivisions:

- (a) *Lot area.* Unless otherwise regulated by the Weber-Morgan Health Department, a lot located within a cluster subdivision shall contain an area of not less than 9,000 square feet, unless otherwise provided in section 108-3-8.
- (b) *Lot width.* Unless otherwise regulated by the Weber-Morgan Health Department, the minimum lot width in a cluster subdivision is as follows:

Zone	Lot Width
F-40 and F-10 zones:	100 feet
FR-1, F-5, and AV-3 zones:	80 feet
RE-15, RE-20 zones:	60 feet
A-1, A-2, and A-3 zones:	60 feet
FR-3 zone:	50 feet
DRR-1 zone:	50 feet

- (c) *Yard setbacks.* The minimum yard setbacks in a cluster subdivision are as follows:
 - (1) Front yard setbacks:

	Setback
Front:	20 feet

- (2) Side yard setbacks:

Side:	Setback
Dwelling or other main building:	8 feet
Accessory building:	8 feet; except one foot if located at least six feet in rear of dwelling
Accessory building over 1,000 square feet:	See section 108-7-16
Corner lot side facing street:	20 feet

- (3) Rear yard setbacks:

Rear:	Setback
<u>Dwelling or other main building</u> Rear:	20 feet
<u>Accessory building:</u>	<u>1 foot except 10 feet where accessory building on a corner lot rears on side yard of an adjacent lot</u>

(d) *Building height.* The maximum height for a building in a cluster subdivision is as follows:

Building	Height
Dwelling:	40 feet
Accessory building:	30 feet

(Ord. No. 2018-6, Exh. A, 5-8-2018)



Staff Report to the Western Weber Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: A county-initiated request to rezone Parcel ID: 10-042-0001 from its current M-3 zoning classification to an M-2 classification.
Agenda Date: Tuesday, November 9, 2021
Applicant: Weber County
File Number: ZMA 2021-10

Property Information

Approximate Address: 8300 W 900 S., Reese Area, Unincorporated Weber County
Zoning: The area is currently zoned M-3
Existing Land Use: Vacant
Proposed Land Use: Food Processing/Manufacturing

Adjacent Land Use

North: 900 South/Vacant
East: Vacant
South: Railway/Vacant
West: Radio Controlled Aircraft Club

Staff Information

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

Applicable Ordinances

§102-5: Rezoning Procedures
§104-21: Agricultural Zones

Legislative Decisions

When the Planning Commission is acting as a recommending body to the County Commission, it is acting in a legislative capacity and has wide discretion. Examples of legislative actions are general plan, zoning map, and land use code amendments. Legislative actions require that the Planning Commission give a recommendation to the County Commission. For this circumstance, criteria for recommendations in a legislative matter require a review for compatibility with the general plan and existing ordinances.

Summary

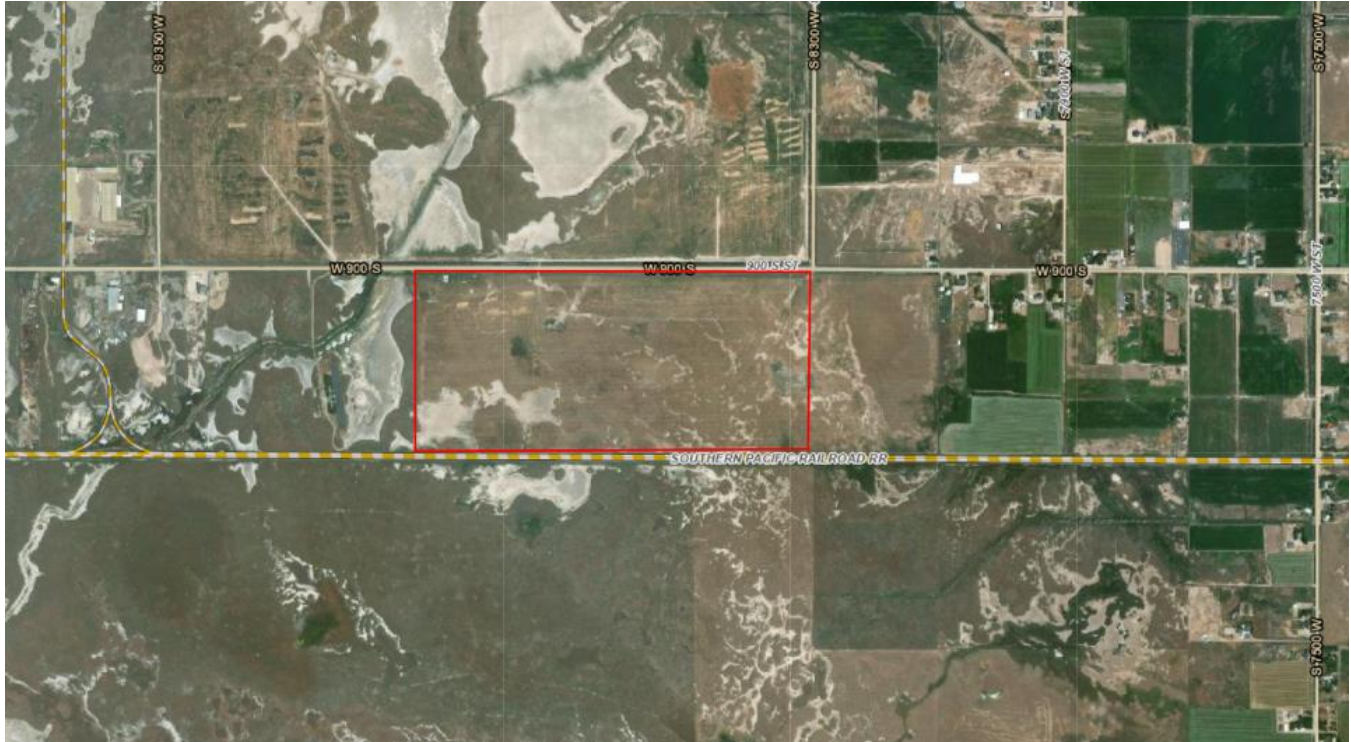
This report is a review of a County-initiated request to rezone approximately 186.67 acres from the M-3 zone to the M-2 zone at approximately 8300 West 900 South in the Reese area of Western Weber County. The purpose for the rezone is to allow the parcel to be developed for food processing/manufacturing uses within the M-2 zoning classification. The M-2 allowances and protections have been specifically crafted to provide an environment that has been designed to mitigate its impact on surrounding property and uses while also being protected from adjacent impacts that could jeopardize the quality of food being processed and manufactured on-site.

The rezone is keeping with the West Central Weber County General Plan, which suggests that industrial uses that are non-polluting are desirable as a means to increase and stabilize the tax base.¹

Staff are recommending approval of the rezone, provided the any future development on the property is willing to enter into a development agreement

Policy Analysis

Figure 1: Vicinity Map



The Weber County Land Use Code has a chapter that governs rezoning applications. The following is a policy analysis of the requested rezone based on the Land Use Code and best planning practices. **Figure 1** displays the vicinity map for the property.

Zoning: The current zone of the subject parcel is M-3 and is proposed to change to the M-2 zone. **Figure 2** displays current zoning of the area and the subject parcel. Weber County Code Section 104-21-1(d) says the purpose of the M-3 zone is as follows:

“The purpose of the Manufacturing M-3 Zone is to provide for industrial uses related to the manufacturing, testing, and production of jet and missile engines, aircraft or space craft parts or similar heavy industry, and for the extraction and processing of raw materials. Industrial operations or uses, which are compatible with the general purpose of this zone, are included in this purpose.”

Weber County Code Section 104-21-1(c) says the purpose of the M-2 zone is as follows:

“The purpose of the Manufacturing M-2 Zone is to provide a heavy manufacturing zone in areas that will accommodate the need for heavy intensity manufacturing, extractive and associated uses where the environment impact upon community may be substantial and where public regulation may be necessary to preserve the general welfare of the community.”

Figure 3 displays the proposed zoning of the subject parcel.

¹ See Pg. 2-15 of the West Central Weber County General Plan.

<https://www.webercountyutah.gov/planning/documents/2003%20West%20Central%20Weber%20County%20General%20Plan%2011-19-19.pdf>

Figure 2: Existing Zoning Map

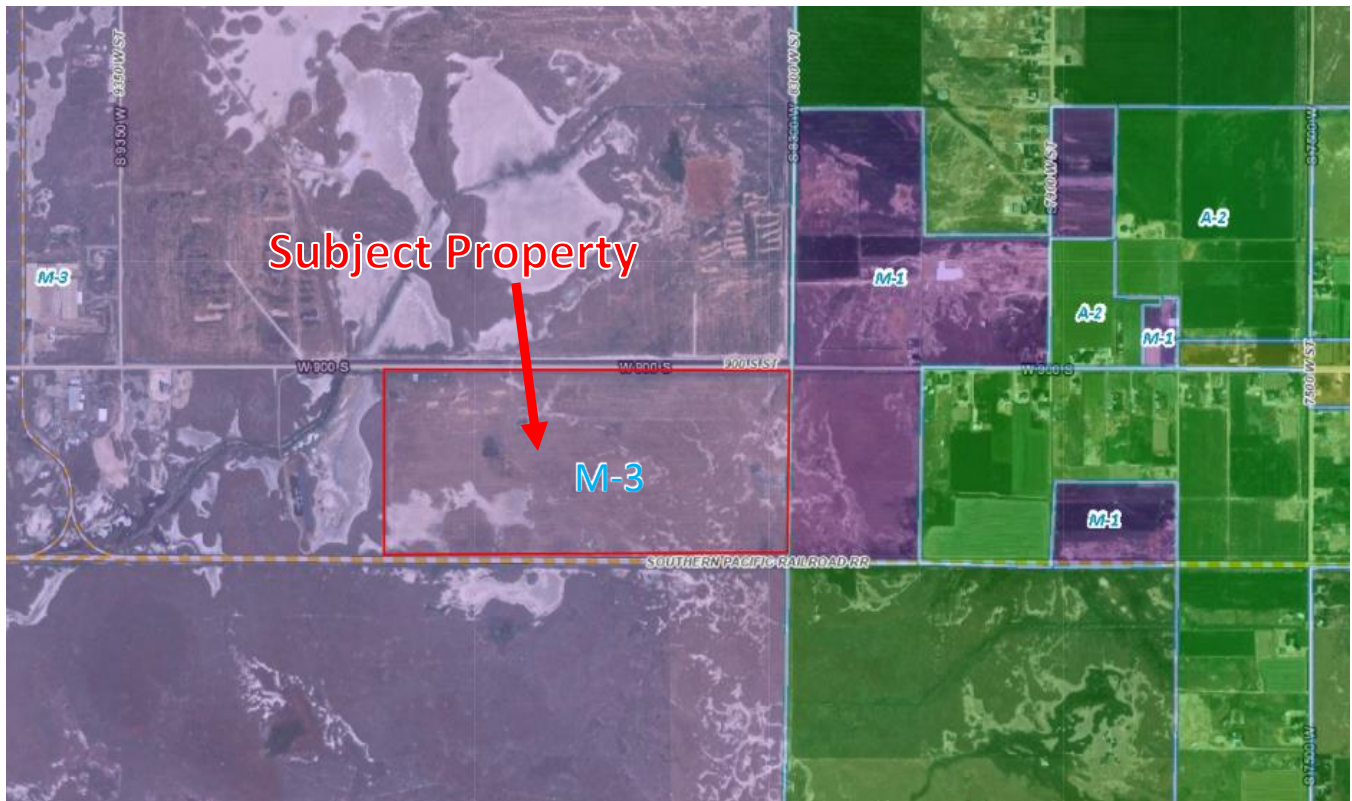
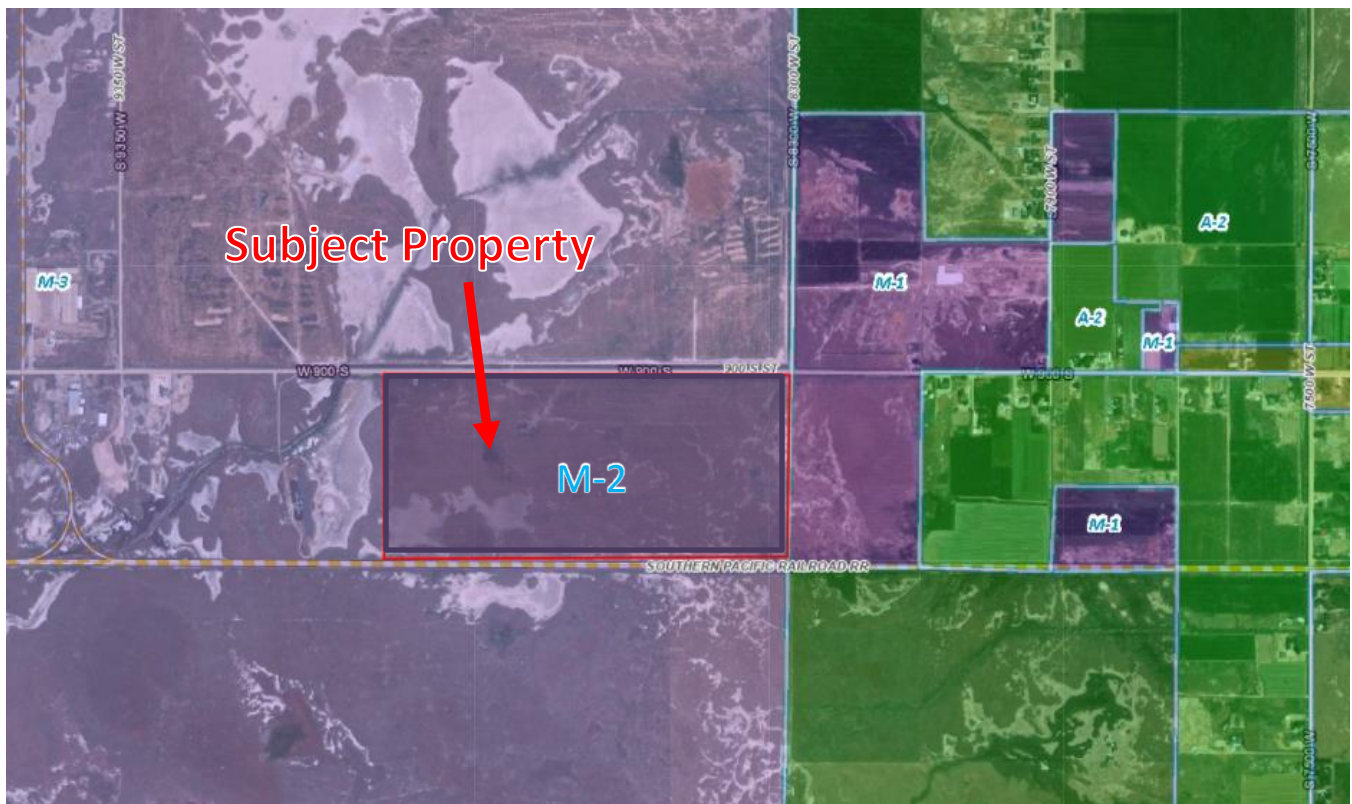


Figure 3: Proposed Zoning Map



General plan: Weber County Code § 102-5-2 specifies that rezoning should be in compliance with the general plan. It does not require that a rezone be approved if it complies with the plan, but suggests pursuing opportunities to implement the plan.

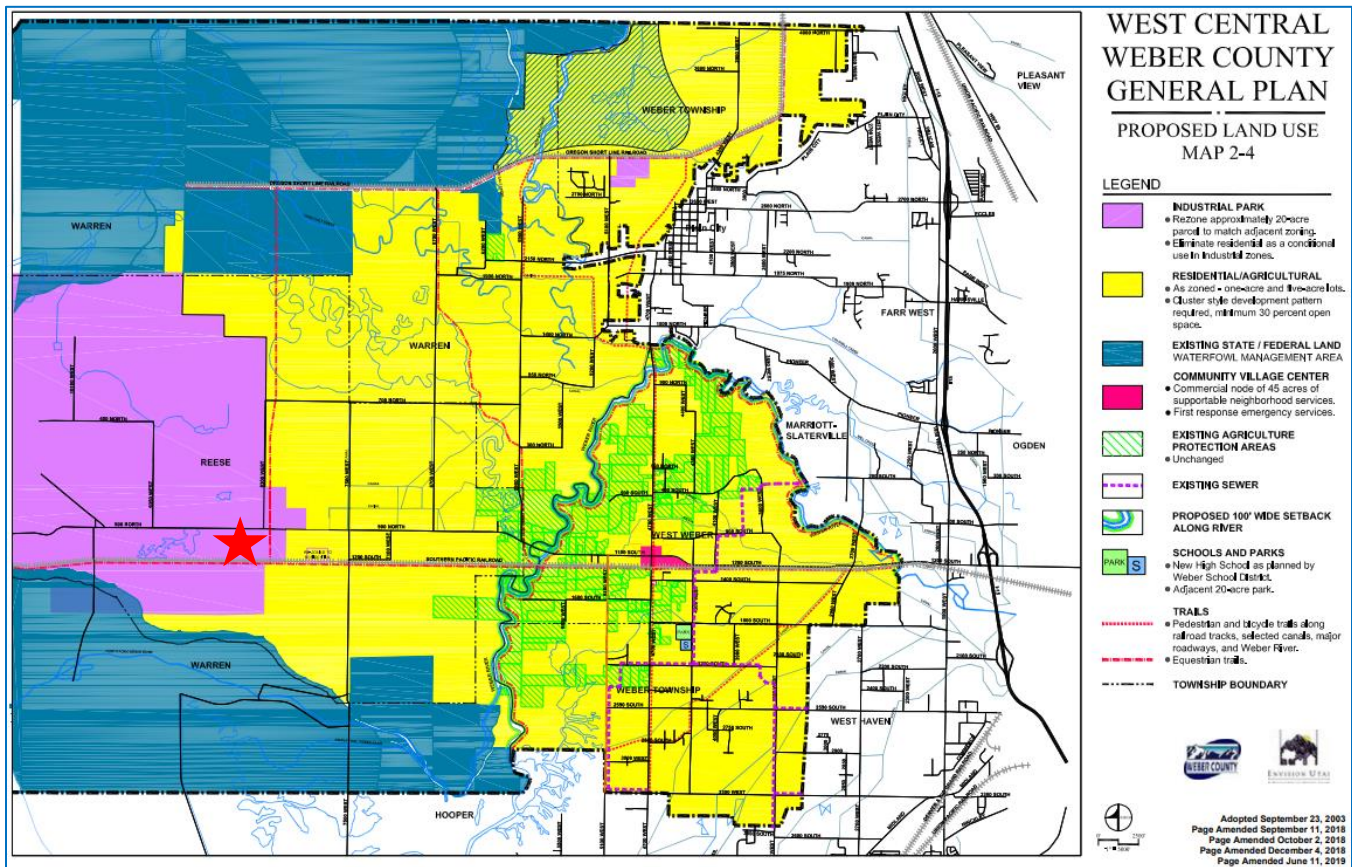
The applicable general plan for this area is the 2003 West Central Weber County General Plan.²

The West Central Weber County General Plan addresses a preferred approach regarding manufacturing uses. Chapter 2 (Land Use Element), indicates that:

“The existing manufacturing zones in the West Central Weber County amount to just over 20,000 acres, and have the potential to provide additional tax base as new development occurs in the future. The current amount of property zoned for manufacturing (M-1, M-2, and M-3) is adequate and should be maintained and reserved for manufacturing uses.”

Figure 4 shows the general plan’s Future Land Use Map. The red star indicates the area of the subject property.

Figure 4: Future Land Use Map



The subject property lies within the area designated as an “Industrial Park”. The proposed rezone to the M-2 classification would not be in conflict with the intentions of the general plan as the M-2 zoning classification would still fit within the realm of an industrial park.

Of worth to note, one outcome of the 2018 Western Weber Futures public engagement process was a recommendation to provide a buffer between the M-1 and A-3 zones and the M-3 zone. Providing this M-2 zone will initiate that recommendation. Future M-2 rezones are anticipated.

General Considerations: When considering whether a general plan implementation opportunity is appropriate, the Planning Commission should consider whether this is the right time and the right place for the proposed rezone. A review of land uses and development compatibility in the area is important.

² The plan can be found here:

<https://www.webercountyutah.gov/planning/documents/2003%20West%20Central%20Weber%20County%20General%20Plan%2011-19-19.pdf>.

A review of the existing uses and development in the vicinity of 8300 West and 900 South suggests that larger-scale manufacturing may be acceptable given the current general vacancy and large parcels/lots (100 + acres) surrounding the subject property.

Water: It is anticipated that, when developed, the land will be served by a new water improvement district established specifically for large-scale manufacturing operation/s in the region. No formal commitment for water is required at this time, but will be part of a future development process.

Sanitary Sewer: It is anticipated that, when developed, the land will be served by a new sewer improvement district established specifically for large-scale manufacturing operation/s in the region. No formal commitment for waste water treatment is required at this time, but will be part of a future development process.

Access and traffic circulation: Access to the site will be served by the existing 900/1200 South and a future extension of 8300 West. Access may also include a new rail spur that ties into the existing railroad right-of-way that runs along the property's southern property line. Transportation improvements that may be needed to accommodate future development on the subject property will be more specifically addressed through an associated development agreement.

Staff Recommendation

Staff recommends that the Planning Commission forward a positive recommendation to the County Commission regarding File #ZMA 2021-10, a proposal to rezone approximately 186.67 acres from the M-3 zone to the M-2 zone. This recommendation comes with the following conditions and findings:

Conditions:

1. That a mutually agreeable development agreement, executed between a future developer of the subject property and the County, be recorded to the property that provides for negotiated and agreeable development terms for the County.

Findings:

2. The proposal complies with the general plan for the area.
3. The surrounding land uses do not pose a conflict with the proposed rezone, and the uses of the proposed rezone are anticipated to fit into the area harmoniously.
4. The proposed rezone is in the interest of the community's health, safety, and welfare.