

## ORDINANCE 11-04

### AN ORDINANCE AMENDING TITLE 10 ZONING REGULATIONS, CHAPTER 5 ZONING DISTRICTS, ADDITION OF ARTICLE O BUSINESS COMMERCE ZONE

**WHEREAS**, the South Weber City Council established Title 10 Zoning Regulations, Chapter 5 Zoning Regulations to establish various zoning requirements in order to preserve and promote the health, safety, morals, convenience, order and the general welfare of the city, its present and future inhabitants and the general public, and provide a wide array of developments; and

**WHEREAS**, in order to further provide for future developments, it is necessary to establish a zone that may serve as a buffer between residential uses and higher commercial or industrial uses;

**WHEREAS**, the South Weber City Planning Commission held a public hearing on the 27th day of January 2011, and has made a favorable recommendation of this amendment to the South Weber City Council; and

**WHEREAS**, the South Weber City Council held a public hearing on (insert date here), and has reviewed the amendments and recommendations made by the Planning Commission;

**NOW THEREFORE BE IT ORDAINED**, by the Legislative Body of South Weber City as follows:

**SECTION 1:** The South Weber City Code shall be amended as follows:

**SECTION 2:** South Weber City Code, Title 10, Chapter 5, shall be amended as follows:

#### **Add Article O to Title 10, Chapter 5**

#### **Business Commerce Zone (BC)**

#### **10-50-1: PURPOSE:**

To provide a zone that will act as a buffer between residential uses and higher commercial or industrial uses. A zone in which job creation and business commerce can be combined. All uses within this shall be reviewed in order to ensure compatibility with surrounding uses and to preserve hill sight views and maximize safety in developing the upper bench area of South Weber City.

**10-50-2: DEVELOPMENT OVER ONE ACRE:**

Business Commerce development over one acre must follow the conditional use permit procedure pursuant to [Chapter 7](#) of this Title.

**10-50-3: ARCHITECTURAL SITE PLAN REVIEW:**

All proposed BC development shall meet the requirements of [Chapter 12](#) of this Title.

**10-50-4: PERMITTED USES:**

Accessory buildings and uses.

Agriculture.

Business and professional services.

Commercial services such as retail and grocery stores.

Experimental research and testing laboratories.

Manufacturing: food products, fabricated textile products, furniture, paper products, precision instruments, jewelry, machine products, wood products (except paper), ceramic products, electrical appliances, electronics, small tools and other light metal products and sporting and athletic goods.

Printing, lithography and/or publishing shops.

Public buildings and public utility buildings and uses.

Recycling and collection center operated within an enclosed building.

Restaurants.

Wholesale trade and warehousing.

**10-50-5: CONDITIONAL USES:**

All permitted uses allowed in this Article requiring more than one acre in site area.

Dog kennels.

Electronic communication facilities.

Expansion of a legal preexisting nonconforming use to include the raising of farm animals for private use and the construction of barns and other outbuildings for that use.

**10-50-6: LANDSCAPING REQUIREMENTS:**

- A. General Landscaping: At least fifteen percent (15%) of the total site shall be thoroughly landscaped, including an irrigation system adequate to maintain such landscaping. Landscaping shall meet the requirements of [chapter 15](#) of this title. For use of exceptional design and materials, as determined by the planning commission, the landscaping may be reduced to ten percent (10%) of the total site.
- B. Bufferyard Landscaping: Bufferyard D landscaping shall be required between the BC zone and all residential and agricultural zones and shall meet the requirements of [chapter 15](#) of this title.
- C. Park Strip Landscaping: Park strip landscaping shall meet the requirements of [chapter 15](#) of this title.

**10-50-7: BUILDING LOT REQUIREMENTS:**

- A. Lot Width: No minimum requirement, as approved by the planning commission.
- B. Lot Area: No minimum requirement, as approved by the planning commission.

**10-50-8: LOCATION OF STRUCTURES:**

No minimum requirements, except no commercial or industrial building or structure shall be located closer than twenty feet (20') to any street or the average of existing buildings where at least fifty percent (50%) of the frontage is developed.

**10-50-9: BUILDING COVERAGE REGULATIONS:**

No building, structure or group of buildings, including accessory buildings, shall cover more than sixty percent (60%) of the area of the lot.

**10-50-10: OFF-STREET PARKING:**

Provisions of [chapter 8](#) of this title shall apply and shall be in full force and effect in this zone, except in the case of a bona fide temporary use.

**10-50-11: PERMITTED SIGNS AND LIGHTING:**

Class 4 signs shall be permitted.

**10-50-12: PERFORMANCE STANDARDS:**

The following performance standards are intended to ensure that all uses within the BC

zone will provide the necessary control methods to protect the city from hazards and nuisances:

- A. General: No land or building devoted to uses authorized in this article shall be used or occupied in any manner so as to create dangerous, injurious, noxious or otherwise objectionable hazards, noise, odor, smoke, heat, glare or other disturbance. The determination of the existence of these elements shall be made at the lot line in the case of elements that are objectionable only if they travel off the site.
- B. Sound Emission: No use shall emit or cause the emission of sound from a stationary source such that the one hour equivalent sound level (Leq) caused by ground transportation as estimated for that point of measurement and at that time of day, pursuant to FHWA-RD-77-108 highway traffic noise prediction model, or by other techniques at least as accurate. The sound level measuring instrumentation shall conform with ANSI S1.4-1971 type 1, and the measurement procedure shall be compatible with that, according to ANSI S1.13-1971.
- C. Odorous Gases: No emission of odorous gases or other odorous matter shall be permitted in such quantities as to be readily detectable at the property line.
- D. Hillside Impacts: No land use or building devoted to uses in this article shall be positioned in any manner as to create an unsafe or unstable hillside environment. Uses shall be pulled back from the top of the hillside in a manner to limit visual impacts along the top of the bluff.
- E. Commercial development shall be consistent with South Weber City Commercial Design Guidelines.

**SECTION 3:** This ordinance shall take effect upon posting.

**PASSED AND ADOPTED** by the City Council of South Weber, Davis County, this  
\_\_\_\_\_ **2010.**

\_\_\_\_\_  
**MAYOR: Jeffrey G. Monroe**

**ATTEST:**

\_\_\_\_\_  
**Erika J. Ahlstrom, City Recorder**

**CERTIFICATE OF POSTING**

I, the duly appointed recorder for the City of South Weber, hereby certify that ***Ordinance 11-04: An Ordinance Amending Title 10 Zoning Regulations, Chapter 5 Zoning Districts, Add Article O Business Commerce Zone***, was passed and adopted \_\_\_\_\_, and certify that copies of the foregoing Ordinance 11-04 were posted in the following locations within the municipality this \_\_\_\_\_ day of \_\_\_\_\_, 2011.

1. South Weber Elementary, 1285 E. Lester Drive
2. South Weber Family Activity Center, 1181 E. Lester Drive
3. South Weber City Building, 1600 E. South Weber Drive
4. South Weber City Website, [www.southwebercity.com](http://www.southwebercity.com)