

CHAPTER 31

ADMINISTRATION

June 1, 2010

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~~31-4. Amendments~~

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The Board of County Commissioners may from time to time amend the number, shape, boundaries or area of any district or districts of any zone, or any regulations of or within such district or districts or zones, or any other provisions of the Zoning Ordinance, but any such amendment shall not be made or become effective unless the same shall have been proposed by or be first submitted for the approval, disapproval, or suggestion of the District Planning Commission, if the area for which the change is proposed is located within a planning district, or of the County Planning Commission if the area is not located within a planning district, and if disapproved by such commission within thirty (30) days after such submission, such amendment, to become effective, shall receive the favorable vote of not less than a majority of the entire membership of the Board of County Commissioners. Where the area for which the change is proposed is located within a planning district the Zoning Ordinance shall be submitted by the District Planning Commission to the County Planning Commission for its approval, disapproval or suggestions, and both recommendations shall be made to the Board of County Commissioners.

31-1 Purpose and Intent

The purpose of this section is to establish regulations and procedures for the processing and consideration of applications allowed by the Weber County Zoning Ordinance.

31-2 Administrative Authority

The Planning Director, or designee, is authorized to deny, approve, or approve with conditions an application for an administrative approval. Administrative approval can be given for the following applications: site plans with buildings under 10,000 square feet located on a parcel less than one acre in size, home occupations with or without visiting clientele, combining of lots within an approved

subdivision which meet ordinance requirements, and minor subdivisions as defined by the subdivision definition. The Planning Director may deny an application for an administrative approval if the use fails to comply with specific standards set forth in this ordinance or if any of the required findings are not supported by evidence in the record as determined by the Director. At the discretion of the Planning Director, the Planning Commission can hear the request for an administrative approval.

The administrative approval process includes public notice and comment from adjacent property owners, as required by state code.

31-73 Fees for Processing ~~Zoning Petitions and Planned Residential Unit Developments~~ Applications

~~Fees for processing applications zoning petitions, conditional use applications, Board of Adjustment applications, excavation applications and Planned Residential Unit Developments shall be recommended by the Planning Commission Division for adoption by resolution by the County Commission. The applications fees shall be reviewed and approved yearly for possible fee changes. Collection of fees shall be the responsibility of the Planning Commission Division.~~

Fees for processing applications shall be established by ordinance.

Applications except subdivisions that have been deemed complete and have not been acted on by the appropriate board, shall expire after six-months. The applicant will have to submit a new application and fees to restart the process.

31-4 Notice of Decision

After hearing the evidence and considering the application, the approving authority (Planning Commission, Board of Adjustment and County Commission on land use applications) shall make its findings and have them entered in the minutes. Upon a decision by the approving authority, a notice of decision shall be mailed to the applicant at the address or e-mail address given in the application. A Notice of Decision can either be a written notice or a copy of the approved minutes. A decision by the approving authority is not final until the time for appeal expires. If a notice of decision is not sent, the decision shall be effective on the date the minutes from the meeting are approved by the approving authority. The Planning Division shall also mail notice of any decisions to any person or agency who, in writing, requested such notification before the decision was rendered. Decisions are subject to requirements and conditions stated in the staff report and listed in the meeting minutes.

31-95 Hearing and Publication Notice for County Commission

Before finally adopting any such legislative amendment, the Board of County Commissioners shall hold a public hearing thereon, at least fourteen (14) days notice of the time and place of which shall be given ~~by one publication in a newspaper of general circulation in the County as per state code and by posting in three public places.~~ The unanimous vote of the full body of the County Commission is required to overturn the recommendation of the Planning Commission, if there was a unanimous vote of the Planning Commission in favor or denial of the petition.

31-106 Permits and Licensing

All departments, officials, and public employees of Weber County, which are vested with the duty or authority to issue permits or licenses, shall conform to the provisions of this Ordinance and shall issue no permit or license for uses, buildings, or purposes where the same would be in conflict with the provisions of this Ordinance. ~~and Any such~~ permit or license, if issued in conflict with the provisions of the Ordinance, shall be null and void.

31-7 Appeals

All appeals shall be filed within 15 days from the date of the written decision.

~~31-128~~ Temporary Exceptions

The Weber County Commission has the authority to grant, by motion, temporary exceptions from any term or condition of the ~~unincorporated~~ Weber County Zoning Ordinance for a period ~~of~~ not to exceed three (3) months in duration, ~~which time~~ Time may be extended for an additional three (3) months by the County Commission, for a total duration for any one tract of land not to exceed six (6) months. The granting of a temporary exception may be made by the County Commission with or without ~~a the prior~~ recommendation ~~concerning the same~~ from the ~~Weber County~~ Planning Commission. Such temporary exceptions may be granted upon the County Commission determining that such a temporary exception is justified because of some ~~unusual~~ extraordinary, or emergency situation, or act of God situation, and that the health, safety, convenience, order, and welfare of the inhabitants of Weber County will not be ~~materially~~ substantially affected, if such temporary exception is granted.

~~31-139~~ Penalties

~~Any person, firm or corporation whether as principal, agent, employee or otherwise, violating or causing or permitting the violation of the provisions of this ordinance shall be guilty of a misdemeanor and punishable as provided by law. Such~~ Any person, firm or corporation who intentionally violates this Ordinance shall be deemed to be guilty of a separate offense for each and every day during which any portion of any violation of this Ordinance is committed, continued, or permitted by such person, firm or corporation, and shall be punishable as herein provided. Any person, firm or corporation that violates the provisions of this ordinance shall be guilty of a misdemeanor and punishable as provided by law.

31410 Validity

Should any section, clause, or provision of this Ordinance be declared by the courts to be invalid, the same shall not affect the validity of the Ordinance as a whole or any part thereof, other than the part ~~so~~ declared ~~to be~~ invalid.

~~31-9. Emergency Clause~~

~~In the opinion of the Board of County Commissioners of Weber County, Utah, a public emergency exists in connection with the matters in this Ordinance contained, and it is necessary to the peace, safety and general welfare of the inhabitants of Weber County that this Ordinance becomes effective immediately.~~
