

AN ORDINANCE TO REGULATE BY ZONES THE LOCATION, HEIGHT AND BULK OF BUILDINGS AND OTHER STRUCTURES; THE PERCENTAGE OF LOT WHICH MAY BE OCCUPIED; THE SIZE OF LOTS, COURTS AND OTHER OPEN SPACES, THE DENSITY AND DISTRIBUTION OF POPULATION: THE LOCATION AND USE OF BUILDINGS AND STRUCTURES FOR TRADE, INDUSTRY, RESIDENCE, RECREATION, PUBLIC ACTIVITIES OR OTHER PURPOSES: AND THE USES OF LAND FOR TRADE, INDUSTRY, RECREATION OR OTHER PURPOSES.

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF WEBER COUNTY, STATE OF UTAH, AS FOLLOWS:

CHAPTER 1

GENERAL PROVISIONS

2008-9, 2010-3

- 1-1. Short Title**
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1-1. Short Title

This Ordinance shall be known as the "Uniform Land Use Ordinance of Weber County, Utah." The Township Planning Commission is to be the Land Use Authority, with due responsibility to administer the Land Use Ordinance. Any appeals of the Land Use Authority will be heard by the Board of Adjustment as outlined in Chapter 29 of the Land Use Ordinance. Appeal of Conditional Use applications will be heard by the Board of County Commissioners.

1-2. Purpose

This ordinance is designed and enacted for the purpose of promoting the health, safety, morals, convenience, order, prosperity and welfare of the present and future inhabitants of Weber County, State of Utah, including amongst other things, the lessening of congestion in the streets, or roads, securing from fire and other dangers, providing adequate light and air, classification of land uses and distribution of land development and utilization, protection of the tax base, securing economy in governmental expenditures, fostering the County's agricultural and other industries, and the protection of both urban and non-urban development.

1-3. Interpretation

In interpreting and applying the provisions of this Ordinance, the requirements contained herein are declared to the minimum requirements for the purpose set forth. Specific uses listed as Permitted or Conditional uses in a zone are allowed; uses not listed are not allowed in that zone.

1-4. Conflict

This Ordinance shall not nullify the more restrictive provisions of covenants, agreements, other ordinance or laws, but shall prevail notwithstanding such provisions which are less restrictive. Where a conflict exists between various provisions of this ordinance, the Planning Commission and/or Board of Adjustment shall rule on which provision applies. 14-92, 2008-9

1-5. Effect on Previous Ordinances and Maps

The existing ordinances of the County covering the zoning of areas and districts in Weber County, in their entirety and including the maps heretofore adopted and made a part of said ordinances are hereby superseded and amended to read as set forth herein; provided, however, that this Ordinance including the attached maps, shall be deemed a continuation of previous ordinances, and not a new enactment, insofar as the substance of revisions of previous ordinances is included in this Ordinance, whether in the same or different language; and this Ordinance shall be so interpreted upon all questions of construction, including but not limited to questions of construction, relating to tenure of officers and boards established by previous ordinances and to questions of conforming or nonconforming use, buildings and structures, and to questions as to the dates upon which such uses, buildings or structures become conforming or nonconforming.

1-6. Definitions

For the purpose of this Ordinance, certain words and terms are defined as follows: words used in the present tense include the future; words in the singular number include the plural and the plural for singular; words not included herein but defined in the Building Code or other County codes shall be construed as defined therein. References to the Ogden Valley area also include the Ogden Canyon area. ~~which includes all of unincorporated Weber County east of the Ogden City Limits on State Highway 39, as adopted on maps attached to the Ogden Valley General Plan.~~ 14-92, 2000-15, 2008-9

ABANDONMENT: To cease or discontinue a use or activity without intent to resume, but excluding temporary or short-term interruptions to a use or activity during periods of remodeling, maintaining or otherwise improving or rearranging a facility or during normal periods of vacation or seasonal closure.

ABUTTING: Having a common border with, or being separated from such a common border by a right-of-way.

ACREAGE, GROSS: A total of all (non-developable and developable) land area that lies within a project boundary. 2008-9

ACREAGE, ADJUSTED GROSS: A total of all land area that lies within a project boundary and is classified as "developable" by this or any other County, State or Federal law, ordinance or regulation. 2008-9

ACREAGE, NET DEVELOPABLE: A total of all land area that lies within a project boundary and has not been excluded from use in density calculations or deemed "undevelopable" by this or any other County, State, or Federal law, ordinance or regulation. The area within existing and proposed public and private road rights-of-ways shall not be counted towards "Net Developable Acreage." 2008-9

AGRICULTURE: Use of land for primarily farming and related purposes such as pastures, farms, dairies, horticulture, animal husbandry, and crop production, but not the keeping or raising of domestic pets, nor any agricultural industry or business such as fruit packing plants, fur farms, animal hospitals or similar uses. 2008-9

AGRICULTURAL PARCEL: A single parcel of land, at least 5.0 acres in area if vacant, or 5.25 acres with a residential dwelling unit. This definition needs to be fulfilled in order to qualify for the agricultural building exemption.

AIRPORT HAZARD: Any structure or natural growth or use of land which obstructs or restricts the airspace required for the safe flight of aircraft in landing, taking off or maneuvering at or in the vicinity of an airport, or is otherwise hazardous to such landing, taking off or maneuvering of aircraft.

ANIMAL/VETERINARY HOSPITAL: Any building or structure used for medical and/or surgical care, treatment of animals, including boarding of domesticated animals. This does not include an animal rescue facility, nor an animal sanctuary.

ANTENNA: Any system of wires, poles, rods, reflecting discs, or similar devices used for the transmission or reception of electromagnetic waves external to or attached to the exterior of any building and including the supporting structure; includes, but is not limited to amateur radio antennas, television antennas, and satellite receiving dishes.

APARTMENTS, ACCESSORY: Accessory apartments shall have a common wall and roof for at least twenty (20) ft. with the main home, with an opening from the accessory apartment to the main home, into a common living area of the main home. The opening can be closed off by a door. Basement apartments meet this requirement with the common floor. The stairs which lead to the main floor and opens up into the common living space of the main home, can be closed off by a door. The accessory apartment opening into a garage or storage area doesn't meet the intent of the ordinance, and is not permitted. An accessory apartment doesn't constitute a dwelling unit.

2008-9

APPEAL AUTHORITY: A person, board, commission, agency, or other body designated to decide an appeal of a decision of a land use application or variance. Any appeals of the Land Use Authority will be heard by the Board of Adjustment outlined in Chapter 29 of the Land Use Ordinance. Appeal of Conditional Use applications will be heard by the Board of County Commissioners.

AUTOMOBILE RECYCLING (PARTS DISMANTLING): A process carried out within a completely enclosed building, of systematically disassembling or dismantling automobile vehicles for their component parts which are cleaned, refurbished, catalogued, and shelf stored as inventory for the purpose of resale. It includes the storage, both inside and outside the building, of not more than forty disused or damaged vehicles awaiting movement to within the building for disassembly. The process also includes the immediate removal from the site of the vehicle body hulk and other waste material.

AUTOMOBILE SERVICE STATION: Any building or premises used primarily for the retail sale of gasoline and lubricants, but which may also provide for the incidental servicing, of motor vehicles including grease racks, tire repairs, battery charging, hand washing of automobiles, sale of merchandise and supplies related to the servicing of motor vehicles and minor replacements, for which all work takes place within an enclosed building or structure, but excluding body and fender work, engine overhauling, painting, welding, storage of autos not in operating condition, or other work involving the creation of a nuisance to adjacent property.

AUTOMOBILE REPAIR/AUTO BODY SHOP (Non-Mechanical): Any building, structure or premises used for the external/non-mechanical repair of automotive vehicles, including the facilities for the incidental storage of damaged vehicles in connection with the operation of external body repairs and/or painting of automotive vehicles within an enclosed structure.

AUTOMOBILE REPAIR SHOP (MECHANICAL): Any building, structure or premises used for the mechanical repair of automotive vehicles, including the facilities for the incidental storage of damaged vehicles in connection with the operation of mechanical repairs of automotive vehicles within an enclosed structure.

AVERAGE PERCENT OF SLOPE: An expression of rise or fall in elevation along a line perpendicular to the contours of the land connecting the highest point of a slope to the lowest point of that slope within a parcel or lot. A vertical rise of one hundred (100) feet between two points one hundred (100) feet apart measured on a horizontal plane is a one hundred (100) percent grade. Percentage of slope shall be determined, and shown on the Grading Plan prior to any grading, cut or fills being accomplished. 2004-6

BARN: An agricultural structure used for the storage of produce, animals and/or agricultural vehicles and equipment.

BASEMENT/CELLAR: A story having more than one-half (½) of its height below grade: The portion below the natural grade shall not be counted as part of the building height. 2008-9

BED AND BREAKFAST DWELLING: An owner-occupied dwelling in which not more than two (2) rooms are rented out by the day, offering overnight lodgings to travelers, and where one or more meals are provided by the host family, the price of which may be included in the room rate. 15-86

BED AND BREAKFAST INN: An owner or host family occupied dwelling in which not more than seven (7) sleeping rooms are rented out by the day, offering overnight lodging to travelers with one or more meals provided by the host family, the price of which is included in the room rate. 16-89; 2003-2

BED AND BREAKFAST HOTEL: An owner or host occupied building in which at least 6 but not more than 20 guest rooms are rented out by the day offering overnight lodging accommodations and service to travelers with one or more meals provided, the price of which is included in the daily room rate.

BOARDING HOUSE: See LODGING HOUSE.

BREEZEWAY: A structure with a roof and open sides that connects two buildings.

BUFFER AREA: A landscaped area intended to separate and partially obstruct the view of two adjacent land uses or properties from one another.

BUILDING, ACCESSORY: A subordinate structure detached from but located on the same lot as the main structure, the use of which is incidental and accessory to that of the main structure. A main building is required prior to an accessory building.

BUILDING, HEIGHT OF: The vertical distance from the average of the highest natural grade and the lowest natural grade to the highest point of the coping of a flat roof, or to the deck line of a mansard roof, or to the highest point of the ridge of a pitch or hip roof. 2001-8, 2008-9

BUILDING, MAIN: The main/principal building and/or structure or one of the main/principal buildings and/or structures housing the main/principal use upon the lot.

BUILDING, PUBLIC: A building owned and operated, or owned and intended to be operated by a public agency of the United States of America, of the State of Utah, or any of its subdivisions.

BUILDING AREA (BUILDING ENVELOPE): A portion of a lot, parcel or tract of land which is to be utilized as the building site. Such building area to be designated as the only area in which building may take place. It may be outlined on the subdivision plat where there are natural hazards or unusual topographic circumstances in which the lot is located. 2004-6, 2008-9

CABARET/NIGHTCLUB: A business establishment open to public patronage where food and drink is prepared, served or offered for sale or sold for human consumption on or off the premises, and whose patrons may be entertained by performers who sing or dance or perform theatrical acts, and where the patrons may or may not dance. 6-86, 2008-9

CAMPGROUND: A private, public or semi-public open area with sanitary facilities for overnight camping and may include the parking of camping trailers, tent trailers or other vehicle types intended for camping purposes.

CEMETERY: Land used or intended to be used for the burial of the dead and dedicated for such purposes, including columbariums, crematoriums, mausoleums, and mortuaries when operated in conjunction with and within the boundaries of such premises.

CHURCH: A permanently located building or structure, together with its accessory buildings commonly used for religious worship. A church is not a "public building."

CLINIC, MEDICAL/DENTAL: A building wherein a staff of one (1) or more doctors and/or medical staff conducts the examination and treatment of out-patients, excluding the performance of surgical procedures which require overnight stays.

CLUB OR FRATERNAL LODGE/ORGANIZATION, PRIVATE: A non-profit association of persons who are bonafide members which owns or leases a building or portion thereof, the use of such premises being restricted to members and their guests.

COMMERCIAL USE: An occupation, employment or enterprise that is carried on for profit by the owner, lessee or licensee.

COMMON OPEN SPACE: (See OPEN SPACE, COMMON).

COMMUNITY CENTER: A place, structure, area, or other facility used for and providing religious, fraternal, social, and/or recreational programs generally open to the public and designed to accommodate and serve significant segments of the community. 2000-15

COMPATIBLE: Capable of orderly efficient integration and operation with adjacent developments. A development is compatible with an existing on or off-site development or property if its architectural features, building height and materials, approved uses, intensity of such use and other features are complementary and do not have a significant adverse economic and aesthetic impact on the existing development or property.

CONDITIONAL USE: See Use, Conditional.

CONDOMINIUM: An estate in real property consisting of an undivided interest in common with other purchasers in a portion of a parcel of real property, together with a separate interest in space in a residential building, such as an apartment. A condominium may include, in addition, a separate interest in other portions of such real property.

CONDOMINIUM DWELLING UNIT: An individual living/dwelling unit located within a residential condominium project.

CONDOMINIUM RENTAL APARTMENT (CONDO-TEL): A condominium residential project in which the units, when not occupied by the owner, may be placed in a management rental pool for rent as transient living quarters similar to a motel operation. Because of the transient rental characteristics, a condominium rental apartment is classified as a use category separate and distinct from a condominium dwelling unit.

CONFERENCE/EDUCATION CENTER: A facility which has been planned, developed and constructed for the purpose of conducting personal, business and professional development of a company's, corporation's, or governmental agency's employees, for example, by scheduling uses such as training workshops, seminars, retreats and similar type meetings. Such facility may be used for day use only or may be planned with overnight accommodation.

CONSERVATION EASEMENT: An easement granting a right or interest in real property that is appropriate to retaining land or water areas predominately in their natural, scenic, open or wooded condition; retaining such areas as suitable habitat for fish, plants or wildlife; or maintaining existing land uses.

CONVALESCENT HOME: (See also NURSING HOME) A facility for the care of children, the aged, infirm, or convalescent of any age.

CONVENIENCE STORE: Any retail establishment offering for sale prepackaged food products, household items, and other goods which are commonly associated, may be in conjunction with gasoline sales, and having a gross floor area of less than 5,000 square feet.

CORRAL: A fenced enclosure used for the close confinement of large animals with hay or grain feeding in contrast to pasture feeding. 2-89

DAIRY: A commercial establishment for the manufacture or processing of dairy products.

DAY CARE (ADULT) FACILITY: Any building or structure used for the purpose of furnishing care, supervision and guidance for three or more elderly, developmentally and/or emotionally disabled adults for periods of less than eight (8) hours per day.

DAY CARE: The supervision of children, unaccompanied by parent or guardian, or adults in need of supervision by other than legal guardian, for periods of less than 24 hours. The term "day care" is inclusive of kindergartens, preschools, day care (child), nursery schools and all other similar facilities specializing in the education and/or care of children prior to their entrance into the first grade, other than facilities owned and/or operated by the Public School System.

DAY CARE (CHILD) CENTER: A building or structure, other than an occupied residence, where care, protection and supervision are provided.

DAY CARE (CHILD) HOME: An occupied residence where care, protection, and supervision are provided to no more than eight (8) children at one time, including the care giver's children under six (6) years of age.

DEVELOPMENT: All structures and other modifications of the natural landscape above and below ground or water, on a particular site; the division of land into one or more parcels, the construction reconstruction, conversion, structural alteration, relocation or enlargement of any structure; any mining, excavation, landfill or land disturbance; and any use or extension of the use of land.

DEVELOPMENT MASTER PLAN: A plan of a development which encompasses an entire site under one or more ownerships which is designed to accommodate one or more land uses, the development of which may be phased, and which could include Planned Residential Unit Development, Clustered Subdivision and planned Commercial development.

DWELLING: A building or portion thereof, which is constructed in compliance with the County's adopted building codes and designed as a place for human habitation, except hotel, apartment hotel, boarding house, lodging house, tourist court or apartment court and meeting the requirements of Chapter 37 of this ordinance. The term dwelling shall include Manufactured Home and Modular Home when the requirements of Chapter 37 are met.

16-91

DWELLING, GROUP: Two (2) or more dwellings arranged around a court.

DWELLING, MULTIPLE-FAMILY: A building or portion thereof used and/or arranged or designed to be occupied by more than four (4) families, including apartment houses and apartment hotels but not including tourist courts.

DWELLING, SINGLE-FAMILY: A building arranged or designed to be occupied exclusively by one (1) family, the structure having only one (1) dwelling unit.

DWELLING, TWO-FAMILY (DUPLEX): A building arranged or designed to be occupied by two (2) families, the structure having only two (2) dwelling units.

DWELLING UNIT: Any building or portion thereof that contains living facilities, including provisions for sleeping, eating, cooking and sanitation for not more than one (1) family. 14-92

FAMILY: One or more persons related by blood, marriage, or adoption, plus domestic employees serving on the premises, or a group of not more than four (4) persons who need not be so related, living together as a single nonprofit housekeeping unit. 7-78

FAMILY FOOD PRODUCTION: The keeping of not more than the following number of animals and fowl:

Group A

- 2 Pigs
- 2 Sheep
- 2 Cows
- 2 Goats

Group B

- 20 Rabbits
- 20 Chickens
- 20 Pheasants
- 10 Turkeys
- 10 Ducks
- 10 Geese
- 20 Pigeons

Provided however, that only two (2) kinds of Group B animals and fowl may be kept on parcels of less than 40,000 sq. ft. and not more than 3 kinds of Group A and B Animals or Fowl at any one time on parcels of less than 2 acres. An additional number of animals and fowl as listed above may be kept for each one acre in the parcel over and above the first 40,000 sq. ft. up to a maximum of five times the number. 2-89

FENCE: Any artificially constructed barrier of any material or combination of materials erected to enclose or screen areas of land, which is used as a boundary or means of protection or confinement. Materials generally include chain link, vinyl, wood, masonry, concrete, wire, ornamental iron, steel, pipe, rail or composite.

FENCE, NON-CLIMBABLE: A fence meeting the “non-climbable” barrier requirements of the current International Building Code. 2008-9

FINANCIAL GUARANTEE: In lieu of actual installations of the improvements required by the Weber County Zoning Ordinance, a letter of credit or an escrow certificate from a Utah lending institution, or a corresponding lending institution in an amount equal to the future cost (plus 10% contingency) of the installation of the improvements, as determined by the County Engineer and/or Planning Director, and approved by the County Attorney, to assure the installation of such improvements within a period of two (2) years or less as determined and approved by the County Commissioners. Corresponding lending institution is a financial institute that has branches located in Utah. 2000-15, 2008-9

FLEA MARKET: An occasional or periodic sales activity held within a building, structure or open area where groups of individual sellers offer new, used, handmade, homegrown, handcrafted, obsolete or antique items for sale to the general public, not to include private garage sales.

GARAGE, PRIVATE: A garage shall be considered part of a dwelling if the garage and dwelling have a roof and/or wall in common. Areas such as garages are not considered livable space. An accessory building designed or used for the storage of:

1. Single family; not more than four (4) automobiles owned and used by the occupants of the building to which it is accessory and in which no business, commercial service or industry is carried on,
2. Multiple-family; provided that on a lot occupied by a multiple-family dwelling, the private garage may be designed and used for the storage of one and one-half (1 1/2) times as many automobiles as there are dwelling units in the multiple-family dwelling.

GEOTECHNICAL TERMS:

Active Fault: A seismic (earthquake) fault displaying evidence of surface displacement along one or more of its traces during Holocene time (approximately 10,000 years).

Active Landslide: A landslide which is known to have moved or deformed and which has not been proven to be stable by a geotechnical investigation.

Aquifer: A geological unit in which porous and permeable conditions exist or a geologic unit of stratified drift, and thus are capable of yielding usable amounts of water.

Aquifer Recharge Area: An area that has soils and geological features that are conducive to allowing significant amounts of surface water to percolate into groundwater.

Critical Facilities: Lifelines, such as major communication, utility and transportation facilities and their connection to emergency facilities, unique or large structures whose failure might be catastrophic, such as dams or buildings where explosive, toxic or radioactive materials are stored or handled, high occupancy buildings such as schools, hotels, offices, emergency facilities, such as police and fire stations, hospitals, communication centers and disaster response facilities.

Engineering Geology: The application of geological data and principles to engineering problems dealing with naturally occurring rock and soil for the purposes of assuring that geological factors are recognized and adequately interpreted in engineering practice.

Fault: A fracture in the earth's crust forming a boundary between rock or soil masses that have moved relative to each other.

Fault Trace: The intersection of the fault plane with the ground surface.

Fault Zone: A corridor of variable width along one or more fault traces.

Geotechnical Report: A technical report or study prepared by a geotechnical professional who is qualified in the field of expertise examined and analyzed in such a report: A person shall be considered "qualified" upon presentation of credentials providing recognition in the professional field, an academic degree from an accredited college or university in geology, geotechnics and/or geotechnical engineering.

Landslide: A general term for the down slope movement of a mass of soil, surficial deposits or bedrock.

Liquefaction: A process by which certain water saturated soils lose bearing strength because of ground shaking and increase of groundwater pore pressure.

GRADE, NATURAL/EXISTING: (Adjacent ground elevation) The lowest point of elevation of the finished surface of the natural ground, paving or sidewalk within the area between the building and the property line or, when the property line is more than five (5) feet from the building, between the building or structure and a line five (5) feet from the building or structure.

GUEST HOUSE: A separate dwelling structure located on a lot with one or more main dwelling structures and used for housing of guests or servants and not rented, leased, or sold separate from the rental, lease or sale of the main dwelling.

HANDICAPPED PERSON: (Persons with a Disability) A person who has a severe, chronic disability attributable to a mental or physical impairment or to a combination of mental and physical impairments, which is likely to continue indefinitely, and which results in a substantial functional limitation in three or more of the following areas of major life activity: self-care, receptive and expressive language, learning, mobility, self-direction, capacity for independent living, or economic self-sufficiency; and who requires a combination or sequence of special interdisciplinary or generic care, treatment, or other services that are individually planned and coordinated to allow the person to function in, and contribute to, a residential neighborhood. 17-87

HAZARDOUS WASTE: A solid waste or combination of solid wastes which, because of its quantity, concentration, or physical, chemical, or infectious characteristics may cause or significantly contribute to an increase in mortality or an increase in serious irreversible or incapacitating reversible illness or may pose a substantial present or potential hazard to human health or the environment when improperly treated, stored, transferred, disposed of, or otherwise managed. 15-90

HISTORIC SITE: A structure and/or a site in or on which historic events occurred or having special public value because of notable architectural or other features relating to the cultural or artistic heritage of the community, of such significance as to warrant conservation and preservation.

HOME OCCUPATION: (See Chapter 34)

HOMEOWNER'S ASSOCIATION: A formally constituted private, non-profit corporation made up of the property owners and/or residents of a fixed area for the purpose of owning, operating, and maintaining various common properties and/or facilities.

HORSE:

HORSE, MINIATURE: Defined by size, as being less than 38 inches in height as measured from the withers, with three (3) miniatures being equivalent to one (1) standard horse. 2000-24

HORSE, PONY: Defined by size, as being less than 48 inches in height as measured from the withers, with two (2) ponies being equivalent to one (1) standard horse. 2000-24

HORSE, STANDARD: Defined by size, as being over 48 inches in height as measured from the withers. 2000-24

HOSPITAL OR OUT-PATIENT FACILITY: Any building or portion thereof used for the accommodation and medical care, including surgical care, of the sick, injured or infirm persons and including sanitariums, alcohol or drug rehabilitation facilities, or institutions for the treatment of emotional illnesses.

HOTEL: A building consisting of sixteen (16) or more sleeping units designed for temporary lodging for compensation, in which no provision is made for cooking in any individual room or suite, and may or may not provide meals.

HOUSEHOLD PETS: Animals or fowl ordinarily permitted in the house, and kept for company or pleasure, such as dogs, cats and canaries, but not including a sufficient number of dogs to constitute a kennel as defined in this Ordinance, and excluding exotic animals.

IMPACT FEES: A payment of money imposed upon development activity as a condition of development approval in order to offset the financial burden for off-site impacts such as schools, provision of services, or infrastructure. (Impact Fee does not mean a tax, a special assessment, a building permit fee, a hookup fee, a fee for project improvements, or other reasonable permit or application fee.)

IMPORTANT WILDLIFE HABITAT: The land and water base necessary to ensure the long-term survival of wildlife populations.

INDEPENDENT LIVING FACILITY: Specially planned, designed and managed multi-unit housing with self-contained living units. A retirement community for Senior Citizens, age 55 or older, designed to provide supportive environments, but also to accommodate an independent lifestyle. A limited number of support services, such as meals, laundry, housekeeping, transportation and social/recreational activities, may be provided; however, no medical services are provided.

JUNK, INOPERABLE OR ABANDONED VEHICLE: Includes any trailer, semi-trailer or motor vehicle not currently registered and licensed in this state or another state that requires licensure, that cannot be legally operated on a public road in its existing condition because the parts necessary for operation, such as, but not limited to, tires, horn, brake lights, windshield, engine, drive train, driver's seat, steering wheel or column, gas or brake pedals are removed, destroyed, damaged, deteriorated, non-operative or nonconforming. 2001-13

JUNK YARD: The use of any lot, portion of lot, or tract of land for the storage of salvage materials, keeping or abandonment of junk, including but not limited to, scrap metals or other scrap material, debris, or for the dismantling, demolition or abandonment of automobiles, or other vehicles, or machinery or parts thereof; providing that this definition shall not be deemed to include such uses which are clearly accessory and incidental to any agricultural use permitted in the zone.

KENNEL: The land or buildings used in the keeping of four (4) or more dogs, at least four (4) months old.

LANDSCAPE PLAN: 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; ground cover plantings or other surfacing to break monotony of building materials, concrete and asphalt; number, type and mature and planted size of all landscape plantings; method of irrigation, 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 4" caliper; location, type and size of any existing landscaping not planned for removal; location, type and size of any decorative lighting systems.

LIVESTOCK FEED YARD: A commercial operation on a parcel of land where livestock are kept in corrals or yards for extended periods of time at a density which permits little movement and where all feed is provided for the purpose of fattening or maintaining the condition of livestock prior to their shipment to a stockyard for sale, etc. 9-65

LOCATED BEHIND THE DWELLING: The setbacks are measured from the farthest rear location of the dwelling and is parallel to the front lot line.

LOCKOUT SLEEPING ROOM: A sleeping room in a condominium dwelling unit or condominium rental apartment with separate or common access and toilet facilities but no cooking facilities except a hotplate, which may be rented independently of the main unit for nightly rental by locking interior access. A lockout sleeping room shall not be sold independently from the main dwelling unit, and is not considered a dwelling unit when figuring density on a parcel of land. 9-81, 2008-9

LODGING/BOARDING HOUSE: A building where lodging only is provided for compensation in five (5) or more guest rooms, but not exceeding fifteen (15) persons.

LOT: A parcel of land occupied or capable of being occupied by an allowed use, having frontage upon a street. Except where specified, not more than one (1) dwelling structure shall occupy any one (1) lot.

4-71, 14-73, 10-92, 2004-6

LOT AREA: The area contained within the boundary of a lot.

LOT, CORNER: A lot abutting on two (2) intersecting or intercepting streets, where the interior angle of intersection or interception does not exceed one hundred thirty-five (135) degrees.

LOT COVERAGE: The percentage of the lot area which is occupied by all building, and other covered structures and impervious surfaces.

LOT, DOUBLE FRONTAGE: Any building lot which has both the front and rear yard lot line abutting a street.

LOT, FRONTAGE: All the property fronting or abutting one (1) 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 fifty (50) feet, and shall meet the lot width at the front yard setback. 2008-9

LOT, FLAG: Any lot granted a special exception by the Board of Adjustment and meeting the requirements of Chapter 29. An "L" shaped lot comprised of a stem portion contiguous with the flag portion thereof, the minimum width of the stem being 20 feet and a maximum of 30 feet.

LOT, INTERIOR: Any building lot other than a corner lot.

LOT, IRREGULAR SHAPED: Any building lot whose boundaries are:

1. comprised of three (3) or more than four (4) lot lines or,
2. a lot in which the side lot lines are not radial or perpendicular to the front lot line or,
3. in which the rear lot line is not parallel to the front lot line.

Where an irregular shaped lot occurs, the interior angle of intercepting lot lines with an angle of one hundred thirty-five (135) degrees or greater shall be considered the same lot line and yard designation. If the angle is less than one hundred thirty-five (135) degrees, the yard designation shall be determined to be different and the applicable yard requirements would apply.

LOT, LOT LINE: 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 one hundred thirty-five (135) degrees, whether the lot line may continue with the same yard designation. When the interior angle is one hundred thirty-five (135) degrees or less then the lot lines designation shall be different.

LOT LINE, FRONT: 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. 11-67, 10-92, 2008-9

LOT LINE, FRONT FOR FLAG LOT: The front lot line of a flag lot is the lot line parallel to a dedicated public street and at the end of the stem.

LOT LINE, REAR: 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 (10) feet.

LOT LINE, SIDE, FOR CORNER LOTS: 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: Those interior lines laying opposite each other, running between the front and rear lot lines.

LOT, NON-CONFORMING: A lot or parcel of land that has less than the required minimum area or width as established by the zone in which it is located and provided that such lot or parcel was of record as a legally created lot on the effective date of this ordinance.

LOT, RESTRICTED: A lot or parcel of land with questionable slope which:

1. has an average slope of twenty-five (25) percent or more, or
2. does not contain a building area of at least seventy-five (75) feet by one hundred (100) feet on a buildable portion of the lot with slope of less than twenty-five (25) percent, exclusive of easements or required setbacks, or
3. has been identified as having potential geologic or other environmental hazards or constraints which require further investigation prior to issuance of a building permit.

The lot shall be increased in area and width if over 25% slope and regulated and developed in accordance with Section 36B-12 of this Ordinance and any conditions imposed by the Hillside Development Review Board in addition to the requirements of the Zoning Ordinance and/or Subdivision Ordinance of Weber County. In a subdivision, such lot is designated by the Letter "R" after the lot number.

Non-Buildable Area is defined as that area of a lot or parcel of land which has been determined unsuitable for construction of residential buildings and other structures for human occupancy because of extreme slope or identified potential geologic or other environmentally hazardous conditions. 2004-6, 2008-9

LOT OF RECORD (LAWFULLY CREATED LOT): A Lot of Record is defined as any one of the following circumstances:

1. Any 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
2. Any 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
3. Any parcel/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
4. Any parcel/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, 1992 which complied with the zoning requirements in effect at the time of its creation and has undergone and successfully completed the Weber County subdivision process; or
5. Any parcel/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, 1992 which complied with the zoning requirements in effect at the time of its creation and was shown to be the first or second division of a larger parent parcel; or
6. Any parcel/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.

There are parcels/lots within Weber County that, may have been created and subsequently recorded in the office of the Weber County Recorder, but were not lawfully created in accordance with Utah State Code or Weber County Ordinances/Policy as described herein. Weber County is not able to issue a Land Use Permit and/or Building Permit for such parcels/lots.

MODEL HOME: A residential dwelling built within a particular subdivision for the purpose of showing an example of possible dwellings to be built on individual lots within that subdivision. A model home, meeting the requirements of Chapter 23 of this ordinance may be furnished and utilized as a Temporary Real Estate Sales Office. 2008-9

NATURAL WATERWAYS: Those areas, varying in width, along streams, creeks, gullies, springs or washes which are natural drainage channels as determined by the County Engineer and in which areas no buildings shall be constructed.

NONCONFORMING BUILDING OR STRUCTURE: A building or structure or portion thereof, lawfully existing at the time this Ordinance became effective, which does not conform to all the height, area and yard regulations herein prescribed in the zone in which it is located.

NONCONFORMING USE: A use which lawfully occupies a building or land at the time this Ordinance became effective and which does not conform to the use regulations of the zone in which it is located.

NON-DEVELOPABLE AREA: An area where, due to topographic (e.g., over 30% slope), or hazardous conditions (e.g., earthquake, landslide), as defined by Weber County Ordinances, the land is not considered to be suitable for construction of residential, commercial or manufacturing buildings or structures.

NURSERY: Buildings, structures and/or facilities for the growth and sale of plants, landscaping equipment and wholesale and/or retail or commercial gardening supplies.

NURSING HOME: (See also Convalescent Home) A building structure and/or facility for the care of children, the aged, infirm, or convalescent of any age.

OPEN SPACE: An area which offers amenities such as, but not limited to, undeveloped land, trails, parks, and associated facilities, open space may be owned publically and/or privately. 2008-9

OPEN SPACE, COMMON AREA: Open space within or related to a development, which is not held in individually owned lots or dedicated for public use, but which is owned in common by the owner's association and is designed, maintained, and intended for the common use or enjoyment of the residents of the development.

ORDINARY HIGH WATER MARK: The line on the bank to which the high water ordinarily rises annually in season as indicated by changes in the characteristics of the surrounding areas. Where the ordinary high water mark cannot be found, the top of the channel bank shall be substituted.

OVERLAY DISTRICT: A zone or district that encompasses one or more underlying zones with additional requirements or special regulations. These special requirements shall take precedence over the provisions of the underlying zone.

PUBLIC: Buildings or uses owned or operated by a branch of the Government or governmental entity and open to the public, such as Libraries, School, Parks, other than private facilities. 2000-15

QUALIFIED PROFESSIONAL: A professionally trained person with the requisite academic degree, experience and professional certification or license in the field or fields relating to the subject matter being studied or analyzed.

QUASI-PUBLIC: The use of premises by a public utility, such as utility substations and transmission lines; a permanently located building or structure, together with its accessory buildings and uses, commonly used for religious worship, such as churches and monasteries. 2000-15

RECREATIONAL RESORT: A planned development which may consist of a combination of nightly or weekly lodging facilities and/or rental units and/or owner occupied dwelling units, and may include such support facilities as restaurants, gift shops, and personal service facilities (e.g., beauty shop, barber shop, boutique, massage salon); all development of which is designed around a recreational theme and shall offer a variety of outdoor and/or indoor recreation facilities and activities on-site which are designed to attract visiting, as well as, local vacationers as a site destination because of the recreational attractions, both on and off-site, as well as offering an attractive, vacation type atmosphere.

RECREATION LODGE: A lodge constructed in a mountainous or forested location, which may include up to sixteen (16) guest sleeping rooms, and facilities for guest's meals, providing on-site winter sports amenities such as cross country ski trails, snowmobile trails, ice skating and/or similar activities, and, if open year-round, offers summer recreation amenities such as equestrian trails, mountain biking trails, hiking trails, rock climbing training stations, golf course, putting green, and/or tennis courts. Accessory uses, such as sports equipment rental and repair may be included. The number of horses allowed, in the case of a riding stable, shall be calculated and may be permitted based upon acreage and site plan review, and recommended by the Planning Commission. Limited day use may be allowed based upon site plan review and approval of the overall project as a Conditional Use by the Planning Commission.

RECREATIONAL VEHICLE/ TRAVEL TRAILER: A vehicular unit, other than a mobile home, designed as a temporary dwelling for travel, recreational, and vacation use, which is either self-propelled or is mounted on or pulled by another vehicle including, but not limited to: travel trailer, camp trailer, folding tent trailer, truck camper, or motor home. 12-77

RESIDENTIAL FACILITY FOR ELDERLY PERSONS: A single-family or multi-family dwelling unit that meets the requirements of Chapter 23-15 of the Zoning Ordinance. 12-91

RESIDENTIAL FACILITY FOR DISABLED PERSONS: A single-family or multiple family dwelling unit, consistent with existing zoning of the desired location, that is occupied on a 24 hour per day basis by eight or fewer persons with a disability in a family type arrangement under the supervision of a house family or manager, and that conforms to all applicable standards and requirements of the Department of Social Services, and is operated by or operated under contract with that department.

RESIDENTIAL FACILITY FOR TROUBLED YOUTH: A residential facility that is occupied on a 24-hour basis by no more than eight (8) qualified youth in a family type arrangement that conforms with applicable standards of, and is inspected and licensed by the State Department of Human Services, and is consistent with Chapter 23 -14 of the Zoning Ordinance.

RIDGE LINE AREA: The top, ridge or crest of a hill, or slope plus the land located within one hundred feet (100') on both sides of the top, ridge, or crest.

SCHOOL: A public elementary or secondary school, charter, seminary, parochial school, or private educational institution having a curriculum similar to that ordinarily given in grades one through twelve in the public school system. The term "education institution" for the purpose of this Ordinance does not include post high school educational facilities. 7-78

SCREEN: A wall, partition, fence or hedge for separation of one land use from another.

SCREENING: The method by which a view of one site from another adjacent site is shielded, concealed or hidden. Screening techniques include fences, walls, hedges, berms, or other features. Screening shall not include unusual features such as cars, machine parts, junk or other items not generally suited for landscaping or fencing materials.

SHOPPING CENTER: A group of three (3) or more separate commercial establishments which share the same site, with common facilities including parking, ingress/egress, landscaping and pedestrian malls which function as a unit. Distinguishing characteristics of a shopping center may, but need not, include common ownership of the property upon which the center is located, common wall construction, and multiple occupant commercial use of a single structure.

SHORELINE: The land and water interface of large water bodies.

SIGN: A presentation or representation of words, letters, figures, designs, pictures, or colors, publicly displayed so as to give notice relative to a person, a business, an article or merchandise, a service, an assemblage, a solicitation or a request for aid; also the structure or framework or any natural object on which any sign is erected or is intended to be erected or exhibited or which is being used or is intended to be used for sign purposes.

7-75

SIGN, ADVERTISING: An "off premise" sign 20 square feet or less in area.

SIGN, ANIMATED: A sign which involves a motion or rotation of any part created by artificial means, or displays flashing or intermittent lights.

SIGN, AREA: The area of a sign that is used for display purposes, including the minimum frame and supports. In computing sign area, only one side of back to back signs covering the same subject shall be computed when the signs are parallel or diverge from a common edge by an angle of not more than forty-five (45) degrees. In relation to signs that do not have a frame or a separate background, sign area shall be computed on the basis of the least rectangle, triangle or circle large enough to frame the display.

SIGN, ATHLETIC FIELD SCOREBOARD: A sign which is erected at a public or private park or public or private school for the purpose of providing game scores or other information about the game in progress. Advertising by the sign donor shall be limited to 50% of the total sign area.

8-94

SIGN, BANNER: Any sign intended to be hung either with or without frames, possessing characters, letters, illustrations or ornamentations applied to paper, plastic or fabric of any kind. National flags, flags of political subdivisions and symbolic flags of any institution or business shall not be considered banners for the purpose of this Ordinance.

SIGN, STREET BANNER: Any banner sign which is stretched across and hung over a public right-of-way.

SIGN, BILLBOARD: A sign that identifies or communicates a commercial or non-commercial message related to an activity conducted, a service rendered, or a commodity sold at a location other than where the sign is located. An "off premise" sign larger than twenty (20) square feet in area. Two or more separate advertising spaces structurally connected will be considered one sign.

7-75

SIGN, BUSINESS: A sign which directs attention to a use conducted, project or commodity sold or service performed upon the premises.

SIGN, CHANGEABLE COPY: A non-electric sign that is designed so that characters, letters or illustrations can be changed or rearranged without altering the face or the surface of the sign.

SIGN, CANOPY: A sign which is part of or attached to an awning, canopy or other fabric, plastic or structural protective cover over a door, entrance, window, or outdoor service area. A Marquee is not a canopy (See definition for Marquee).

SIGN, DEVELOPMENT: A temporary business sign identifying a construction project or subdivision development. The sign may contain the name of the project, name and an address of the construction firm(s), architect and developer.

7-75

SIGN, DIRECTIONAL: Business incidental signs designed to guide or direct pedestrians or vehicular traffic.

7-75

SIGN, FACE: The area of a sign that is designed to present or convey a message or attract attention, exclusive of structural support members.

SIGN, FLAT: A sign erected parallel to and attached to or painted on the outside wall or window of a building and projecting not more than Six (6) inches from such wall or window.

SIGN, FLOODLIGHTED: A sign illuminated in the absence of daylight and by devices which reflect or project light upon it.

SIGN, FREESTANDING (Pole Sign): Any sign supported by a single pole or support that is placed on or anchored in the ground and that is independent from any building or other structure.

SIGN, GROUND: A sign placed upon the ground, or supported by a frame or supports placed in or upon the ground.

SIGN, IDENTIFICATION AND INFORMATION: An on premise sign displayed to indicate the name or nature of a building or use, including all professional and business buildings, home occupations, apartment complexes, and public and semipublic buildings. Temporary and development signs are classified in this category only.

SIGN, ILLUMINATED: A sign which has characters, letters, figures, designs, or outline illuminated by electric lights or luminous tubes as a part of the sign proper.

SIGN, MARQUEE: Any sign attached to and made part of a marquee.

SIGN, MASTER ENTRANCE GROUND: The primary sign used and approved, with a master sign plan, at the entrance of a multi-occupant commercial complex.

SIGN, NAME PLATE: A sign indicating the name and/or occupation of a person or persons residing on the premises or legally occupying the premises or indicated a home occupation legally existing on the premises.

SIGN, OFF PREMISE: A sign, which directs attention to a use, project, commodity or service not related to the premises on which it is located.

7-75

SIGN, POLITICAL OR CAMPAIGN: A temporary sign soliciting support for a person running for public office or a sign defending or objecting to an issue or proposal being placed before the public.

7-75

SIGN, PROJECTING: Any sign other than a wall sign affixed to any building or wall whose leading edge extends beyond such building or wall.

SIGN, PROPERTY: A sign related to the property on which it is located and offering such property for sale or lease, or advertising contemplated improvements or announcing the name of the builder, owner, designer or developer of the project, or warning against trespassing.

SIGN, PUBLIC NECESSITY: A sign installed by a governmental agency informing the public of any danger or hazard existing on or adjacent to the premises.

SIGN, ROOF: A sign erected partly or wholly on or over the roof of a building, but not including, ground signs that rest on or overlap a roof twelve (12) inches or less.

SIGN, RUSTIC: A commercial Freestanding or Ground sign which is predominantly constructed of natural and/or natural appearing materials, such as brick, textured concrete, glass, natural or chiseled stone, rough hewn, antiqued, sandblasted or carved wood, or metal which is rust resistant, and anodized, stained, painted (natural earth tones) or otherwise treated to prevent reflective glares and includes appropriate landscaping in the overall design.

SIGN, SERVICE: A sign which is incidental to a use lawfully occupying the property upon which the sign is located and which sign is necessary to provide information to the public, such as direction to parking lots, location of rest rooms, sale of agricultural products produced upon the premises or other such pertinent facts.

SIGN, TEMPORARY: Temporary signs as regulated by this Ordinance shall include any sign, banner, pennant, valance or advertising display constructed of cloth, canvas, light fabric, cardboard, wall board or other light materials with or without frames, intended to be displayed for a short period of time only.

SIGN, WALL: A sign which is affixed to an exterior wall of a building or structure and which projects not more than 18 inches from the building or structure wall and which does not extend more than four (4) feet above the parapet, eaves or building facade of the building on which it is located. 7-75

SITE PLAN: A plan/document or group of documents, prepared to scale, showing accurately and with complete dimensioning, the boundaries of a site and the location of all buildings, structures, uses and primary site development features proposed for a specific parcel of land, including, but not limited to text, photographs, sketches, drawings, maps and other materials intended to present certain elements of the proposed development, including, but not limited to physical design, siting of buildings and structures, interior vehicular and pedestrian access, the provision of improvements and the interrelationship of these elements.

SLOPE: The level of inclination of land from the horizontal determined by dividing the horizontal run of the slope into the vertical rise of the same slope and converting the resulting figure into a percentage value. For purposes of regulation and measurement, slope shall cover at least twenty-five (25) feet vertically and fifty (50) feet horizontally.

SMALL WIND ENERGY SYSTEM: A wind energy conversion system consisting of a wind turbine, a tower, and associated control or conversion electronics, which will be used primarily to reduce on-site consumption of utility power for an individual parcel. 2008-8

STABLE: An accessory or main building for the keeping of horses, cattle and other "farm animals." 24-85

STABLE, PRIVATE HORSE: A horse stable which is accessory to a residential dwelling unit or other main building, for the use of the owner/occupant, his friends and guests. Not for the purpose of remuneration, hire or sale or any other commercial use nor use by an ad hoc informal association or group.

STABLE, PUBLIC HORSE: A stable where the general public may rent, lease, purchase, sale or board horses.

STOCKYARD: A commercial operation consisting of yards and enclosures where livestock are kept temporarily for slaughter, marketing or shipping, together with necessary offices, chutes, loading and unloading pens. 9-65

STORY: The space within a building included between the surface of any floor and the surface of the ceiling next above.

STREAM: Streams are those areas where surface waters flow sufficiently to produce a defined channel or bed. A defined channel or bed is indicated by hydraulically sorted sediments or the removal of vegetation litter or loosely rooted vegetation by action of moving water. The channel or bed need not contain water year-round. This definition is not meant to include storm water runoff devices or entirely artificial watercourse unless they are used to store or convey pass through stream flows naturally occurring prior to construction of such devices. Stream water courses where the definition may apply are those that appear on the U.S. Geological Survey Quad maps excluding irrigation canals and ditches. For instance, an irrigation canal following a natural or jurisdictional watercourse would not be exempt but others would be exempt.

STREAM CORRIDOR: The water's passageway defined by the stream's ordinary high water mark.

STREET, PUBLIC: A thoroughfare which has been dedicated or abandoned to the public and accepted by proper public authority, or a thoroughfare, not less than twenty-six (26) feet wide, which has been made public by right of use and which affords the principal means of access to abutting property. 14-73

STREET, PRIVATE: A thoroughfare, which has been dedicated to the abutting landowners for joint private access to private property and accepted and approved by the County Commission. 14-73

STRUCTURE: Anything constructed or erected, which requires location on the ground or attached to something having a location on the ground.

STRUCTURAL ALTERATIONS: Any change in supporting members of a building or structure, such as bearing walls, columns, beams or girders.

SUITABILITY DETERMINATION: A study carried out under the direction of the Planning Commission to ascertain if a development at increased densities due to a density transfer from a sensitive area is compatible with development on surrounding or adjacent property.

SUPERMARKET: A store for the retail sale of food and household goods with additional services within the building, such as banking, dry cleaners, real estate sales office and insurance sales.

TAVERN: Any business establishment operating under the Class "C" Beer License regulations of Weber County, where the main purpose is for the sale of beer and mix for drinks to public patrons and the revenue from the sale of beer and mix for drinks exceeds the revenue from the sale of food. The term "tavern" is inclusive of beer parlors and lounges. Such establishments shall be limited to two per lineal one eighth of a mile distance. 6-86

TEMPORARY REAL ESTATE SALES OFFICE: An office established within a Model Home or the garage area of a model home on a temporary basis. 2003-8

TEMPORARY USE: A prospective use, not to exceed 6 months, and not continuing a nonconforming use or building.

TOWER: A structure that is intended to support antennas for transmitting or receiving television, cell, radio or telephone communications.

TRANSFER COMPANY: A company established to provide expert shipping services that include the shipping, receiving, inspection and temporary warehousing of commercial or household goods. 2008-9

TRANSFER STATION: A facility or site used for the temporary deposition and storage of waste products until such products are transported to a facility for treatment or disposal. 2008-9

TROUBLED YOUTH: Any individual, male or female, between the ages of ten and eighteen years of age who by virtue of their arrest, detention or supervision by the Utah State Department of Human Services for offenses other than aggravated assaults, arson, or sex offenses generally and who do not suffer from psychiatric problems which would render them a danger to themselves or others, qualify for placement in homes for troubled youth as determined by the Utah State Department of Human Services. 6-92, 2-93

USE: An activity conducted on a parcel.

USE, ACCESSORY: A use incidental to and on the same lot as a main use; customarily found in connection with a main building or use; is subordinate in area, extent or purpose to the main building or main use served. 21-83

USE, CONDITIONAL: A use, because of characteristics peculiar to it, or because of size, technological processes, or type of equipment, or because of the exact location with reference to surroundings, streets and existing improvements or demands upon public facilities, requires a special degree of control to make such uses consistent and compatible with other existing or permissible uses in the same districts, and to assure that such uses shall not be adverse to the public interest.

USE, MAIN: The principal use of land or structures, as distinguished from an accessory use. Dwellings on parcels meeting the definition of an "Agricultural Parcel" shall be the main use. 2008-9

USE, PERMITTED: Any use lawfully occupying land or buildings as authorized in the zone regulations and for which no Conditional Use Permit is required. 4-71

VARIANCE: A relaxation, by the Board of Adjustment, of the dimensional regulations of the Zoning Ordinance where such action will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of actions or the situation of the applicant or previous owners, a literal enforcement of the Ordinance would result in unnecessary and undue hardship, other than an economic nature or self-imposed hardship. A self-imposed hardship created by a previous owner is considered to run with the land. 95-19

VENDOR, SHORT TERM: The sale of goods and/or services from a trailer, mobile store or kiosk. A short term vendor is subject to the following requirements:

1. A short term vendor must be located on an approved site that includes, but may not limited to, the following improvements: fire protection, parking surface and drainage. Additional improvements may be required and shall be determined at the time of a Design Review approval. The Planning Administrator may, at his/her discretion, approve an application for a short term vendor.
2. A short term vendor cannot use the same parcel for the same business for more than one hundred-twenty (120) consecutive days beginning from the date of approval.
3. A short term vendor is allowed one business license per parcel per year.
4. Any short term vendor offering food service is required to have Weber County Health Department approval.
5. All short term vendor signs shall comply with the applicable Weber County sign ordinances. 2008-9

YARD: An open space on a lot, other than a court, unoccupied and unobstructed from the ground upward by permanently parked vehicles, buildings or structures except as otherwise provided herein. 9-65