

**ORDINANCE 2023-16**

**AN ORDINANCE OF NORTH OGDEN CITY AMENDING THE ZONING ORDINANCE OF NORTH OGDEN CITY, TITLE 11, CHAPTER 10, SECTION B-2 PERMITTED USES, TO ALLOW CLASS A STORAGE UNITS AS A PERMITTED USE.**

**WHEREAS;** the City has residents and property owners who desire to monetize the investment of their property; and

**WHEREAS;** the City permits updates and renovations of existing Class A Storage Units within the Manufacturing M-1 Zon; and

**WHEREAS;** the City aims to balance the rights of all property owners and extend similar rights and permissions to new and existing uses; and

**WHEREAS;** the City Planning Commission has recommended that the Manufacturing M-1 Zone be amended to include Class A Storage Units as a Permitted Use.

**NOW THEREFORE, BE IT ORDAINED** by the North Ogden City Council that the North Ogden City Code 11-10B-2 Permitted Uses be amended, as follows:

**SECTION 1:** Text to be amended:

**ARTICLE B: MANUFACTURING ZONE M-1**

**11-10B-1: PURPOSE AND INTENT**

**11-10B-2: PERMITTED USES**

**11-10B-3: CANNABIS PRODUCTION ESTABLISHMENTS**

**11-10B-4: SITE DEVELOPMENT STANDARDS**

**11-10B-5: PROTECTION OF ADJOINING RESIDENTIAL PROPERTIES; BUFFER ZONE**

**11-10B-6: SITE PLAN APPROVAL**

**11-10B-7: SPECIAL PROVISIONS**

**11-10B-1: PURPOSE AND INTENT**

1. The intent of the manufacturing zone is to permit the establishment of a well-designed complex of manufacturing facilities for the community or region. Which will minimize traffic congestion on public streets in the vicinity, and which shall best fit the general environment and land use pattern of the area to be served. The protective standards contained in this article are intended to minimize any adverse effect the established surrounding environment, especially residential uses in abutting residential zones.
2. It is the intent of this zone to provide for light manufacturing uses.

**11-10B-2: PERMITTED USES**

LAND USE DESCRIPTION	
Light Manufacturing (within an enclosed building)	P
General Manufacturing	P
Class A Storage Units ( <del>existing prior to November 1, 2021</del> )	P
Office/Warehouse	P
Instructional Facility	P
Sexually Oriented Businesses	P

P=Permitted Use, C=Conditional Use

### **11-10B-3: CANNABIS PRODUCTION ESTABLISHMENTS**

Cannabis Production Establishments:

1. Shall only be located in a Manufacturing Zone;
2. Shall be operated entirely within a permanent enclosed building;
3. Shall be designed to filter inside air exchanges to the outside through air filter systems that remove dust, fumes, vapors, odors, or waste from air that exits the building;
4. Exterior facade materials that are transparent or translucent, such as greenhouse materials, and intended to allow natural light into the interior of the structure shall be treated to prevent any interior view of the cannabis growing operations/product. Non-visible skylights on the roof of a building are excluded;
5. Exterior building colors shall not be allowed that draw attention to the building such as fluorescent or bright colors in the green, orange, red, yellow or blue spectrum;
6. Provide a security system with a backup power source that detects and records entry into the cannabis production establishment and provides notice of an unauthorized entry to law enforcement when the cannabis production establishment is closed;
7. Shall maintain locks or equivalent restrictive security features on any area where the cannabis production establishment stores cannabis or a cannabis product;
8. Outdoor signs on the building may include only the cannabis production establishment's name and hours of operation and a green cross;
9. Shall obtain a North Ogden business license before conducting business within the City; and
10. Shall meet all land use requirements for the zone in which it is located.
11. A medical cannabis pharmacy:
  1. Shall only be located in a Manufacturing Zone.
  2. Shall be located in a permanent building and not have drive-through service.
  3. Shall not have outdoor seating or seating areas.
  4. Shall not have outdoor vending machines of any kind.
  5. Shall have one public entry door at the front of the building facing the street.
  6. Shall not darken or cover any windows on the front of the building but shall maintain windows clear and allow visibility into the pharmacy from the street.

7. Shall not have cannabis products visible from outside the medical cannabis pharmacy.
8. Shall not have bars on windows, but shall maintain locks or equivalent restrictive security features on any area where the medical cannabis pharmacy stores cannabis or a cannabis product.
9. Provide a security system with a backup power source that detects and records entry into the cannabis production establishment and provides notice of an unauthorized entry to law enforcement when the cannabis production establishment is closed.
10. Exterior building colors shall not be allowed that draw attention to the building such as fluorescent or bright colors in the green, orange, red, yellow or blue spectrum.
11. Shall be designed to filter inside air exchanges to the outside through air filter systems that remove dust, fumes, vapors, odors, or waste from air that exits the building.
12. Shall meet all land use requirements for the zone in which it is located.

#### **11-10B-4: SITE DEVELOPMENT STANDARDS**

1. Area, Width, Yard And Height Regulations. None for buildings, except that no building or structure shall be built to a height in excess of thirty five feet (35') or closer than fifty feet (50') to any state highway or ten feet (10') to any other street or residential zone boundary.
2. Lot Coverage. No building or structure or group of buildings with their accessory buildings shall cover more than eighty percent (80%) of the area of the lot.
3. A masonry wainscot is required.
4. Garage doors and loading docks shall not face the street.

#### **11-10B-5: PROTECTION OF ADJOINING RESIDENTIAL PROPERTIES; BUFFER ZONE**

1. When a manufacturing development takes place that abuts a residential or mixed use zoning district, the buffer requirements set forth in CCNO 11-20-6 shall be met.

#### **11-10B-6: SITE PLAN APPROVAL**

1. For any development or use in a manufacturing zone, a site plan shall be submitted in accordance with CCNO 11-2-9.

#### **11-10B-7: SPECIAL PROVISIONS**

1. Ownership. An M-1 zone may be established upon land held in single ownership or under unified control.
2. Nonconforming Uses. An M-1 zone shall not be established upon a tract of land which would contain a nonconforming use after the passage of such amendment to this Title unless the development planned for the tract includes the elimination of the nonconforming use or its integration into planned development.
3. Hazards. The zone is intended for light manufacturing and shall not create a hazard using flammable, explosive, or other dangerous materials and shall not be associated with noise, dust, odors, noxious fumes, glare, or other hazards to safety and health which may be discernable beyond the premises.

**SECTION 2:** This ordinance shall take effect upon adoption.

PASSED and ADOPTED this 8<sup>th</sup> day of August 2023.

North Ogden City:



S. Neal Berube  
North Ogden City Mayor

CITY COUNCIL VOTE AS RECORDED:

	Aye	Nay	
Council Member Barker:	<u>X</u>	___	
Council Member Covering:	___	___	(abstain)
Council Member Dalpiaz:	<u>X</u>	___	
Council Member Swanson:	___	___	(excused)
Council Member Ekstrom:	<u>X</u>	___	
(In event of a tie vote of the Council):			
Mayor Berube	___	___	

ATTEST:



Rian Santoro  
City Recorder

