

## 3281 State Highway 89 N | Zoned Industrial District (I)

### Section 8. Industrial District (I).

a. Uses by right. A Use Certificate shall be required for all new construction, alteration, or placement of a structure of a permanent or semi-permanent nature. In the I district, the following and similar uses are allowed by right without prior review by the Planning and Zoning Commission or the Board of County Commissioners provided such use does not create a nuisance due to odor, dust, noise, smoke, glare, gas, or other off-site impacts:

(1) Compounding, packaging, or storage of cosmetics, drugs, perfumes, pharmaceuticals, soaps, or toiletries and the like, excluding all processes involving commercial refining or rendering of fats or oils.

(2) Manufacture, repair, or storage of articles made from previously prepared materials; includes such uses as salvage yard, junk yard, automobile wrecking yard, and other uses where dismantling of machines or materials takes place.

(3) Processing, packaging, or storage of foods and beverages. Any process involving distillation, fermentation, rendering or refining of fats or oils, or slaughtering shall require a Conditional Use Permit.

(4) Storage and sales of building supplies or equipment; government buildings, including armories, maintenance, repair, or storage facilities; warehouse or wholesale distribution and sales facilities; auto sales and repair facilities and service stations.

(5) Any sexually oriented business overlay district establishments shall require a sexually oriented business conditional use permit.

(6) Oil and gas exploratory and production wells and operations necessary for the establishment of same when said well is located more than one-half (1/2) mile from any established city, town, residence, commercial business, residential or commercial platted subdivision, school, heavily traveled state or federal highway, etc., or any area where people normally congregate. Such use shall be subject to state, federal, county and industry safety and environmental standards and regulations established for the operation of the industry.

(7) Utilities and utility substations (not including electrical generation) necessary to serve the industrial uses and any nearby or surrounding land uses; railroads and railroad sidings to serve the industries; truck terminals and trucking facilities.

(8) Outdoor advertising signs

(9) One single-wide mobile home per lot, to provide on premise housing for a night watchman, dispatcher, or other full-time employee or the proprietor of the company occupying the lot, and further subject to the requirements of Chapter 5, Sections 2 and 6, of this Resolution.

All uses by right in the I district shall conform to the standards and requirements of Chapter 5. Owners or operations of all new construction or proposed new land uses must obtain a Use Certificate from the County before beginning construction or the establishment of the new land uses.

b. Uses not requiring a Use Certificate are set forth in Chapter 11, Section 3.

c. Uses subject to a Conditional Use Permit or an S.O.B. Conditional Use Permit. Other land uses or structures not listed as a use by right in the I District may be allowed after review and granting of a Conditional Use Permit subject to the procedures of Chapter 3 and 7 and the requirements of Chapters 5 and 6.

## **Section 9. Application to the Board.**

Within fifteen (15) days after taking action on the application, or if no action was taken after the meeting, the Planning Commission shall transmit to the Board a copy of the application and all documentary evidence and a written recommendation of the Planning Commission with Findings of Fact and Conclusions of Law when applicable. A copy of the recommendation and Findings of Fact and Conclusions of Law shall be sent to the applicant at the address contained on the application and be made available upon request and payment of a reasonable fee for copying to any other person.

a. For applications for a Conditional Use Permit, Variance, or amendment of the Land Use Resolution or Zoning Map, the application and Planning Commission recommendation will be noticed for public hearing before the Board of Commissioners. The Board shall set a date and time for the public hearing at a regular or special meeting. Applications for a Subdivision Permit shall be reviewed and approved in accordance with the Uinta County Subdivision Regulations.

b. Notice of the hearing shall be published in a newspaper of local circulation at least fifteen (15) days prior to the hearing date in accordance with WSA § 18-5-202(c). The notice shall include the date, time and place of the hearing, and the location and general nature of the proposed development, variance or amendment. The date of the Board hearing shall be determined by the Board after consultation with the Planning Department, but not be more than forty-five (45) days after the receipt of the Planning Commission's recommendation.

c. For applications for a Sexually Oriented Business Conditional Use Permit, the Board shall set a date and time for a public hearing at a regular or special meeting. Notice of said hearing shall be published in a newspaper of local circulation at least fifteen (15) days prior to the hearing date in accordance with W.S.A. § 18-5-202(c). Said notice shall include the date, time and place of the hearing, and the location and general nature of the proposed use. The date of said hearing shall not be more than thirty (30) days after the receipt of the Planning Commission's recommendation.

d. The applicant shall provide advertising for intent to apply for a Subdivision Permit. The County will provide advertising for land-use Map Amendments

## **Section 10. Hearing Before Board.**

At the hearing before the Board, the applicant, or an authorized, knowledgeable representative, shall be permitted to present evidence and testimony on behalf of the application. Any resident or owner of land within the County may present evidence and testimony in support of or in opposition to the application. Rigorous rules of evidence and procedure normally followed in a courtroom shall not be followed, but parties of apparently adverse interest shall have the right to reasonable cross-examination of each other and of others offering evidence and testimony.

**Section 11. Board Action.**

a. For applications for a Conditional Use Permit, Variance, or amendment the Board shall take action on the application within thirty-five (35) days following the Board hearing. Action may include approval, disapproval, conditional approval or partial approval of the proposed development and/or application. The action of the Board shall be based on the evidence before it, including the application, all evidence and testimony provided at the public hearing, the recommendation and "Findings of Fact" of the Planning Commission, and relevant information from the Uinta County Comprehensive Plan. The Board shall transmit a copy of its action to the applicant and upon payment of any reasonable fee for copying to any interested person. Action of the Board shall include reasons and Findings of Fact and Conclusions of Law supporting the decision, and may include the points of recommendation and Findings of Fact and Conclusions of Law of the Planning Commission.

b). For applications for a Sexually Oriented Business Conditional Use Permit, the Board shall take action within thirty-five (35) working days following the hearing. Action may include approval, disapproval or conditional approval. The action of the Board shall be based only on the criteria set forth in Chapter 7, Section 5 of the Uinta County Land Use Resolution.

**Section 12. Appeal if sexually oriented business conditional use permit is denied.**

Should the Board disapprove or conditionally approve an application for a sexually oriented business conditional use permit, the applicant shall have thirty (30) days to appeal.

**Section 13. Fees.**

The fees for County applications are as follows;

Subdivision Permit:	\$100.00
Land Use Map Amendment:	\$125.00
Subdivision Vacation:	\$125.00
Land Use Certificate:	-0-
Conditional Use Permit:	\$125.00
Variance:	\$125.00
Access Permit:	-0-
Encroachment License:	As per Encroachment Resolution
Small Wastewater Permit:	-0-
Wind Energy Facility Application:	\$500.00
Wind Energy Facility Land Use Certificate:	\$1000.00+\$100.00 per Turbine/Tower
Oil & Gas Use Land Use Certificate:	\$250.00
Sexually Oriented Business CUP:	\$500.00
Background Check:	\$ Current Standard