



Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request:	Request for approval of a conditional use permit for a bed and breakfast dwelling located at 3786 E Abbyon Dr., Liberty, UT 84310.
Application Type:	Administrative
Applicant:	Stephen Walker
Agenda Date:	Tuesday, April 28, 2020
Approximate Address:	3786 E Abbyon Dr., Liberty UT 84310
Project Area:	1.23 Acres
Zoning:	FV-3
Existing Land Use:	Residential
Proposed Land Use:	Residential/Commercial
Parcel ID:	22-105-0004
Township, Range, Section:	Township 7 North, Range 1 East, Section 29 SE

Adjacent Land Use

North:	Vacant	South:	Abbyon Dr.
East:	Residential	West:	Residential

Staff Information

Report Presenter:	Tammy Aydelotte taydelotte@co.weber.ut.us 801-399-8794
Report Reviewer:	SB

Applicable Ordinances

- Weber County Land Use Code Title 101 Chapter 1 General Provisions, Section 7 Definitions
- Weber County Land Use Code Title 104 Chapter 14 (FV-3 Zone)
- Weber County Land Use Code Title 108 Chapter 4 (Conditional Uses)
- Weber County Land Use Code Title 108 Chapter 7 (Parking Lot Design and Maintenance)
- Weber County Land Use Code Title 108 Chapter 2 (Ogden Valley Architectural, Landscape, and Screening Standards)
- Weber County Land Use Code Title 108 Chapter 1 (Design Review)

Background and Summary

The applicant is requesting approval of a conditional use permit for the Yorkshire West on Liberty, a bed and breakfast dwelling located in the FV-3 zone at 3786 E Abbyon Dr. in Liberty. The FV-3 Zone allows a "bed and breakfast dwelling" as a conditional use. The proposed bed and breakfast dwelling is an existing single-family residence, and has demonstrated that the operation will comply with the applicable regulations, with reasonable conditions imposed.

The application is being processed as an administrative review due to the approval procedures in Uniform Land Use Code of Weber County, Utah (LUC) §108-1-2 which requires the planning commission to review and approve applications for conditional use permits and design reviews.

Analysis

General Plan: As a conditional use, this operation is allowed in the FV-3 Zone. With the establishment of appropriate conditions as determined by the Planning Commission, this operation will not negatively impact any of the goals and policies of the General Plan.

Zoning: The subject property is located within the Forest Valley (FV-3) Zone. The purpose of the FV-3 Zone can be further described in LUC §104-21-1 as follows:

The purpose of the FV-3 zone is to provide area for residential development in a forest setting at a low density, as well as to protect as much as possible the naturalistic environment of the development.

The FV-3 Zone has specific standards identified in the LUC §104-14-3(2) as well as additional standards that are outlined throughout the LUC that shall be met as part of the development process. The applicable standards are as follows:

- Two parking spaces shall be provided for the host family plus one space for each guest room;
- Proprietor or owner shall occupy the property;
- Signs are limited to a nameplate identification sign not exceeding two square feet in area per dwelling;
- Not more than two guest sleeping rooms per dwelling;
- Allowed only in existing dwellings with no exterior additions nor change in residential character;

Conditional Use Review: A review process has been outlined in LUC §108-4-3 to ensure compliance with the applicable ordinances and to mitigate anticipated detrimental effects. Prior to commencing work, the applicant will need to receive approval from the applicable agencies, including the Weber Fire District and Weber County Engineering Division, for the proposal. A condition has been made part of the Planning Division's recommendations to ensure that this standard is met. The following is an analysis of the proposal reviewed against the conditional use standards:

(1) Standards relating to safety for persons and property. The proposal is not anticipated or expected to negatively impact this property, surrounding properties, or persons.

(2) Standards relating to infrastructure, amenities, and services: The proposal is not anticipated or expected to negatively impact infrastructure, amenities, or services in the area.

(3) Standards relating to the environment. The proposal is not anticipated or expected to negatively impact the environment.

(4) Standards relating to the current qualities and characteristics of the surrounding area and compliance with the intent of the general plan. This proposal is allowed by the current zoning of the property and the general plan does not call for this property to be used in any other way. The property on which the conditional use permit is sought will remain residential, with no additions to the dwelling to accommodate the bed and breakfast. The proposal complies with the intent of the general plan.

Design Review: The FV-3 zone and the proposed conditional use mandate a design review as outlined in LUC §108-1 to ensure that the general design, layout and appearance of the building remains orderly and harmonious with the surrounding neighborhood. As part of this review, the Planning Commission shall consider the applicable matters based on the proposed conditional use and impose conditions to mitigate deficiencies where the plan is found deficient. The matters for consideration are as follows:

Considerations relating to traffic safety and traffic congestion. The proposal includes a site plan that identifies the location of the proposed building and the location of future and existing parking spaces that will provide adequate parking for the property owners and guests.

. While bed and breakfast dwelling is not a listed in the parking chapter (LUC §108-8-4), the chapter states the following:

Where uses not listed above, the parking requirements shall be established by the planning commission based upon a reasonable number of spaces for staff and customers, and similar requirements of like businesses.

LUC §108-8-7(6) further states:

All private parking facilities must be improved with a hard surface such as concrete or asphalt and must be sloped and graded to prevent drainage of storm water onto adjacent properties.

Where there is only one guest sleeping room indicated in the application, only one parking space is required by zoning. The applicant has indicated a dedicated parking space, on an existing hard-surface, as well as the required two spaces required for the owner-occupied residence. Should the applicant decide at a later date to include an additional guest sleeping room, an amendment to this conditional use permit will be required.

Under the parking chapter of the land use code, 108-8-7(c) also applies to this property. That section states:

For all uses permitted in a residential zone, none of the front yard area required by the respective zones shall be used for parking but shall be left in open green space, except that access across and over the required front yard is allowed to the side or rear yards. In the case of multiple-family dwellings and nonresidential uses in a residential zone, not more than 50 percent of the required side and rear yards shall be used for parking. Any said yard area used in excess of said limits shall be provided in an equivalent amount of land elsewhere on the same lot as the building as open green space, patios, play areas or courts.

Considerations relating to landscaping. After performing a site visit to the subject property, it was determined that the existing landscaping meets the requirements as outlined in LUC §108-2.

Considerations relating to buildings and site layout. The existing buildings meet the site development standards of the FV-3 Zone.

Staff Recommendation

Staff recommends approval of this conditional use application subject to the applicant meeting the conditions of approval in this staff report and any other conditions required by the Planning Commission. This recommendation is subject to all review agency requirements and is based on the following condition:

Should the applicant decide at a later date to include an additional guest sleeping room, an amendment to this conditional use permit will be required.

This recommendation is based on the following findings:

- The proposed use is allowed in the FV-3 Zone and meets the appropriate site development standards.
- The criteria for issuance of a conditional use permit have been met because mitigation of potential detrimental effects can be accomplished.

Exhibits

- A. Project Narrative
- B. Site Plan
- C. Floor Plan

Map 1



Exhibit A - Project Narrative

Project Narrative:

Bed and Breakfast Dwelling Yorkshire West on Liberty. Private Separate Entrance apartment in basement in existing dwelling with no exterior additions nor change in residential character needed. Four guest Parking Spaces are available, with two available at all times even with snow removal. Garage is used by owners for parking which is an additional 3 parking spots. All parking has in and out access not impeding on owners access. Proprietor owns and occupies the house all year long. No more than 2 guest will be in sleeping rooms. Meals will only be served to guests.

Basis for issuance of Conditional Use Permit

Proposed Bed and Breakfast dwelling use will provide a service that will benefit the community, providing customers to local merchants, resorts and restaurants.

That the proposed use will comply with the regulations and conditions specified in this ordinance for such use.

Proposed Bed and Breakfast dwelling conforms to land use for General plan for Weber County. Two parking spaces for the Host family and one space for each room. 7 spaces total available, each with unimpeded access to drive way out.

Proprietor occupies the property

Meals only provided to overnight guests

No more than two guests per sleeping room.

No exterior additions needed. No signs posted.

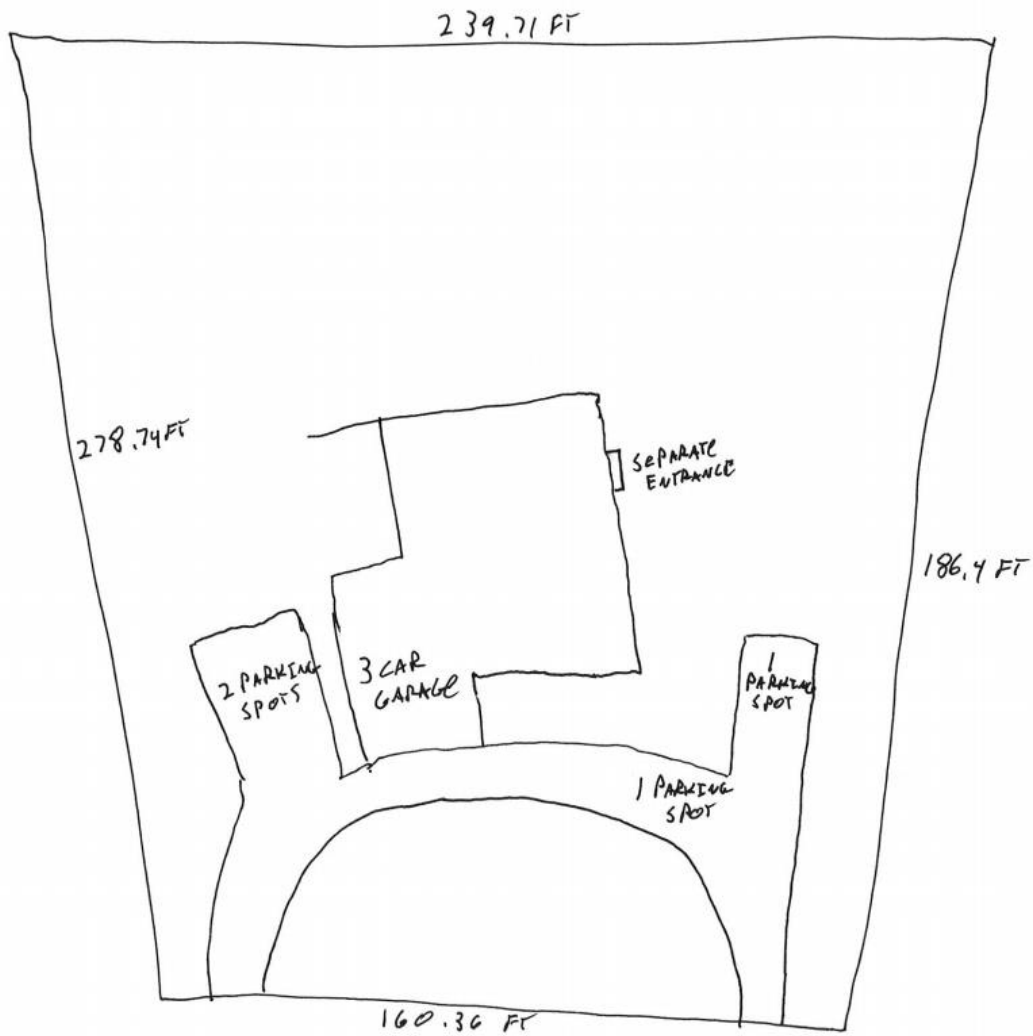
That the proposed use conforms to goals, policies and governing principals and land use of the General Plan for Weber County.

Proposed Bed and Breakfast dwelling will comply with Ordinances for such use.

That the proposed use will not lead to the deterioration of the environment or ecology of the general area, nor will produce conditions or emit pollutants of such type or of such quantity so as to detrimentally effect to any appreciable degree public and private properties including the operation of existing uses thereon in the immediate vicinity of the community or area as a whole.

Proposed Bed and Breakfast will not impact environment or ecology as only 2 persons occupy a 5500sqft house.

Exhibit B – Site Plan Showing Proposed Parking Located Outside of Existing R.O.W.



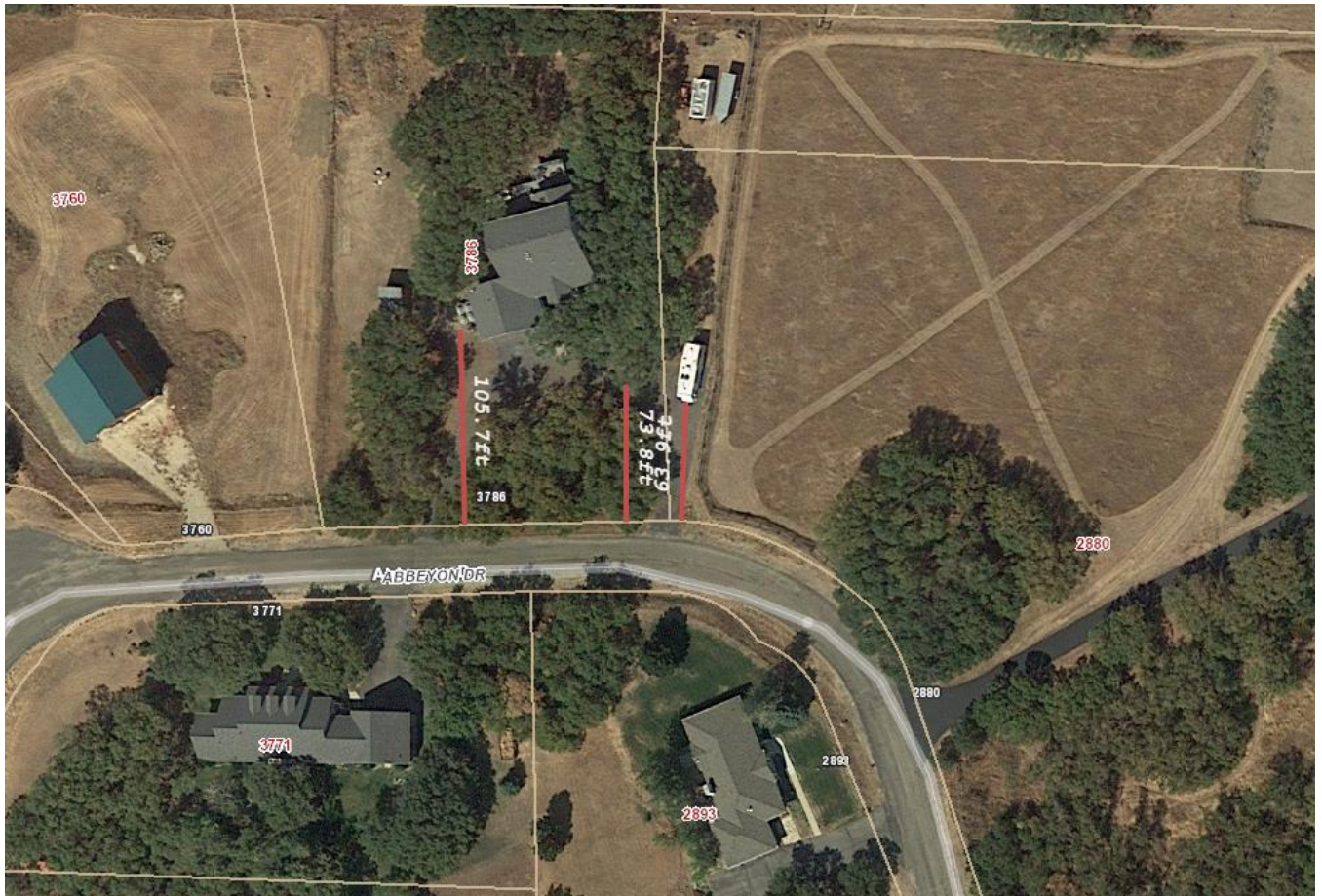


Exhibit C - Floor Plan

