



## Conditional Use Permit Application

The purpose and intent of Conditional Uses is to provide for additional review of certain uses to ensure compatible integration with the surrounding area. A Conditional Use Permit shall follow the provisions of Weber County Land Use Code **Title 108 Chapter 4**.

The proposal will be reviewed by the Land Use Authority based on its effects on the individual site or surrounding area. The applicant shall demonstrate that reasonable conditions are proposed, or can be imposed, to substantially mitigate the anticipated detrimental effects of the proposed use in accordance with the standards of Section 108-4-5 of the Weber County Land Use Code, or relevant standards or requirements of any other chapter of the Land Use Code.

A pre-application meeting is required prior to application submittal; please call (801) 399-8791 to make an appointment. Date of pre-application review meeting: \_\_\_\_\_ Time: \_\_\_\_\_

APPLICATION DEADLINE: Forty-five (45) days prior to the next regularly scheduled Planning Commission meeting provided that the application can be **deemed complete, reviewed and ready for presentation**.

The Western Weber County Planning Commission holds their meetings on the 2<sup>nd</sup> Tuesday of the month.  
The Ogden Valley Planning Commission holds their meetings on the 4<sup>th</sup> Tuesday of the month.

### Application Submittal Checklist

The Planning Division will only accept complete applications with supporting documents as outlined below. Submitting an application does not guarantee that this application will be placed on the next Planning Commission agenda.

The following is required as part of the application form submittal:

- Complete Application Form including project narrative
- A non-refundable fee made payable to Weber County (See *Fee Schedule*)
- Vicinity Map showing the general property location
- A site plan showing details and other requirements as may be applicable in Title 108 Chapter 1 (Design Review), Title 108 Chapter 2 (Architectural, Landscape and Screening Design Standards), Title 108 Chapter 4 (Conditional Uses) Title 108 Chapter 8 (Parking and Loading Space, Vehicle Traffic and Access Regulations), and Title 108 Chapter 9 (Motor Vehicle Access).
- Water and wastewater plan
- Studies, reports, and other information that may be necessary to demonstrate compliance with applicable standards of 108-4-5 of the Weber County Land Use Code.
- All documents submitted in the application shall be accompanied by a PDF file of the respective document. All plans (including but not limited to site plans, architectural elevations/renderings, etc.), and subsequent submittals and revisions, shall be accompanied by a full scale set of PDF files of the respective plans.
- Obtain signature of the owner(s) on the application and any authorized representatives



**Fee Schedule**

	Planning Division Fees		Engineering Division Fees
Conditional Use Permit with Design Review Fee**	\$770.00	+\$30.00 per 1000 square feet of total building area; and +\$30.00 per 1000 square feet of site area being modified excluding building footprint	\$230.00
Conditional Use Permit without Design Review Fee ***	\$400.00	-	\$100.00
Conditional Use Permit Amendment with Design Review Fee ***	\$400.00	+\$30.00 per 1000 square feet of total building area being modified; and +\$30.00 per 1000 square feet of site area being modified excluding building footprint	\$100.00
Conditional Use Permit Amendment without Design Review Fee ***	\$200.00	-	\$50.00
Conditional Use Permit Re-review Fee	\$150.00	-	\$25.00
Conditional Use Approval Extension Fee	\$100.00	-	-



### Decision Requirements

Pursuant to Section 108-4-4, a conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to substantially mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with the standards of this chapter, or relevant standards or requirements of any other chapter of this Land Use Code. When considering any of the standards, the Land Use Authority shall consider the reasonably anticipated detrimental effects of the proposed use in the context of current conditions and, to the extent supported by law, the policy recommendations of the applicable general plan.

If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use may be denied.

### Appeal, Revocation, Expiration, and Abandonment

The decision of the Planning Commission may be appealed to the Board of Adjustment by filing such appeal within 15 days after the written decision of the Planning Commission.

The County Commission may uphold or reverse the decision of the Planning Commission and impose any additional conditions that it may deem necessary in granting an appeal. The decision of the County Commission shall be final.

A Conditional Use Permit may be revoked by the Planning Commission upon failure to comply with the applicant's approved proposal, or any applied standard, or applicable requirement, provision, restriction, or condition of approval. Violation of any condition of approval of a conditional use permit shall constitute a violation of this Land Use Code. Rules for revocation are provided in Section 102-4-3.

Unless there is substantial action under a conditional use permit within a maximum period of one year of its approval from the Land Use Authority, the conditional use permit shall expire. The Land Use Authority may grant a maximum extension of six months. Upon expiration of any extension of time granted by the Land Use Authority, the approval for the conditional use permit shall expire and become null and void.

When an approved Conditional Use has been discontinued and/or abandoned for a period of one (1) year, the Conditional Use Permit becomes null and void. In order to restore the Conditional Use, a new application shall be filed for review and consideration by the Planning Commission.

# Weber County Conditional Use Permit Application

Application submittals will be accepted by appointment only. (801) 399-8791. 2380 Washington Blvd. Suite 240, Ogden, UT 84401

Date Submitted / Completed 4/23/2020	Fees (Office Use)	Receipt Number (Office Use)	File Number (Office Use)
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## Property Owner Contact Information

Name of Property Owner(s) OGDEN CITY	Mailing Address of Property Owner(s) 2549 WASHINGTON BLVD STE 761 OGDEN, UT 84041
Phone 801-629-8982	Fax
Email Address justinanderson@ogdencity.com	Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail

## Authorized Representative Contact Information

Name of Person Authorized to Represent the Property Owner(s) JUSTIN ANDERSON	Mailing Address of Authorized Person 2549 WASHINGTON BLVD STE 761 OGDEN, UT 84041
Phone 801-629-8982	Fax
Email Address justinanderson@ogdencity.com	Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail

## Property Information

Project Name WHEELER CREEK DIVERSION STRUCTURE	Total Acreage >0.50	Current Zoning F-40
Approximate Address 938 OGDEN CANYON	Land Serial Number(s)	

Proposed Use  
DIVERSION STRUCTURE TO DIVERT STREAM WATER FOR CULINARY TREATMENT/USE

Project Narrative  
Ogden City has had a diversion structure in place at the current location since about 1913. This small building is now unable to remain in service and is in a decrepit condition. The project involves replacing the structure with a new CMU block building measuring 12'x20'. Also a part of the project is running electrical service and an access road to the site.

### Basis for Issuance of Conditional Use Permit

That the proposed use of the particular location is necessary or desirable to provide a service or facility which will contribute to the general well being of the community:

Ogden City needs this water right to adequately provide for increasing water demands of the City.

That such use will not, under the circumstances of the particular case and the conditions imposed, be detrimental to the health, safety and general welfare of persons nor injurious to property or improvements in the community, but will be compatible with and complimentary to the existing surrounding uses, buildings and structures when considering traffic generation, parking, building design and location, landscaping and signs:

No traffic will be generated from this project and no additional impact is anticipated after construction is completed as this is an asset rehabilitation project.

That the proposed use will comply with the regulations and conditions specified in this Ordinance for such use:

The building is only replacing what is existing. It will not contradict ordinance conditions.

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

The trail system will remain intact after construction and the environment will not be adversely affected. To accomplish this, construction will not start until after August 1, 2020 on the building itself.

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 a type or of such a 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:

*It (the building) will not be altered from the original goals to divert a portion of Stream water from Wheeler Creek. Electrical service will be buried and construction will take place in August so as not to disrupt the Ecology of the area.*

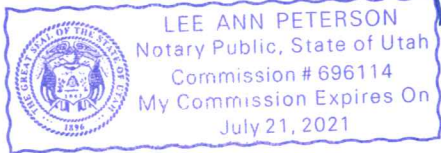
**Property Owner Affidavit**

I (We), Justin Anderson (Ogden City), depose and say that I (we) am (are) the owner(s) of the property identified in this application and that the statements herein contained, the information provided in the attached plans and other exhibits are in all respects true and correct to the best of my (our) knowledge.

Justin Anderson  
(Property Owner) Ogden City Engineer

\_\_\_\_\_  
(Property Owner)

Subscribed and sworn to me this 4<sup>th</sup> day of May, 20 20.



Lee Ann Peterson  
(Notary)

**Authorized Representative Affidavit**

I (We), \_\_\_\_\_, the owner(s) of the real property described in the attached application, do authorized as my (our) representative(s), \_\_\_\_\_, to represent me (us) regarding the attached application and to appear on my (our) behalf before any administrative or legislative body in the County considering this application and to act in all respects as our agent in matters pertaining to the attached application.

\_\_\_\_\_  
(Property Owner)

\_\_\_\_\_  
(Property Owner)

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_, personally appeared before me \_\_\_\_\_, the signer(s) of the Representative Authorization Affidavit who duly acknowledged to me that they executed the same.

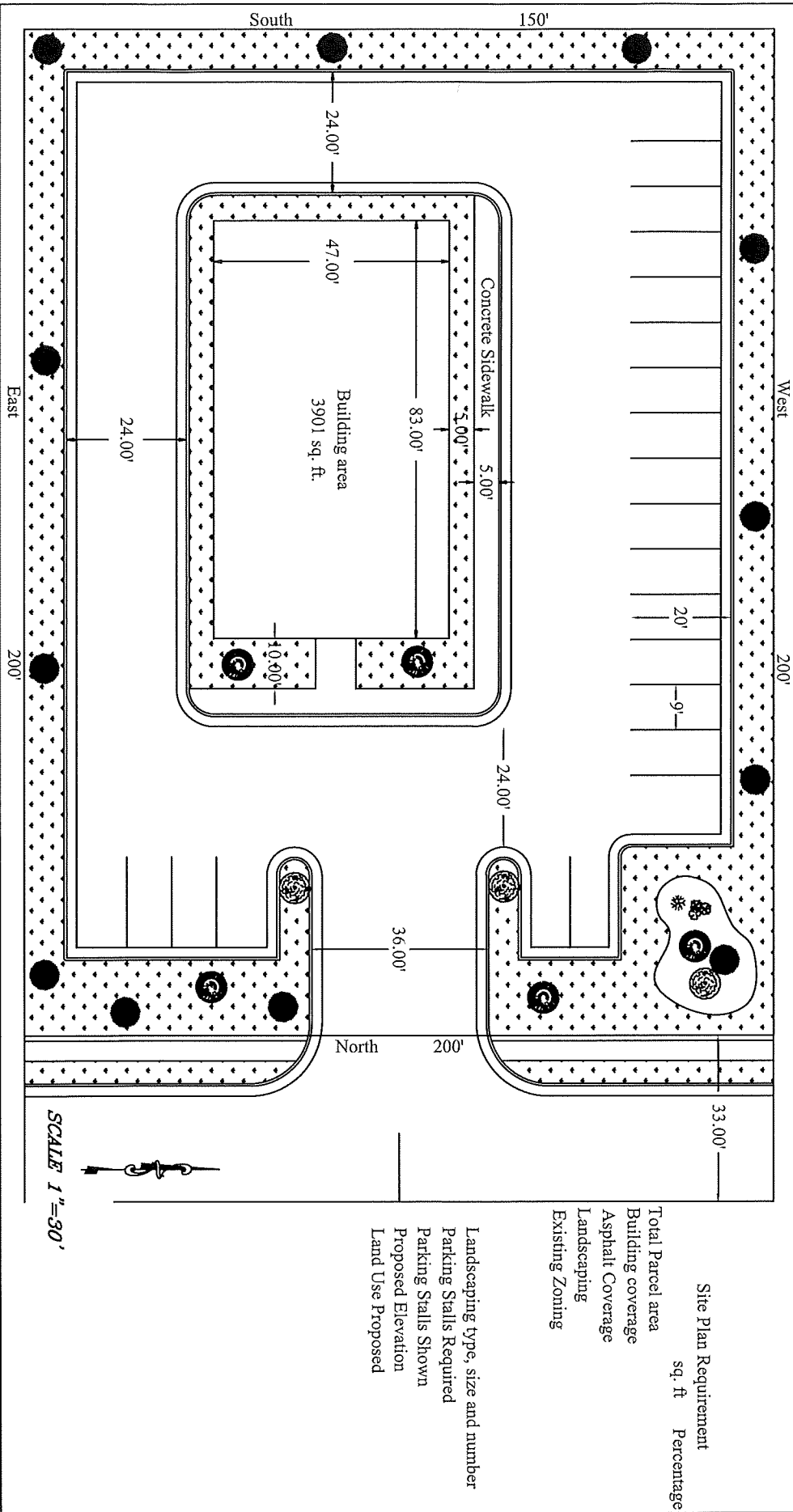
\_\_\_\_\_  
(Notary)

**Check List for Site Plan Review.**

- Name of the proposed development
- Name and address of the owner of property
- Name and address of the preparer of the site plan
- Statement describing the intended use of the development
- A north arrow and scale not less than 1:50
- The tax ID number of the development site
- The land use and zoning of the development site
- Adjacent land use and zoning
- \* Identify the percentage of the property covered by buildings and hard surface

- Adjacent streets shall be shown and identified, along with distance from centerline to property
- Building setbacks and distances
- Easement on property and on abutting property, that could be affected
- A letter from the Water and Sewer company serving the project or a septic tank approval letter
- \* Elevation drawings depicting architectural theme, building features, materials and colors is required
- \* A grading and drainage plan is required
- Landscaping plan

- \* Lighting plan
- Detailed sign information including color and material
- Fire hydrant location
- Parking information - size and number of stalls
- The geometric layout and dimensions of proposed building, driveways, parking areas, loading areas, signs and other features of the development
- Existing structures
- Storm water management plan



Site Plan Requirement	sq. ft	Percentage
Total Parcel area		
Building coverage		
Asphalt Coverage		
Landscaping		
Existing Zoning		
Landscaping type, size and number		
Parking Stalls Required		
Parking Stalls Shown		
Proposed Elevation		
Land Use Proposed		

\* Does not apply to Home Occupation Conditional Use Applications

Note: This is not a substitution for reading the Weber County Zoning Ordinance.