

# OGDEN VALLEY TOWNSHIP PLANNING COMMISSION

## PLANNING MEETING AGENDA

August 5, 2014 5:00 p.m.

Pledge of Allegiance Roll Call:

1. Consent Agenda:

1.1. CUP 2014-17 Consideration and action on a conditional use permit application for a public utility

substation (water storage tank) for Weber County Memorial Park located at approximately 14375 East Canyon Drive within the Forest-5 (F-5) Zone.

(Jennifer Graham Weber County Parks Director, Applicant)

2. Adjourn to a Work Session

WS1. Training:

Administrative Decision Making and Land Use Authorities

(Brent Bateman, State of Utah Property Rights Ombudsman)

WS2. Adjournment

The meeting will be held in the Weber County Commission Break-Out Room or as otherwise posted in the Weber Center, 1st Floor 2380 Washington Blvd., Ogden UT

No Pre-meeting will be held



(In compliance with the Americans with Disabilities Act, persons needing auxiliary services for these meetings should call the Weber County Planning Commission 24 hours in advance of the meeting at 801-399-8791)



# Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

# **Synopsis**

**Application Information** 

Application Request: Consideration and action on a conditional use permit application for a public utility

substation (water storage tank) for Weber County Memorial Park.

Agenda Date:

Tuesday, August 05, 2014

Applicant:

Jennifer Graham Weber County Parks Director

File Number:

CUP 2014-17

**Property Information** 

Approximate Address:

14375 East Causey Drive

Project Area:

130 plus acres Forest Zone (F-5)

Zoning: Existing Land Use:

Campground

**Proposed Land Use:** 

Public utility substation to serve a public campground

Parcel ID:

23-41-0008, 0010, 0007

Township, Range, Section: T7N, R3E, Section 34

Adjacent Land Use

North:

Forest

South:

Forest

East:

Forest

West:

Forest

**Staff Information** 

**Report Presenter:** 

Jim Gentry

jgentry@co.weber.ut.us

801-399-8767

Report Reviewer:

SM

# **Applicable Ordinances**

- Weber County Land Use Code Title 104 Chapter 9 (F-5 Zone)
- Weber County Land Use Code Title 108 Chapter 4 (Conditional Uses)
- Weber County Land Use Code Title 108 Chapter 10 (Public Buildings and Public Utility Substations and Structures)
- Weber County Land Use Code Title 108 Chapter 2 (Ogden Valley Architectural, Landscaping and Screening Design Standards)
- Weber County Land Use Code Title 108 Chapter 1 (Design Review)
- Weber County Land Use Code Title 108 Chapter 16 (Ogden Valley Lighting)

# Type of Decision

Administrative Decisions: When the Planning Commission is acting as a land use authority, it is acting in an administrative capacity and has much less discretion. Examples of administrative applications are design reviews, flag lots, and subdivisions. Administrative applications must be approved by the Planning Commission if the application demonstrates compliance with the approval criteria.

## Background

Weber Memorial Park is requesting approval of a conditional use permit for a public utility substation (water storage tank). The F-5 Zone allows a "public utility substation" as a conditional use. The water tank will be located approximately 25 feet behind the east entrance sign. The west spring has been declared "Under Direct Influence of Surface Water" by the State of Utah, Division of Drinking. The west spring will be abandoned and the east spring will become the Parks primary source of water.

The water tank will hold 8,000 gallons of treated water and is completely buried except for an air pipe and lockable cover. Adjacent to the east spring, there will be a 120 square foot building to house the chlorination system. The proposed building trim and doors will be painted a Koko Brown. The building itself will be a sandstone color. There will be a low wattage light above each door, which will be shielded and pointed down. The proposal will meet the Ogden Valley Light requirements.

The Weber County Land Use Code Title 108 Chapter 2 (Ogden Valley Architectural, Landscaping, and Screening Design Standards) states:

"The architectural, landscape and screening design standards, as set forth in this chapter, shall apply to all commercial, industrial, manufacturing, public, or quasi-public uses. It shall apply to multi-family dwellings of three or more units, including townhouses, condominiums, apartments, and bed and breakfast inns". The Land Use code further states:

"Screening device materials:

(1) A non-plant material screening device may be constructed of textured, non-reflective metal, concrete, vinyl, wood, brick, or stone. Chain link fencing shall not be allowed". The applicant is proposing chain link fence with barb wire around the site not for screening (since the tank is buried), but "to prevent unauthorized entrance, vandalism, or sabotage" per the State of Utah, Division of Drinking Water.

All disturbed areas are to be re-vegetated with a grass mix. A set of site plans and a copy of the application have been included as exhibits.

# **Summary of Planning Commission Considerations**

- Does the proposed use meet the requirements of applicable County Ordinances?
- Are there any potentially detrimental effects that need be mitigated by imposing conditions of approval, and if so, what are the appropriate conditions?

In order for a conditional use permit to be approved it must meet the requirements listed under "Criteria for Issuance of Conditional Use Permit." The Planning Commission needs to determine if the proposed public utility substation meets these requirements.

#### Section 108-4-4 Criteria for Issuance of Conditional Use Permit

Conditional uses shall be approved on a case-by-case basis. The Planning Commission shall not authorize a Conditional Use Permit unless evidence is presented to establish:

- 1. Reasonably anticipated detrimental effects of a proposed conditional use can be substantially mitigated by the proposal or by the imposition of reasonable conditions to achieve compliance with applicable standards. Examples of potential negative impacts are odor, vibration, light, dust, smoke, or noise.
- 2. That the proposed use will comply with the regulations and conditions specified in the Zoning Ordinance and other applicable agency standards for such use.

After reviewing this conditional use request staff has determined that the criteria listed above have been met in the following ways:

- 1. The public utility substation site does not produce negative impacts such as noise, dust, vibration, etc. The water tank will not be visible. The plans indicate that the soil disturbed in the area will be seeded with native grasses. This should reduce the prominence of the buried tank.
- 2. This application meets the requirements of the Land Use Code and will be similar to other uses in the area.

### **Conformance to the General Plan**

As a conditional use, this operation is allowed in the F-5 Zone. With the establishment of appropriate conditions as determined by the Planning Commission, this proposal will not negatively impact any of the goals and policies of the General Plan.

# **Conditions of Approval**

- Requirements of the Weber County Engineering Division
- Requirements of the Weber County Building Inspection Division
- Requirements of the Weber County Planning Division

### Staff Recommendation

Staff recommends approval of this conditional use application, subject to the conditions of approval and staff recommendations in the staff report.

### Exhibits

- A. Site Plans
- B. Applicant Narrative
- C. Location Map





MEBEK MEMOKIAL PARK

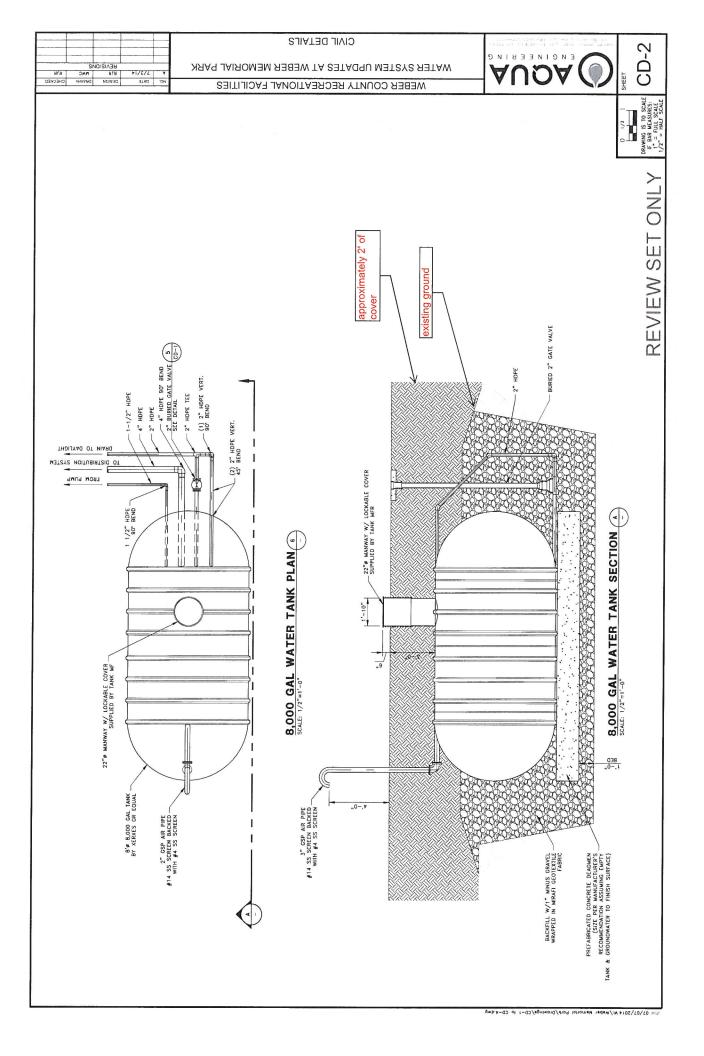
WEBER COUNTY ENGINEERING
WATER IMPROVEMENTS PROJECT

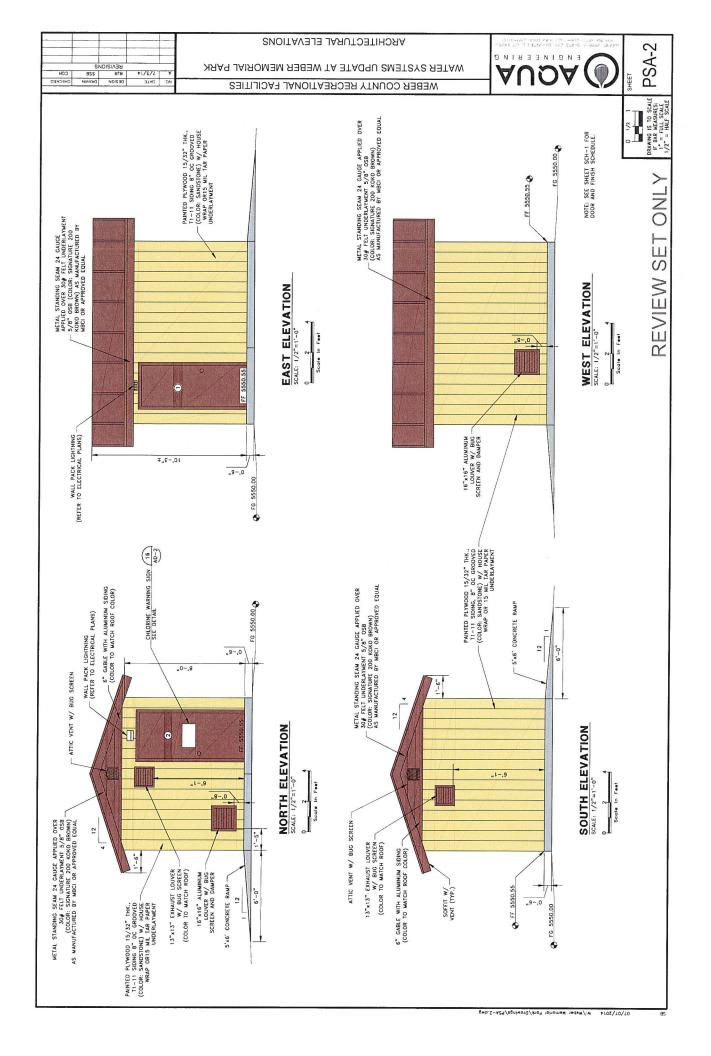
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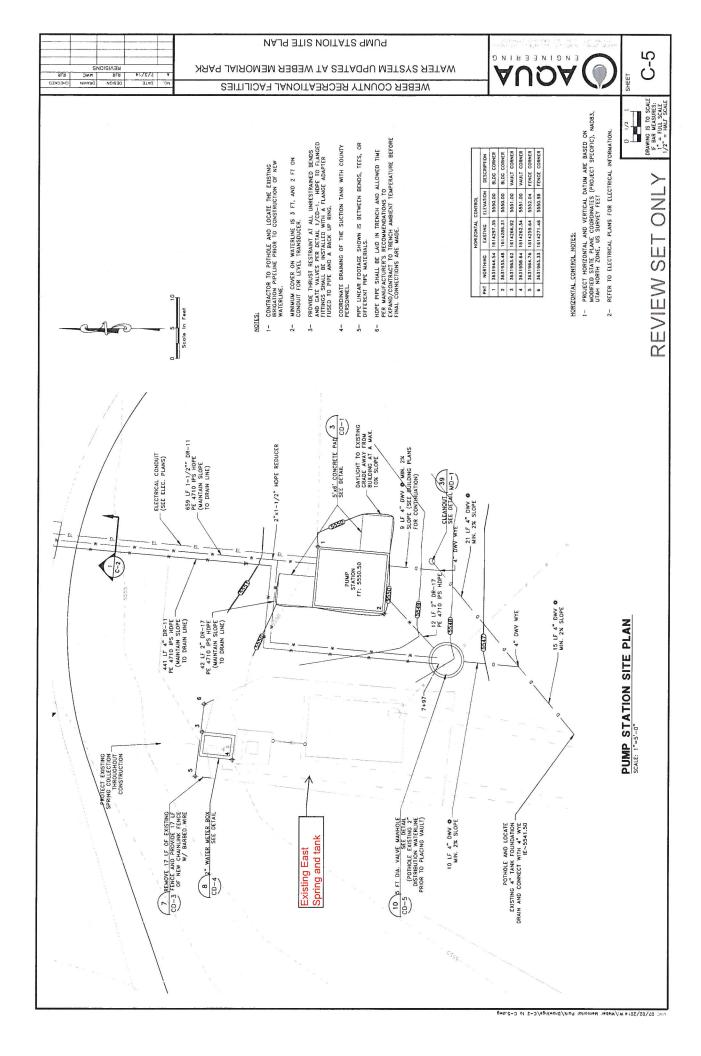
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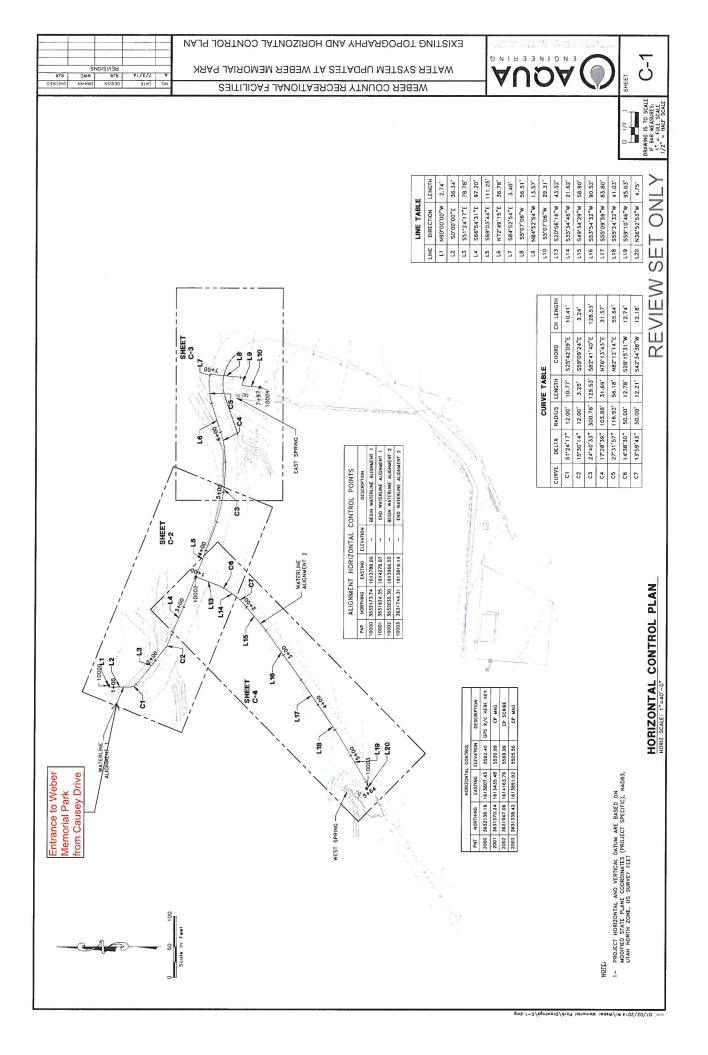
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W	ebe	r County Condi	tional Use Permit	Appl	ication	
Application submit	tals wil	I be accepted by appointment	only. (801) 399-8791. 2380 Washing	jton Blvd.	Suite 240, Ogden, UT 84401	
Date Submitted / Completed July 17, 2014		Fees (Office Use)	Receipt Number (Office Use)	-	File Number (Office Use)	
Property Owner Contac	t Info	rmation				
Name of Property Owner(s) . Weber County Corporation			Mailing Address of Property Owner(s) Parks and Recreation 1181 N. Fairgrounds Drive			
Phone 801-399-8491		Fax 801-399-8241	Ogden, UT 84404			
Email Address (required) jgraham@co.weber.ut.us			Preferred Method of Written Correspondence    Email   Fax   Mail			
Authorized Representat	ive Co	ontact Information		***************************************		
Name of Person Authorized to Represent the Property Owner(s) Jennifer Graham Phone			Mailing Address of Authorize Same as Above	Mailing Address of Authorized Person Same as Above		
801-399-8225		Fax 801-399-8241				
Email Address igraham@so.weber.ut.us			Preferred Method of Written    Email   Fax	Preferred Method of Written Correspondence    X   Email   Fax   Mail		
Property Information						
Project Name Water System Updates at Weber Memorial Park			Total Acreage		Current Zoning F-S	
Approximate Address 14375 E. Causey Drive Huntsville, UT 84317			Land Serial Number(s) 23-041-0008 23-041-1110 23-041-0007			
Proposed Use Campground, County Owned and	d Opera	ted				
Project Narrative						
The west spring has been declared	d UDI (L st sprin	Inder Direct Influence of Surface g will become the primary source	er Memorial Park, including all necessa e Water) by the State of Utah, Division te of potable water for the entire park	of Drinkin	n Water (DDW) and will be abandoned	
The building that will be construct	ted will	have the chlorination system.				

Basis for Issuance of Conditional Use Permit						
Reasonably anticipated detrimental effects of a proposed conditional use can be substantially mitigated by the proposal or by the imposition of reasonable conditions to achieve compliance with applicable standards. Examples of potential negative impacts are odor, vibration, light, dust, smoke, or noise.						
This building will cause only minimal impact on the campground. The building will be 120 sq feet in size.						
Potable water is necessary to operate the campground, this building and the chlorination system it will house will make that possible. The Health Department has been working with us on a temporary basis to allow the park to operate without potable water, but a permanent solution is required by the state.						
This building is really just an accessory building for the operation of the campground as permitted in F-5 Zoning.						
Therefore and the state of the						
That the proposed use will comply with the regulations and conditions specified in the Zoning Ordinance and other applicable agency standards for such use.  Plans for the building will be reviewed by Weber County Planning to ensure that all necessary building codes will be followed. The buildings only use will be to						
house the chlorination system for the spring water,						
Providing chlorinated potable water for the users of Weber Memorial Park is necessary to continue with the long term operation of the Park.						

