



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 the storage of agricultural equipment for off-farm non-agricultural related construction work.

Application Type: Administrative

File Number: CUP 2020-14

Applicant: Thom Summers

Agenda Date: Tuesday, October 27, 2020

Approximate Address: 6212 E 2100 N, Eden

Project Area: 5.72 acres

Zoning: AV-3

Existing Land Use: Agricultural/ Residential

Proposed Land Use: Agricultural/ Residential

Parcel ID: 22-049-0037

Township, Range, Section: Township 7 North, Range 1 East, Section 35

Adjacent Land Use

North: Agricultural/ Residential **South:** Agricultural/ Residential
East: Agricultural/ Residential **West:** Agricultural/ Residential

Staff Information

Report Presenter: Steve Burton
sburton@co.weber.ut.us
801-399-8766

Report Reviewer: RG

Applicable Ordinances

- Weber County Land Use Code Title 104 Chapter 6 (AV-3 zone)
- Weber County Land Use Code Title 108 Chapter 4 (Conditional Uses)
- Weber County Land Use Code Title 108 Chapter 1 (Design Review)

Background and Summary

The applicant is requesting a conditional use permit to be able to store agricultural equipment that is used for off-site, non-agricultural related construction work. The subject parcel is 5.72 acres with a residence, located on an unimproved extension of 2100 N Street. This portion of 2100 N street is considered a private drive that is used to access two homes, one of which is the home of the applicant. The proposal includes existing buildings, with no new buildings proposed.

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 AV-3 Zone. With the establishment of appropriate conditions as determined by the Planning Commission, this operation is not anticipated to negatively impact any of the goals and policies of the General Plan.

Zoning: The subject property is located within the AV-3 Zone. The purpose of the AV-3 Zone can be further described in LUC §104-6-1 as follows:

The AV-3 Zone is both an agricultural zone and a low-density rural residential zone. The purpose of the AV-3 Zone is to:

- a) Designate low-intensity farm areas, which are anticipated to develop in a rural residential development pattern;*
- b) Set up guidelines to continue agricultural pursuits, including the keeping of farm animals; and*
- c) Direct orderly low-density residential development in a continuing rural environment.*

The AV-3 zone lists the following as a conditional use:

The use and storage of farm equipment and other related equipment such as a backhoe, front-end loader or up to a ten-wheel truck, to be used by a farm owner, farm employee and/or a contracted farm operator of a bona-fide farm operation consisting of five acres or more, for off-farm, non-agricultural related, construction work to supplement farm income.

The applicant is proposing to store one of each of the following: a dump truck, a track hoe, back hoe, end loader, and a flatbed trailer. Staff feels that the proposed equipment to be stored meets the definition listed above. If additional equipment is proposed to be stored in the future, an amendment to the conditional use permit will be required. The proposed hours of operation are from 7 AM to 6 PM each day of the week.

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. The Weber County Engineering Division has reviewed and approved the proposal. Weber Fire District has reviewed the proposal and has approved the proposal, with the stipulation that the improved road surface be at least 20 feet wide. The following is analysis of this proposal compared to the conditional use standards

Standards relating to safety for persons and property: The proposal to store agricultural equipment on site is not anticipated to cause concerns of safety for persons and property.

Standards relating to infrastructure, amenities, and services: The proposed use will have some impact on the public streets in this area. According to the applicant, this use has occurred on this parcel for at least 40 years. The Weber County Engineering Division did not express concerns with the proposed use or its impact on the county roads. The Planning Commission may consider adding a condition of approval that requires the applicant to ensure that the 2100 N street is kept in good repair.

Standards relating to the environment: For dust control, the applicant pours a dust guard consisting of magnesium chloride on the dirt road once a year. This proposal is not anticipated to negatively impact the environment.

Standards relating to the current qualities and characteristics of the surrounding area: This property is zoned agricultural, and is surrounded by several farms. The proposed use has similar characteristics to, and fits well into the surrounding area.

Design Review: The conditional use standards mandate a design review as outlined in LUC §108-1 to ensure that the general design, layout and appearance of the buildings remains orderly and harmonious with the surrounding neighborhood. The following is an analysis of this proposal compared to the design review standards:

Considerations relating to traffic safety and traffic congestion: The proposal includes a site plan that identifies the location of the existing buildings and storage areas. The proposal is not anticipated to cause traffic safety concerns or congestion.

Considerations relating to landscaping: Although the site is not required to have landscaping because it is a primarily agricultural use, the site contains an area with existing landscaping for the residence. The landscaped area is approximately 1 acre with turf grass and evergreen trees.

Considerations relating to buildings and site layout: The storage buildings shown on the property are in compliance with the required zoning setbacks. The storage buildings on the property are not subject to the aesthetic commercial design standards.

Staff Recommendation

Staff recommends approval of this conditional use application subject to all review agency requirements and the following conditions:

1. Any additional equipment proposed to be stored after this permit is issued will require an amended conditional use permit application.
2. The applicant is required to repair any damages to the portion of 2100 N street, including the private drive, caused by the proposed use.
3. If the applicant does not legally have a right to use the private road for the proposed use, the conditional use permit will be void.

This recommendation is based on the following findings:

- The proposed use is allowed in the AV-3 one 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. Application and Project Narrative
- B. Site Plan

Map 1



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	Fees (Office Use)	Receipt Number (Office Use)	File Number (Office Use)
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Property Owner Contact Information

Name of Property Owner(s) Thom & Elise Summers		Mailing Address of Property Owner(s) P.O. BOX 45 Eden, UT 84310	
Phone 801-603-6082	Fax	Preferred Method of Written Correspondence <input checked="" type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	
Email Address (required) thom.summers.farms@gmail.com			

Authorized Representative Contact Information

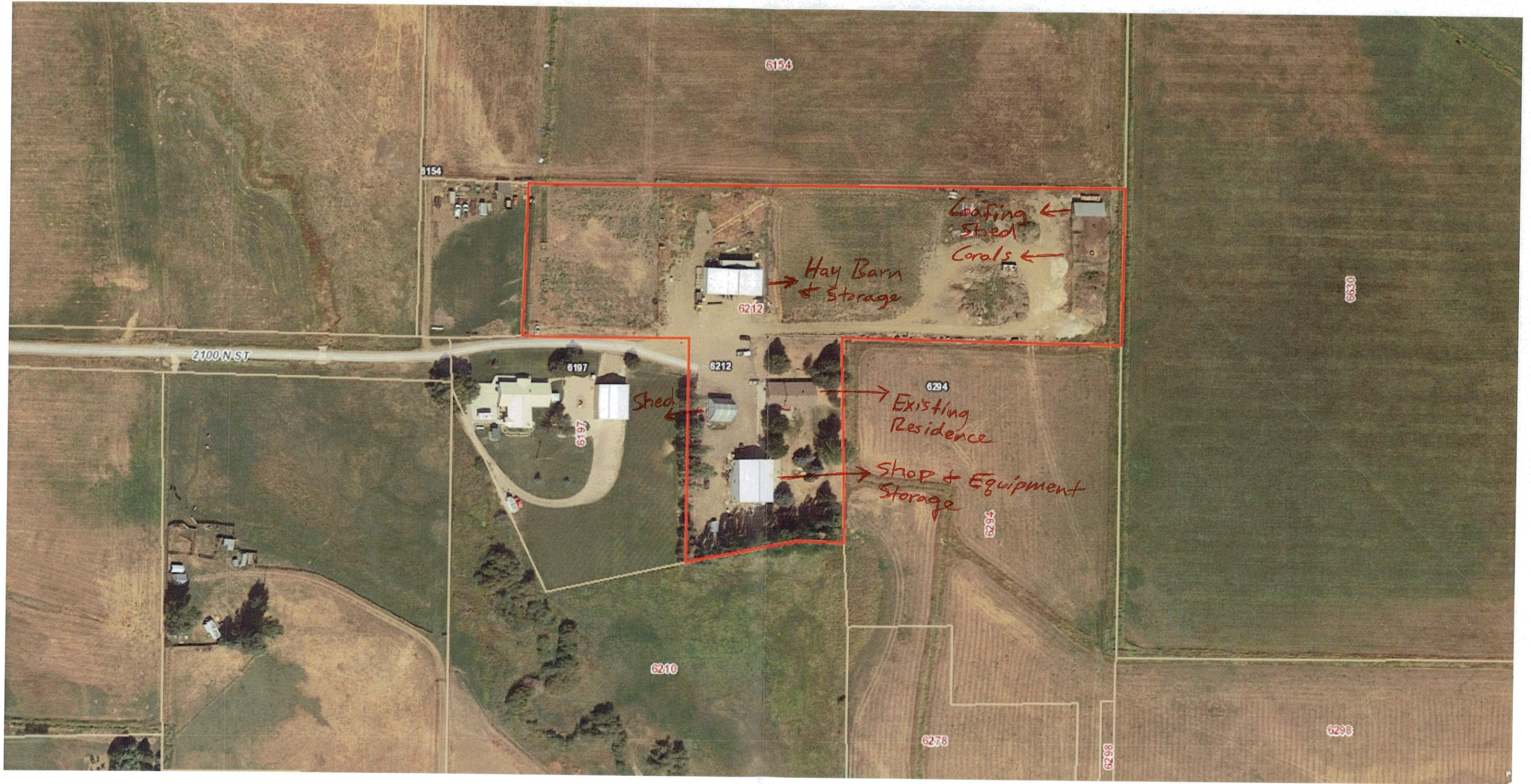
Name of Person Authorized to Represent the Property Owner(s)		Mailing Address of Authorized Person	
Phone	Fax		
Email Address		Preferred Method of Written Correspondence <input type="checkbox"/> Email <input type="checkbox"/> Fax <input type="checkbox"/> Mail	

Property Information

Project Name drive way	Total Acreage 5.78	Current Zoning
Approximate Address 6212 E 2100N Eden, UT	Land Serial Number(s) 22-049-0037	

Proposed Use
use driveway for TRUCK and EQUIPMENT

Project Narrative
I have a weber Co. Business license # 2511
I have lived at this address for 40 plus years
The driveway is the same dirt road that my family has used since the property was homesteaded in the 1860's. I have used this driveway for my business since 1983



6154

6154

Loafing Shed ←
Corals ←

Hay Barn & Storage →

6212

6330

2100 N ST

6197

Shed →

6197

6212

Existing Residence →

Shop & Equipment Storage →

6294

6294

6210

6278

6298

6298