

1. The applicant follow requirements and recommendations of the Weber County Engineering Division with respect to traffic standards.
2. The applicant has requested a change to the hours of operation; hours will be 3:00 p.m. to 9:00 p.m.

Commissioner Montgomery seconded the motion. Commissioners Burton, Montgomery, Shuman, Stefanik, Torman, and Wampler all voted aye. (Motion carried 6-0).

**3.2 CUP 2022-13: Consideration and action on a conditional use permit application for a short-term rental proposed at 4877 E. 3475 N., Eden Planner: Steven Burton.**

Planner Burton explained The applicant is requesting a conditional use permit for a short-term rental in a residential dwelling located in the FR-3 zone in the Village at Wolf Creek Subdivision. The FR-3 Zone allows a “nightly rental” as a conditional use. The proposed use will occur within a single-family dwelling that is currently in the building permit review process. Two parking spaces will be made available in the attached 2 car garage. The application is being processed for 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. She summarized staff’s evaluation of the request, including compliance with the General Plan and zoning regulations; conditional use standards; standards relating to infrastructure, amenities, and services; standards relating to the environment; standards relating to the current qualities and characteristics of the surrounding area; and compliance with the nightly rental ordinance. She concluded the Planning Division recommends approval of this application subject to the applicant meeting the conditions of approval in this staff report and any other reasonable conditions required by the Planning Commission. This recommendation is subject to all review agencies and is based on the following conditions:

1. A business license shall be obtained prior to issuance of this conditional use permit.
2. Parking shall occur only in the driveway and the garage associated with this lot.
3. The conditional use permit may be issued only when the construction of the dwelling is complete.

This recommendation is based on the following findings:

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

Commissioner Torman asked if it is premature for the applicant to secure a CUP before the structure is built. Mr. Burton stated that one of the recommended conditions of approval is that the permit not be formally issued until the structure is built because it is important to ensure that the construction of the home mirrors what has been represented by the applicant.

Commissioner Montgomery moved to grant approval of application CUP2022-13, conditional use permit application for a short-term rental proposed at 4877 E. 3475 N., Eden, based on the findings and subject to the conditions listed in the staff report. Commissioner Stefanik seconded the motion. Commissioners Burton, Montgomery, Shuman, Stefanik, Torman, and Wampler all voted aye. (Motion carried 6-0).

Commissioner Wampler stated her ‘aye’ vote was based upon the fact that planning staff will have the opportunity to inspect the property to determine that it complies with the conditions of approval before the permit is issued.

Commissioner Burton stated his ‘aye’ vote is based upon the fact that the Commission must approve CUP applications if any detrimental conditions associated with the application can be mitigated; he has not seen any evidence that any negative aspect of this project cannot be mitigated.

**3.3 UVM080922 – Request for preliminary approval for Mountainside PRUD Phase 2 subdivision. This is a 10-lot subdivision in the Bridges PRUD, located in the RE-15 zone, at approximately 4554 North Seven Bridges Road, Eden, UT, 84310. Planner: Tammy Aydelotte.**

Commissioner Wampler recused herself from discussing and voting on this application.

Planner Aydelotte explained the Conditional Use Permit (CUP) for The Bridges PRUD was approved on July 19, 2016; the Mountainside PRUD Phase 1 Plat was recorded on September 20, 2017. The applicant is requesting preliminary approval of Mountainside PRUD Phase 2 Subdivision, consisting of ten lots, in the RE-15 Zone. The proposed subdivision and lot configuration