



Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action for a conditional use permit for the water system improvements and restroom expansion located at the Cobble Creek RCMP.

Agenda Date: Tuesday, May 26, 2015

Applicant: Corporation of Presiding Bishop of the Church of Jesus Christ of Latter Day Saints

Authorized Agent: John D. Simmons, project engineer (Forsgren Associates)

File Number: CUP# 2015-08

Property Information

Approximate Address: To be determined

Project Area: 27 acres

Zoning: Forest Zone (F-40)

Existing Land Use: Private campground

Proposed Land Use: Private campground

Parcel ID: 23-012-0026 & 23-019-0003

Township, Range, Section: Township 7 North, Range 3 East, Section 31 & Township 7 North, Ranch 2 East, Section 36

Adjacent Land Use

| | |
|----------------------|----------------------|
| North: Forest | South: Forest |
| East: Forest | West: Forest |

Staff Information

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Report Reviewer: SW

Applicable Ordinances

- Title 101, Chapter 1, General Provisions, Section 7, Definitions
- Title 104, Chapter 9 Forest Zones (F-40)
- Title 104, Chapter 28, Ogden Valley Sensitive Lands Overlay Districts
- Title 104, Chapter 1 Design Review
- Title 108, Chapter 4 Conditional Uses
- Title 108, Chapter 20 Forest Campgrounds

Type of Decision

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.

Summary and Background

The applicant is requesting approval for a conditional use permit for the water system improvements and restroom expansion located at the Cobble Creek RCMP on parcels 23-012-0026 and 23-019-0003. The property lies in the Forest Zone (F-40) which allows "Private parks and recreation grounds; Private campgrounds and picnic areas meeting the requirements of the Forest Campground Ordinance of Weber County" only when authorized by a conditional use permit. A conditional use permit was granted in 1979 for a private campground with restroom facilities. In 2009, a conditional use permit was granted for the installation of a 10,000 gallon water tank, replacing the existing 6,700 gallon water tank. The applicant has identified the need to upgrade and expand the current water system located at the camp as well as the need to remove an existing restroom facility that was constructed in 1988 and replace it with a new restroom/shower facility. The proposed

site is accessed by WC 195 Road off of Highway 39 and is owned by the Corporation of Presiding Bishop of the Church of Jesus Christ of Latter Day Saints.

The property is used as a private campground during the summer months with multiple outbuildings on site that are considered accessory structures to the private campground. The proposal is not anticipated to negatively impact the adjacent property owners due to the remoteness of the site and the scale of the project. The proposed use will be beneficial to the occupants of the camp by providing adequate culinary water services and restroom/shower facilities.

Conditional use permits should be approved as long as any harmful impact is mitigated. The Uniform Land Use Code of Weber County, Utah (LUC) already specifies certain standards necessary for mitigation of harmful impact to which the proposal must adhere. The proposed application appears to meet these standards. The following is staff's evaluation of the request.

Analysis

General Plan: The Ogden Valley General Plan has identified the need to enhance the quality of recreational opportunities in the Valley and promotes public/private cooperation in recreation planning for the expansion of suitable community parks, campgrounds or trail systems. (see the 1998 Ogden Valley General Plan §3.01 Vision: Protect the Natural Beauty and Natural Resources of the Valley).

Zoning: The subject property is located within the F-40 zone which is categorized as a "Forest Zone". The intent of the forest zones can be further described per LUC §104-9-1 as follows:

a. The intent of the forest zones is to protect and preserve the natural environment of those areas of the county that are characterized by mountainous, forest or naturalistic land, and to permit development compatible to the preservation of these areas.

b. The objectives in establishing the forest zones are:

- 1. To promote the use of the land for forest, fish and wildlife and to facilitate the conservation of the natural resources, vegetation and attractions;*
- 2. To reduce the hazards of flood and fire;*
- 3. To prevent sanitation and pollution problems and protect the watershed;*
- 4. To provide areas for private and public recreation and recreation resorts; and*
- 5. To provide areas for homes, summer homes, and summer camp sites.*

The F-40 zone has specific standards identified in the LUC §104-9-4 that shall be met as part of the development process. The applicable standards are as follows:

- Minimum yard setbacks:
 - Front: 75'
 - Side: 40'
 - Rear: 30'
- Minimum lot area: 40 acres
- Minimum lot width: 660'
- Main Building height:
 - Maximum: 35'
 - Accessory building height:
 - Maximum: 25', unless meeting requirements of LUC §108-7-16, Large accessory buildings

An ephemeral stream known as Cobble Creek is located on the site and within the proposed improvement area. Cobble Creek has been identified on the Ogden Valley Sensitive Lands Stream Corridor Map found in LUC §104-28-1. The Ogden Valley Sensitive Lands Overlay Districts Zone has specific development standards identified in the LUC §104-28-2 pertaining to stream corridors. The applicable standards are as follows:

Development standards.

(1) Setbacks. No structure, accessory structure, road, or parking area shall be built within the required setback from a river or stream as measured from the high water mark of the river or stream. The high water mark shall be determined by the Weber County engineer. The areas within the setback shall be maintained in a manner that protects the quality of water in the river or stream and the habitat of native vegetation and wildlife along the river or stream.

...

c. Structures, accessory structures, roads, or parking areas shall not be developed or located within 50 feet from the high water mark of a natural ephemeral stream.

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Exceptions.

a. Bridges or stream alteration approved by the Army Corps of Engineers and state department of natural resources, division of water rights.

...

d. All existing structures, accessory structures, roads, or parking areas prior to the adoption of Ordinance No. 2005-19 River and Stream Corridor Setbacks.

Due to the legal existence of the improvements and structures prior to the adoption of Ordinance No. 2005-19 River and Stream Corridor Setbacks, the development standards are not applicable for the existing improvements and structures. The applicant has made application for a stream alteration permit for the proposed improvements and the stream crossing identified on the site plan (see Exhibit A & B). Based on these exceptions, the proposal appears to meet all of the standards identified with the exception of an approved stream alteration permit. To ensure adequate measures have been taken to protect the stream corridor, a condition has been made part of the Planning Division's recommendations to ensure that a stream alteration permit is received prior to commencement of work. Conditional Use/Design Review: The proposed use is conditionally allowed in the F-40 zone and has been reviewed as a "Private parks and recreation grounds; Private campgrounds and picnic areas meeting the requirements of the Forest Campground Ordinance of Weber County". The location and arrangement of improvements and structures must be in accordance with plans submitted to and approved by the planning commission and in accordance with the Forest Campground Ordinance of Weber County. 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 forest 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. Certain areas of the design review are only applicable due to the nature of the request. 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.* As part of this consideration, the applicant has provided a detailed site plan (see Exhibit B on page 13-14). The proposal is not considered large scale construction; therefore considerable traffic congestion or delay is not anticipated.
- *Considerations relating to landscaping.* The project engineer has indicated that the contractor will be responsible to re-vegetate all areas of disturbance with a seed mix containing native grasses and will be provide the plan and details to the County Engineer for approval (see Exhibit B Construction notes on page 14).
- *Considerations relating to buildings and site layout.* An eight foot gravel road will be constructed to gain access to the location of the two proposed 5,000 gallon water tanks and the disinfection system building (see Exhibit C on page 15). The new tanks and the disinfection building will be buried and the system will be powered by a solar array located on top of the buried disinfection building (see Exhibit C on page 15-19). The proposed restroom/shower facility is 35'4" x 19'4" and consists of six toilets, seven showers and ten sinks (see Exhibit D on page 20-22). The restroom will be constructed with honed finish natural CMU and hunter green roof, soffit, fascia and doors. Due to the private nature of the campground and remoteness of the structures, the standards of the Ogden Valley Architectural, Landscaping and Screening Design Standards are not applicable.
- *Considerations relating to utility easements, drainage, and other engineering questions.* The Engineering Division has had a chance to review the proposal and has approved the proposal based on obtaining the applicable permits and providing the required SWCAP and SWPPP (see Exhibit E).
- *Considerations relating to prior development concept plan approval associated with any rezoning agreement, planned commercial or manufacturing rezoning, or planned residential unit development approval.* The Cobble Creek RCMP received approval as a forest campground per LUC§ 104-9-3(8) & LUC§108-20-21 in 1979 as CUP 79-05 and it appears that adequate approvals for all site improvements have been received. The applicant has provided adequate documentation and detailed site plans for a thorough review of the proposed improvements and does not have any type of development agreement associated with the property; therefore considerations pertaining to this portion of the code have been met. If larger plans are desired by the Planning Commission for

review, please contact the Planning Division office to arrange for the copies or go to the following link to access the digital plans: <https://miradi.co.weber.ut.us/projects/view/1672>.

Review Agencies: The applicant has provided adequate proof of water from the State Division of Drinking Water as well as received approval of the proposed improvements to the water system from the Weber-Morgan Health Department. The proposed improvements to the septic system have been reviewed and approved by the Weber-Morgan Health Department. The Weber Fire District and the Weber County Engineering Division have reviewed and approved the proposal. The Weber County Surveying Department is currently working on assigning a physical address for the camp. Prior to the commencement of work, the applicant will need to receive the approval from all applicable agencies for the water system improvements, the demolition of the existing restroom facilities and construction of a new restroom/shower facility. A condition has been made part of the Planning Division's recommendations to ensure that all conditions of the review agencies will be met. All review agencies comments are made part of the staff report as Exhibit E.

Conformance to the General Plan

The proposed use conforms to the Ogden Valley General Plan by providing quality recreational opportunities in the Valley and promotes public/private cooperation in recreation planning for the expansion of suitable campgrounds.

Summary of Planning Commission Considerations

In order for a conditional use to be approved it must meet the requirements of applicable ordinances listed in this staff report, which include the requirements listed in LUC §108-4-4, under "Criteria for Issuance of Conditional Use Permit", which states:

Conditional Uses shall be approved on a case-by case basis. The planning commission shall not authorize a conditional use permit unless evidence is present 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 Land Use Code and other applicable agency standards of use.*

The Planning Commission will need to determine if the request for a conditional use permit for the water system improvements and restroom expansion located at the Cobble Creek RCMP has met the requirements of the applicable Uniform Land Use Code of Weber County. The Planning Commission may impose additional conditions in order to ensure full compliance with the required standards. In making a decision, the Planning Commission should consider the following questions:

- Does the submittal meet the Uniform Land Use Code of Weber County? If no, then what conditions could be added in order to comply?
- Have the "Criteria for Issuance of Conditional Use Permit" and other applicable ordinances been met?

Staff Recommendation

The Planning Division recommends approval of file# CUP 2015-13, a conditional use permit for the water system improvements and restroom expansion located at the Cobble Creek RCMP, located on parcels 23-012-0026 & 23-019-003. This recommendation for approval is subject to all review agency requirements and with the following conditions:

1. Prior to the issuance of a conditional use permit, a physical address must be assigned by the Weber County Surveying Department.
2. Prior to the issuance of the conditional use permit, a copy of an approved stream alteration permit will be provided to the Planning Division.
3. Requirements of the Weber County Building Inspection Division.
4. Requirements and recommendations of the Weber Fire District.
5. Requirements of the Weber County Engineering Division.
6. Requirements of the Weber County Health Department.

This recommendation is based on the following findings:

1. The proposed use conforms to the Ogden Valley General Plan.
2. The proposed use, if conditions are imposed, will not be detrimental to the public health, safety, or welfare.
3. The proposed use, if conditions are imposed, will comply with applicable County ordinances.
4. The proposed use will not deteriorate the environment of the general area so as to negatively impact surrounding properties and uses.

Exhibits

- A. Application including proof of water and stream alteration application
- B. Site Plan
- C. Water System Improvement Details
- D. Restroom Plans
- E. Review Agency comments