



already in place and there is no additional signage or lighting. A large asphalt parking area is also available to meet parking requirements if there is visiting clientele in the future. The kennel was first proposed to be located in a barn on the property, but it did not meet the 50 foot rear yard setback. Therefore, the kennel is located in the dwelling as mentioned previously.

County review agencies have responded with the following comments:

- Weber County Animal Services: A kennel license is required.
- Weber-Morgan Health Department: The kennel is approved with restrictions due to this kennel being on a septic system. If a new septic system is needed for a washout area it should be separate from the house and should meet all septic requirements.
- Weber County Engineering Division: No concerns with this project.
- Weber Fire District: No concerns with this project.

## Summary of Planning Commission Considerations

- Does the proposed use meet the requirements of applicable County Codes?
- Are there any potentially detrimental effects that can 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 use meets these requirements. The applicant has provided a response to the criteria below which is attached as Exhibit B.

### Title 108 Chapter 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 Code 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 potential detrimental effects of this kennel relate primarily to noise and smell. Noise is mitigated by the size of the lot (5.3 acres), the number of potential dogs (10), and the kennel being located inside the dwelling. The potential for foul smells is mitigated by the waste management plan to clean daily and to double bag and remove waste on a regular basis.
2. This application complies with the regulations and conditions specified in the Zoning Ordinance and other applicable agency standards in the following ways:
  - The proposed site (5.3 acres) is larger than the required two acres.
  - The proposed number of dogs meets the requirements of the A-1 Zone.
  - The kennel location meets the required setbacks of the A-1 Zone.
  - Landscaping, signage, and parking standards have been met.
  - A plan for removal of animal waste has been submitted to the Health Department.

## Conformance to the General Plan

The proposed use complies with applicable County codes and the West Central Weber County General Plan.

## Conditions of Approval

- Requirements of the Weber County Engineering Division
- Requirements of the Weber-Morgan Health Department
- Requirements of the Weber County Building Inspection Division
- Requirements of the Weber Fire District
- Requirements of Weber County Animal Services

## Staff Recommendation

Staff recommends approval of CUP 2013-24 for a dog kennel in the A-1 Zone, subject to staff and review agency requirements. This recommendation is based on the proposed kennel being in compliance with applicable County Codes as listed previously in this staff report.

## Exhibits

- A. Site plan
- B. Applicant's narrative

## Map 1

