



Staff Report to the Western Weber Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request:	Consideration and action on CUP 2014-02 – For a Transient Amusement Business (corn maze and zip line) on an annual basis at 2801 South 3500 West.
Agenda Date:	April 8, 2014
Applicant:	Don & Dea Ann Staker
File Number:	CUP 2014-02

Property Information

Approximate Address:	2801 South 3500 West
Project Area:	33.12 acres
Zoning:	Agricultural A-2 Zone
Existing Land Use:	Agricultural
Proposed Land Use:	Transient Amusement (corn maze and zip line)
Parcel ID:	15-088-0025
Township, Range, Section:	6N, 2W, Section 33

Staff Information

Report Presenter:	Steve Parkinson sparkinson@co.weber.ut.us 801-399-8768
Report Reviewer:	JG

Applicable Codes

- Land Use Code Title 104 Chapter 7 (Agricultural Zone)
- Land Use Code Title 108 Chapter 1 (Design Review)
- Land Use Code Title 108 Chapter 4 (Conditional Uses)

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

The applicant is proposing to operate a corn maze and zip line on an annual basis from September 19th until October 31st. Located at 2801 South 3500 West, the existing zoning is A-2, which allows such a use as a conditional use. The “hours of operation” are Monday – Thursday 4:00 – 9:00 PM; Friday 4:00 – 11:00 PM; Saturday 10:00 AM – 11:00 PM and closed on Sundays. The entire property is 35 acres with a residential home and two (2) large buildings, one of which is being used for a tumbling business and the other is a barn. Neither the home nor the building housing the tumbling business will be a part of the transient amusement business.

Attractions are to include: a nine (9) acre corn maze, which includes a kiddy maze with interactive games within the maze. There will also be a bounce house, corn box, two (2) slides, pumpkin patch, kiddy zip line, kids train and a fire pit. There will also be vendors providing food, snacks and drinks, which will be within the barn.

The applicants are planning on using an existing pasture, which they own, as their parking area. It can hold over 200 vehicles and there will be a single entrance/exit that will be from 3500 West.

As for signage, again staff has discussed with the applicant what is allowed by code regarding on-site and off-site signage. The applicant is putting together a plan for signage and it will be reviewed by staff once it has been submitted.

The applicant has been diligent in working with staff and all the Planning Division’s concerns have been addressed. The other reviewing agencies have responded with reviews and the applicant has been working with them to satisfy their concerns,

however if there are any remaining concerns the applicant will need to comply with those requirements prior to receiving a conditional use permit.

Summary of Planning Commission Considerations

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 amended 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 existing use does comply with the regulations and conditions specified in the Zoning Ordinance and other applicable agency standards for such use.

Prior to the applicants making an actual application, staff sat down and discussed with them some potential concerns, including noise, light, and dust.

In the application the applicants addressed how they will to resolve those concerns.

- Noise – the operation is planning on closing at 9 PM during the work week
- Light – lighting will not flood into any of the neighbors properties
- Dust – the pasture that the parking lot will be on has pasture grass which will help prevent dust and when the grass is gone they will water the area down hours prior to opening up that day.

There may be issues that arise that weren't foreseen or anticipated with this use. An end of season review may need to occur between planning, engineering and code enforcement to determine if there was anything that came up and may need to be addressed for next year.

Staff feels that the applicants have addressed staff's concerns with either their initial application or with subsequent submittals.

Conformance to the General Plan

This application conforms to the Western Weber General Plan by promoting and maintaining rural character by providing a crop and an enjoyable local and tourist attraction.

Conditions of Approval

1. Requirements and recommendations of the County Engineering Division.
2. Requirements and recommendations of the Weber Fire District.
3. Requirements of the Weber County Health Department.
4. Requirements of the Weber County Building Inspection Division.
5. Requirements of the Utah Department of Transportation (UDOT).

Staff Recommendation

Staff recommends *approval* of the transient amusement business (corn maze and zip line) and requires that all review agencies requirements are satisfied.

Exhibits

- A. Proposed Site Plan

Location Map

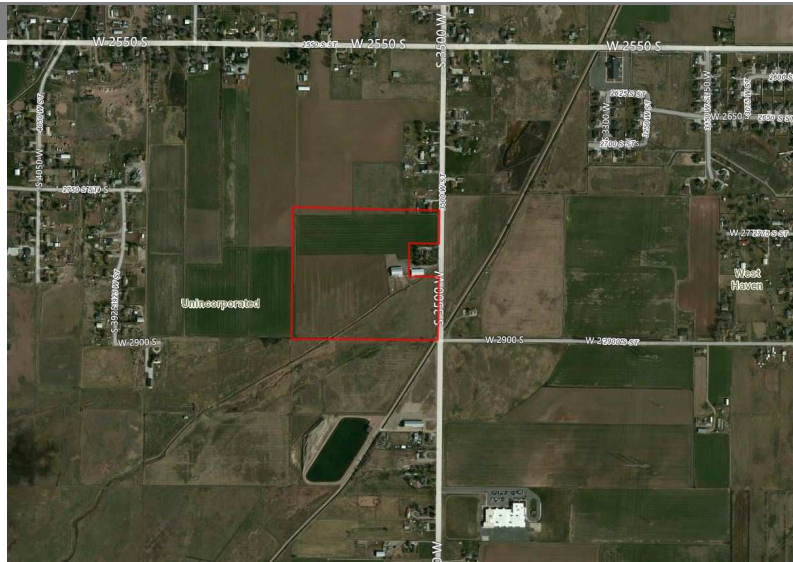


Exhibit A - Proposed Site Plan

