



Staff Report for Administrative Approval

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on an amendment to a conditional use permit for site plan to include a hot tub

Type of Decision: Administrative

Applicant: Weber County

File Number: CUP# 2023-02

Property Information

Approximate Address: 3840 N 4975 E, Eden UT 84310

Project Area: 2.91 acres

Zoning: FR-3

Existing Land Use: Forest Residential

Proposed Land Use: Forest Residential

Parcel ID: 224030050

Township, Range, Section: Township 7 North, Range 1 East, Section 22

Adjacent Land Use

North: Vacant O-1	South: Vacant CV-2
East: Vacant O-1	West: Vacant O-1

Staff Information

Report Presenter: **Marta Borchert**
mborchert@webercountyutah.gov
 801-399-8761

Report Reviewer: **SB**

Applicable Ordinances

- Title 101, Chapter 1, General Provisions, Definitions
- Title 104, Chapter 2, Agricultural Zones AV-3 Zone
- Title 108, Chapter 1 Design Review
- Title 108, Chapter 4 Conditional Uses

Summary and Background

The applicant is requesting approval of an amendment to the Pointe at Wolf Creek conditional use permit CUP 2021-09 for the addition of a hot tub. The addition of this equipment is considered de minimis.

Under LUC 108-4-3 (2)b7, "The planning commission is the land use authority for conditional use permits. De minimis revisions to a previously approved conditional use permit may be approved by the planning director provided it can be determined that the changes are slight, inconsequential, and not in violation of any substantive provision of this Code. The planning director's written approval of a de minimis revision shall be appended to the written decision of the planning commission. Revisions that are de minimis shall not require public notice."

Conditional use permits should be approved as long as any harmful impacts are mitigated. The LUC already specifies certain standards necessary for mitigation of harmful impact to which the proposal must adhere. The proposed application is able to meet these standards. The following is staff's evaluation of the request.

Analysis

General Plan: The proposal conforms to the Ogden Valley General Plan by proposing no new density, and this addition will not negatively impact any of the goals and policies of the General Plan.

Zoning: The subject property is located in the FR-3 Zone. The purpose and intent of the FR-3 zone is identified in the LUC §104-17 as:

The purpose in establishing the Forest Residential, FR-3 zone is to provide for medium density residential uses of apartment clusters or condo-tels adjacent to and in conjunction with major recreational resorts, recreation areas and facilities in the

mountain areas of Weber County on the basis that such medium density multiple-family housing is an integral and normal part of a recreational resort complex catering to the needs of both tourists and permanent home ownership. This zone is intended to be used in mountain locations in areas associated with major recreational resorts.

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 following is an analysis of the application reviewed against the applicable conditional use standards:

- *Standards relating to safety for persons and property:* The proposal is not anticipated to cause any concerns of safety for persons and property.
- *Standards relating to the environment:* The proposed amendment is not anticipated to negatively impact the environment, as the purpose for the amendment is to add an amenity. The additional equipment is not anticipated to cause any problems for the Ogden Valley Recreation.
- *Standards relating to the current qualities and characteristics of the surrounding area and compliance with the intent of the general plan:* The additional amenity is shown on exhibit A and will not impact the qualities and characteristics of the area.

Additional Design Review: The current conditional use requirements as listed in LUC section 108-1-3, design review is incorporated in the conditional use permit approval

Review Agencies: The proposed de minimis change is subject to the Fire District and Engineering Division reviews.

Staff Recommendation

The Planning Division recommends approval of file# CUP 2023-02. The approval is subject to all review agency requirements.

This recommendation is based on the following findings:

1. The proposed use conforms to the Ogden Valley General Plan.
2. The proposed use will not be detrimental to public health, safety, or welfare.
3. The proposed use complies with applicable County ordinances.
4. The proposed use will not deteriorate the environment or create an unsightly improvement so as to negatively impact surrounding properties and uses.

Administrative approval

Administrative approval of CUP 2023-02 is hereby given based upon the conditions and findings outline in this staff report.

Dated the 3 day of MAY, 2023


Rick Grover, Weber County Planning Director

Exhibits

A. Site plan and Elevations

Map 1



Exhibit A



