



STAFF REPORT

To: Oakley Planning Commission

Report Date: August 23, 2018

Meeting Date: August 23, 2018

Author: Tami Stevenson, City Planner

Title: Dan Hope Ranch Conditional Use Permit

Type of Item: Planning Commission, Public Hearing, Conditional Use Permit, with Possible Recommendation

EXECUTIVE SUMMARY

The applicant, Stacy Kaminer, requests a conditional use permit for an accessory apartment that is approximately 1,000 square feet above a shop with an attached garage.

A. *Project Details*

- **Project Name:** Dan Hope Ranch Conditional Use permit
- **Applicant(s):** Stacy Kaminer
- **Owner(s):** Same
- **Location:** 1000 E. 5200 N.
- **Parcel Number(s):** OT-257
- **Size:** Approximately 1,000 square feet
- **Zoning District:** SL-A-40
- **Adjacent Land Zoning and Use:** A-40

B. *Background and Community Review*

DESCRIPTION

Proposal: The applicant is building a shop with an attached garage. They would like to add an accessory apartment above the garage. The accessory unit meets the code for this zone. This application is allowed under current zoning.

Density: SL-A-40 zoning allows one accessory dwelling unit not to exceed 1,000 sq. ft.

Public Infrastructure – Applicant will have City water and is putting in a separate septic tank.

Sketch Plan – has been looked at approved by City Planner

Public Hearing – Public notice was given for a public hearing at this planning commission meeting.

Standards for Review: The city must find that the application meets all codes and ordinances pertaining to a conditional use permit.

Ordinances and Statues that Apply:

Oakley Land Management & Development Code – Chapters: 5, 7, 8 & 10

STAFF FINDINGS

The square footage of the accessory unit is in compliance with the existing code for this property.

STAFF RECCOMENDATION:

Positive - Staff recommends approval by the planning commission based upon the above findings.

ZONING ORDINANCE REVIEW

Chapter 7 - Supplementary

7.23 **Secondary Living Quarters and Accessory Apartments**

Any request for single secondary living quarters or single accessory apartments such as basement, attic or garage apartments within residential dwellings must be reviewed and approved as a conditional use permit by the Planning Commission. The limit is one accessory dwelling unit per lot/dwelling. Secondary Living Quarters and Accessory Apartments within residential dwellings must meet the following criteria:

- a. Size. The maximum size for secondary living quarters shall not exceed 50 percent of the total floor square footage of the primary residence or 1,000 square feet whichever is smaller.
- d. Building and Fire Code. The structure and/or improvements must meet Uniform Building Code regulations as well as any local and state Fire Codes in effect.

C. Conditionally Permitted Uses

- 3. Accessory Apartments limited to 1,000 sq. ft. in size, the main dwelling unit must be owner occupied, and all other requirments of this Ordinance must be met (see section 7.23).