



**Oakley City
Planning Commission
Staff Report**

**CONDITIONAL USE PERMIT – 1050 E. Weber Canyon Road
Applicant: Shad Sorenson**

To: Oakley City Planning Commission
From: Stephanie Woolstenhulme, City Planner
Date of Meeting: May 7, 2025
Type of Item: Conditional Use Permit – Public Hearing, Possible Action
Process: Administrative Review

RECOMMENDATION: Staff recommends that the Planning Commission hold a public hearing, review and deny the Conditional Use Permit according to the findings of fact, conclusions of law and any condition set forth by the Commission.

PROJECT DESCRIPTION

Project Name: Deer Meadows Farm and Landscaping
Applicant(s): Shad Sorenson
Property Owner(s): Deer Meadows Ranch, LLC
Location: 1050 E. Weber Canyon Road
Parcel Number(s): ELKRN-A
Size: 8.10 acres
Zone District: A-40 (1 unit of density per 40 acres)
Adjacent Land Uses: Residential/Agricultural
Existing Uses: Residential;
Public Hearing: Public notice was given for a public hearing at this Planning Commission meeting

APPLICANT PROPOSAL:

Deer Meadows Landscaping and Nursery

- Intended use: Deer Meadows Landscape LLC will use the southern and eastern portions of the property as a landscaping, nursery and farm business, including to be constructed greenhouses (totaling 5,000 sq. ft.), nursery areas, use of an existing lean-to storage building, and use of an existing field office and material storage building (800 sq. ft.).
- Hours of operation: Monday through Sunday – 7 AM to 7 PM.
- Employee count: a maximum of 20 during peak season.
- Traffic considerations: Parking for employee use will be inside screened yard space.
- Delivery of goods and supplies: Periodic harvesting deliveries and materials receipt during business hours and through 1030 E. Weber Canyon Road entrance.
- Activities on-site: Greenhouse vegetable farming and tree nursery. Business vehicle and equipment staging (approx. 8 vehicles and 8 tractor/mower/min-excavator). Daily crew staging and work on site, minor preventative maintenance of farm equipment. Not designed or planned for customer access.
- Possible construction: Ground and road work, greenhouse construction and future office build-out anticipated.
- Impact to surrounding property owners: No immediate adjoining structures or active uses appear to be affected. Surrounding property is agricultural/residential.

Address: 1050 E Weber Canyon

FINDINGS OF FACT

1. Parcel is located at 1050 E. Weber Canyon Road. Project includes parcels ELKHRN-A. Oakley zoning for parcel ELKHRN-A is Agricultural 40.
2. **Oakley City Code 13.4.19** – Allows for “*Contractor’s Yard and Material Storage Areas*” and “*Nursery/Greenhouse*” with a conditional use permit.
3. **Oakley City Code 13.9.22.D. Parking and Vehicular Storage.** Vehicles and equipment associated with any type of permanent construction or contracting business which do not meet the limits and requirements of 13.4.19 of this Title, must receive and maintain a valid conditional use permit for such parking and storage. Limits on sizes, noise, types of equipment, quantity of equipment, storage of materials, and the proper provision of off-street parking and screening may be part of any conditional use permit.
4. **Oakley City Code Appendix A: Definitions: CONTRACTOR’S YARD:** *Any land or buildings used primarily for the storage of equipment, vehicles, machinery (new or used), building materials, paints, pipe, or electrical components used by the owner or occupant of the premises in the conduct of any building trades or building craft.*
5. Adjacent property uses include agricultural and large residential lots.

CONCLUSIONS OF LAW

1. Per state law, the Planning Commission “shall approve a conditional use if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards.” Full elimination of all detrimental impacts generally cannot be required, so long as the impact can be substantially mitigated through reasonable conditions.
2. The Planning Commission must find that neither the public nor person are materially injured by the proposed use.

CITY PLANNER COMMENTS

ITEMS OF CONSIDERATION/POSSIBLE CONDITIONS OF APPROVAL CONDITIONS OF APPROVAL

Traffic. Traffic should not exceed that which would normally be expected in the area in which this business is located.

- Proposed occasional deliveries during business hours will use access at 1030 E. Weber Canyon Road.
- Traffic, including deliveries, should not impede traffic on Oakley City roadways or impede emergency vehicular traffic.

Parking.

- Proposed no customer access.
- Employee parking is proposed inside screened yard space.
- Maximum 20 employees during peak season.

Water Usage.

- Secondary vs culinary water

Dust.

- Graveling or hard surface on all roadways and parking areas.
- Spray down of soil prior to planting or removing vegetation for storage

Fumes.

- No idling requirement. City Code 10.05.010 generally prohibits idling vehicles. Compliance with Oakley Noise Ordinance.

Noise.

- Must comply with Oakley City’s Noise Ordinance.
- Hours of operation proposed for daily 7 a.m. to 7 p.m.

- Limitations on equipment noise?

Light.

- Must comply with Oakley City's Dark Sky code.

Stored materials.

- List of items, equipment, trucks, trailers, etc. for storage.
 - Proposed 8 vehicles and 8 tractor/mower/mini-excavators.
 - 8 business vehicles + 20 employee vehicles?
 - Vehicles to remain on property or be deployed to business off-property?
 - Trees
 - No manure storage or other items that may emit fumes
 - Continued turnover of stored material
- Screening required of all stored materials
 - Discussion as to what screening material is appropriate
- No storage of items on the exterior of the screening material.
- Building utilization
 - Proposed utilization of existing lean-to. Proposed new office building. Proposed new greenhouses.
- Prohibited storage of dead trees, materials unused for 6 months, or trailers of garbage and debris.

Exterior Advertising.

- No exterior advertising beyond the markings on the business vehicles and trailers.

The Planning Commission is empowered to require additional and reasonable improvements to mitigate any detrimental effects to surrounding property and residents and to safeguard the general welfare of the future inhabitants of the subdivision. In making its decision, the Planning Commission should identify the specific conditions of approval and what impacts those conditions are addressing. The Planning Commission can approve the CUP subject to the conditions described above, or can impose different or more reasonable conditions, based on evidence of impact and objective standards.