



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 (CUP 2014-31) for a public utility substation (cellular site) to replace the 6 antenna panels with newer antennas and upgrade the electrical equipment.

Agenda Date: Monday, October 27, 2014

Applicant: Rock Schutjer, (agent) for T-Mobile

File Number: CUP 2014-31

Property Information

Approximate Address: 676 N 7100 East

Project Area: 18.439 acres

Zoning: Agricultural Valley 3 (AV-3)

Existing Land Use: Agriculture, public utility substation

Proposed Land Use: Agriculture, public utility substation

Parcel ID: 21-008-0029

Township, Range, Section: T6N, R2E, Section 07

Adjacent Land Use

North:	Agriculture	South:	Agriculture
East:	Agriculture	West:	Agriculture

Staff Information

Report Presenter: Jim Gentry
jgentry@co.weber.ut.us
801-399-8767

Report Reviewer: SW

Applicable Codes

- Weber County Land Use Code Title 108 Chapter 4 (Conditional Uses)
- Weber County Land Use Code Title 108 Chapter 10 (Public Buildings and Public Utility Substations and Structures)
- Weber County Land Use Code Title 108 Chapter 7 (Supplementary and Qualifying Regulations)
- Weber County Land Use Code Title 108 Chapter 1 (Design Review)
- Weber County Land Use Code Title 104 Chapter 6 (Agricultural Valley AV-3 Zone)

Type of Decision

Administrative Decisions: When the Planning Director is acting as the land use authority, he 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 Director if the application demonstrates compliance with the approval criteria.

Background

The applicant is requesting administrative approval to a site plan amendment of a conditional use permit (CUP 2014-31) for a public utility substation (cellular site). The AV-3 Zone allows a "public utility substation" as a conditional use. This existing cellular site is on a large agricultural parcel with two adjacent cell tower sites. This cellular site consists of a tower and two separate equipment shelters. The amendment will replace 6 older antennas with newer antennas. Some internal electrical equipment will change in existing cabinets, but no new structures or cabinets will be installed. A set of site plans has been included as an exhibit.

Summary of Considerations

- Does the proposed use meet the requirements of applicable County Codes?
- Are there any potentially detrimental effects that need to 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 public utility substation meets these requirements.

Section 108-4-4 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 Land Use 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 proposed antennas will not produce any of the detrimental effects listed previously.
2. The proposed upgrade of equipment does comply with the applicable requirements within the Land Use Code.

Conformance to the General Plan

As a conditional use, this operation is allowed in the AV-3 Zone. With the establishment of appropriate conditions as determined within this review, this proposal will not negatively impact any of the goals and policies of the General Plan.

Conditions of Approval

- Requirements of the Weber County Engineering Division
- Requirements of the Weber County Building Inspection Division
- Requirements of the Weber County Planning Division

Staff Administrative Approval

Based upon the findings listed above, administrative approval for CUP 2014-31, by replacing and upgrading existing antennas with new antenna panels and some electrical equipment on a cellular tower and facilities at 676 North 7100 East is hereby approved this the 27th day of October, 2014.



Sean Wilkinson
Weber County Planning Director

Exhibits

- A. Site Plan