



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 1996-17) for a public utility substation (cellular site) to install (co-locate) twelve antennas and an equipment cabinet at 2449 West 4000 South.

Agenda Date: Wednesday, September 24, 2014

Applicant: Vinny Rowe, Vivint Wireless

File Number: CUP 2014-025

Property Information

Approximate Address: 2449 West 4000 South

Project Area: 3.38 acres

Zoning: Manufacturing (M-1)

Existing Land Use: Auto repair, public utility substation

Proposed Land Use: Auto repair, public utility substation

Parcel ID: 08-052-0016

Township, Range, Section: T5N, R2W, Section 11

Adjacent Land Use

North: Residence	South: Residence
East: Railroad line	West: Residence

Staff Information

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

Report Reviewer: SW

Applicable Ordinances

- Weber County Land Use Code Title 104 Chapter 4 (Manufacturing Zone M-1)
- 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)

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 Commission 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 1996-17) for a public utility substation (cellular site). The M-1 Zone allows a "public utility substation" as a conditional use. This site is on a manufacturing lot with an auto repair shop. The cell site consists of a 130 foot tower and three separate equipment shelter sites, two of which are being used. The amendment would allow for twelve new antennas at a tower height of 90 feet, and one new electrical equipment cabinet (4 foot by 30 inches). 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 M-1 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 2014-24 (amendment to CUP 1996-17), adding three new antenna panels on a existing cellular tower and a new electrical cabinet at 2449 West 4000 South is hereby approved this the 30 day of September, 2014.



Sean Wilkinson
Weber County Planning Director

Exhibits

- A. Site Plan