



## 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 1996-15) for a public utility substation (cellular site) to install three antenna panels.

**Agenda Date:** Monday, March 24, 2014

**Applicant:** Craig Chagon, Crown Castle agent

**File Number:** CUP 2014-04

#### Property Information

**Approximate Address:** 1920 South 4300 West

**Project Area:** 1.29 acres

**Zoning:** Agricultural (A-1)

**Existing Land Use:** Single family dwelling, public utility substation

**Proposed Land Use:** Single family dwelling, public utility substation

**Parcel ID:** 15-368-0002

**Township, Range, Section:** T6N, R2W, Section 28

#### Adjacent Land Use

<b>North:</b> Residence	<b>South:</b> Residence
<b>East:</b> Agriculture	<b>West:</b> Agriculture

#### Staff Information

**Report Presenter:** Ben Hatfield  
bhatfield@co.weber.ut.us  
801-399-8767

**Report Reviewer:** SW

### Applicable Ordinances

- 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 1996-15) for a public utility substation (cellular site). The A-1 Zone allows a "public utility substation" as a conditional use. This site is on a residential lot with a home. The cell site consists of a tower and two separate equipment shelter sites. The amendment would allow for three new antenna panels at (one foot by five foot tall) at the top of the 98 foot tower. Some internal electrical equipment will change in existing cabinets, but no new structures or cabinets will be installed. A set of site plans have 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 A-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 2014-04 (amendment to CUP 1996-15), adding three new antenna panels and some electrical equipment on a cellular tower and facilities at 1920 South 4300 West is hereby approved this the 1<sup>st</sup> day of April, 2014.



Sean Wilkinson  
Weber County Planning Director

#### **Exhibits**

- A. Site Plan