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| **WC Logo.emf** | **Staff Report to the Western Weber Planning Commission**  *Weber County Planning Division* |
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****Synopsis****

****Application Information****

**Application Request:** Consideration and / or action on an administrative application, Conditional Use Permit (CUP) 2014-03 for a 120 foot cell tower at approximately 6061 West 900 South

**Agenda Date: Tuesday, April 08, 2014**

**Applicant:** Blaine Wade Owner, Daniel Thurgood Applicant

**File Number:** CUP 2014-03

****Property Information****

**Approximate Address:** Approximately 6061 West 900 South

**Project Area:** 49 Acres

**Zoning:** Agricultural (A-2)

**Existing Land Use:** Farming

**Proposed Land Use:** Cell tower site

**Parcel ID:** 10-045-0062

**Township, Range, Section:** T6N, R3W, Section 24

****Adjacent Land Use****

**North:** Agriculture **South:** Railroad tracks and Agriculture

**East:** Agriculture **West:** Agriculture

****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 7 (Agricultural A-2)
* Weber County Land Use Code Title 108 Chapter 4 (Conditional Uses)
* Weber County Land Use Code Title 108 Chapter 7 (Supplementary and Qualifying Regulations) Section 12 (Towers)
* Weber County Land Use Code Title 108 Chapter 10 (Public Buildings and Public Utility Substations and structures)

Type of Decision

**Administrative Decisions:** When the Planning Commission is acting as a land use authority, it is acting in an administrative capacity and has 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 approval of a conditional use permit for a 120 foot cellular tower (public utility substation) at approximately 6061 West 900 South. Blaine Wade is the owner of the property. The Agricultural A-2 zone allows a “public utility substation” as a conditional use. The property is 49 acres in size and the 120 foot cell tower will be located 10 feet from the rear of the property. The lease area for the site is 32 feet by 34 feet in area. The site will be surrounded by a 6 foot chain link fence with barbed wire at the top with crushed rock on the ground.

The equipment shelter will be 12 feet by 26 feet (Exhibit C for rendering), will house the mechanical equipment for the site, and will be connected to the 120 foot tall monopole cellular tower. There are no lights associated with this cellular site. With the tower height of 120 feet it is possible for other providers to co-locate at this location.

Affixed to the pole will be an array of 12 antenna panels (8 foot) at a height of 120 feet. Two 6 foot microwave dishes will be add with the height to be determined at the time of construction.

The following is the applicant narrative concerning co-locating, landscaping, and site access:

“Collocation: Attached (Exhibit D) is a picture of our “search ring”.  The two towers in the area fall outside of this ring so collocation is not an option for various reasons.  Cell coverage is like a puzzle because of the different terrains and obstructions that are all around us.  Towers are needed in many different locations to fill in the pieces of the puzzle.  This particular proposed site is needed to fill in a gap of coverage in the area that the other two towers would not be able to fill.  Verizon is looking at collocating on Little Mountain tower in the near future to fill a different gap of coverage.  Even with this future collocation the coverage that it will provide will not reach our SAL Warren site.   The 4700 S Tower is already within another coverage area of a Verizon tower so it wouldn’t be useful to collocate here.  A new tower must be constructed in the “search ring” that I have attached in order for Verizon to extend its network coverage in an area that cannot be serviced by any other tower.”

“Landscaping: We are asking the planning commission to allow Verizon Wireless an exception to the landscaping requirement.  This site is located at the rear of the property in the middle of the field.  Irrigation lines to provide water to maintain landscaping would interfere with surrounding farming and any type of landscaping could be a wind trap for noxious weeds that could harm the cattle in the area.  The site is hidden from view looking north by a set of train tracks elevated on a gravel berm, trees block the view of the site from the east, and the nearest residential structure to the west is over a mile away. Visibility of the site is extremely limited from the north on 12th street because of trees, accessory buildings, and farm equipment.  Moreover, the two towers in the area do not have landscaping surrounding it so we are asking to receive the same exception that was given to them.”

“Site Access: The attached (Exhibit E) drawing shows the proposed site access.  We will be traveling solely over the property owner’s parcel.  We will not be accessing the site through county property.  We will be coming off of the 12th street public right of way and immediately turn South onto the private parcel. “

Summary of Planning Commission Considerations

Chapter 5 of Section 108 of the Land Use Codelists the following considerations the Planning Commission needs to consider when approving a Conditional Use.

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.

The Planning Staff finds:

1. There are no anticipated detrimental effects

2. The proposed use will comply with the regulations and conditions specified in the Land Use Code and other applicable agency standards

The planning commission may wish to consider the following questions:

* Are there any potential negative or detrimental effects that have not been considered and need to be addressed with this conditional use permit approval?
* Does the Planning Commission have other questions that have not been addressed?

Conformance to the General Plan

The proposed site plan conforms to the Western Weber County General Plan and complies with all applicable land use codes.

Conditions of Approval

* Requirements of the Weber County Land Use Code
* Requirements of the Weber County Engineering Division
* Requirements of the Weber County Building Inspection Division

Staff Recommendation

Staff recommends the Planning Commission approve the Conditional Use Application (CUP 2014-03) for a 120 foot cell tower at approximately 6061 West 900 South subject to staff and other agencies comments. This recommendation is based on the following findings:

* There are no anticipated detrimental effects
* The proposed use will comply with the regulations and conditions specified in the Land Use Code and other applicable agency standards

The planning Commission motion needs to include a decision on the landscaping.

Exhibits

1. Applicant’s Narratives
2. Site Plan
3. Picture of Equipment Shelter
4. Search Rings
5. Access to Site

Map 1

