

Staff Report to the Ogden Valley Planning Commission

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on a conditional use permit application for a wireless

telecommunication facility.

Type of Decision: Administrative

Agenda Date: Tuesday, October 24, 2017 **Applicant:** Ogden Chamber of Commerce

Authorized Agent: Verizon Wireless/ Technology Associates

File Number: CUP# 2017-16

Property Information

Approximate Address: 95 Ogden Canyon Rd, Ogden

Project Area: 4,900 square ft

Zoning: Forest Residential (FR-1) Zone

Existing Land Use: Cold Water Canyon Trail and Historic Preservation site

Proposed Land Use: Public Utility Substation

Parcel ID: 13-075-0006

Township, Range, Section: Township 6 North, Range 1 West, Section 24

Adjacent Land Use

North:ResidentialSouth:ForestEast:AgricultureWest:Forest

Staff Information

Report Presenter: Steve Burton

sburton@co.weber.ut.us

801-399-8766

Report Reviewer: RK

Applicable Ordinances

- Title 101, Chapter 1, General Provisions, Definitions
- Title 104, Chapter 13 Forest Residential Zone (FR-1)
- Title 108, Chapter 1 Design Review
- Title 108, Chapter 2 Ogden Valley Architectural, Landscape and Screening Design Standards
- Title 108, Chapter 4 Conditional Uses
- Title 108, Chapter 7, Supplementary and Qualifying Regulations, Fencing Requirements

Summary and Background

The applicant is requesting approval of a conditional use permit to construct a wireless telecommunication facility at approximately 95 Ogden Canyon Rd. The proposal includes a 1,224 square ft compound surrounded by an 8' tall cedar fence. The compound will include an emergency backup generator, an equipment platform with outdoor equipment cabinets to operate the facility, and a 40' tall monopole with a flange that will allow for the monopole to be extended in the event a wireless carrier would like to install additional equipment or collocate. The proposal is being reviewed as a public utility substation, a conditional use in the FR-1 Zone.

Conditional use permits should be approved as long as any harmful impact is mitigated. The Uniform Land Use Code of Weber County, Utah (LUC) already specifies certain standards necessary for mitigation of harmful impact to which the proposal must adhere. The proposed application, incompliance with the recommended conditions, appears to meet these standards. The following is staff's evaluation of the request.

Analysis

<u>General Plan:</u> The proposal conforms to the Ogden Valley General Plan by providing a utility for the current and long term needs of the community (Ogden Valley General Plan, Chapter 7: Utilities and Public Services).

<u>Zoning:</u> The subject property is located within the Forest Residential (FR-1) Zone. The purpose of the FR-1 Zone can be further described in LUC §104-13-1 as follows:

The purpose of the forest residential zone is to provide area for residential development in a forest setting at a low density, as well as to protect as much as possible the naturalistic environment of the development.

The proposed use is conditionally allowed as a public utility substation in the FR-1 Zone. The FR-1 Zone has specific standards identified in LUC §104-13-5 that shall be met as part of the development process. The applicable standards are as follows:

Minimum yard setbacks:

o Front: 30' on streets of less than 80' in width; 50' on streets and highways of 80' or more in width.

Side: 20'Rear: 30'

Minimum lot area: 1 acreMinimum lot width: 150'

Building height:

o Maximum: 35'

LUC §108-7-5(b) states the following regarding exceptions to height limitations:

All exceptions to height shall be subject to design review and all mechanical equipment shall be screened by materials consistent with those used on the exterior of the building.

<u>Conditional Use Review:</u> A review process has been outlined in LUC §108-4-3 to ensure compliance with the applicable ordinances and to mitigate anticipated detrimental effects. Prior to commencing work, the applicant will need to receive approval from the applicable agencies for the proposal.

<u>Design Review</u>: The proposed conditional use mandates a design review as outlined in LUC Title 108 Chapter 1 to ensure that the general design, layout and appearance of the building remains orderly and harmonious with the surrounding neighborhood. As part of this review, the Planning Commission shall consider the applicable matters based on the proposed conditional use and impose conditions to mitigate deficiencies where the plan is found deficient. The matters for consideration are as follows:

Considerations relating to traffic safety and traffic congestion. As part of this consideration, the applicant has provided a detailed site plan (see Exhibit B). The project area is located approximately 200' from Ogden Canyon Rd. The project will share the same access as the trailhead parking lot, but will separate to the west with the existing gravel road. Traffic congestion is not anticipated given the site's distance from Ogden Canyon Road and the existing parking lot.

The applicant is proposing to re-route the existing gravel road around the new facility. The submitted site plan elevations state that the contractor will scarify the surface and compact a 7' wide path around the facility. The contractor will be required to comply with the submitted site plan and ensure that the re-routed path is properly restored.

- Considerations relating to landscaping. The site currently maintains the 20 percent landscaping requirement with existing deciduous and evergreen trees, as outlined in LUC §108-2-5.
- Considerations relating to buildings and site layout. The proposed structures include a 40' tall monopole with a
 flange, emergency backup generator, and an equipment platform with equipment cabinets. All structures meet
 the minimum setbacks of the FR-1 zone. The site plan proposes to surround the tower and equipment with an
 8' tall cedar fence to provide screening of the mechanical equipment. The proposed cedar fence cannot exceed
 6' in height as stated in LUC §108-7-3. A condition of approval has been added to the staff recommendation to
 ensure this standard is met.

A 12' wide access gate will be installed to the south west of the existing parking lot to limit vehicle access to the tower site. The height of the tower will be permitted upon approval of the application by the Planning Commission, as outlined in LUC §108-7-5. The tower will be constructed of galvanized steel and will be a natural gray color to blend in to the surrounding area, conforming to the requirements of LUC Chapter 108 Title 2. The project will not alter or negatively affect the historic Ogden Canyon Kiln or trails that exist on site.

- Considerations relating to utility easements, drainage, and other engineering questions. The proposal will not alter or encroach into the existing easement to the Boy Scouts of America, as shown on the site plan. The applicant will need to adhere to all conditions of the Engineering Division. A condition has been made part of the Planning Division's recommendations to ensure that this standard is met.
- Considerations relating to prior development concept plan approval associated with any rezoning agreement, planned commercial or manufacturing rezoning, or planned residential unit development approval. The proposed site does not have any type of development agreement associated with the property; therefore considerations pertaining to this portion of the code are not applicable at this time.

<u>Review Agencies</u>: A condition has been made part of the Planning Division's recommendations to ensure that all conditions of the review agencies will be met.

Summary of Planning Commission Considerations

In order for a conditional use to be approved it must meet the requirements of applicable ordinances listed in this staff report, which include the requirements listed in LUC §108-4-4, under "Decision Requirements", which states:

a) A conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to substantially mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with the standards of this chapter, or relevant standards or requirements of any other chapter of this Land Use Code. When considering any of the standards, the land use authority shall consider the reasonably anticipated detrimental effects of the proposed use in the context of current conditions and, to the extent supported by law, the policy recommendations of the applicable general plan.

b) If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use may be denied.

The Planning Commission will need to determine if the request for a public utility substation has met the requirements of the applicable Uniform Land Use Code of Weber County. The Planning Commission may impose additional conditions in order to ensure full compliance with the required standards. In making a decision, the Planning Commission should consider the following questions:

- Does the submittal meet the Uniform Land Use Code of Weber County? If no, then what conditions could be added in order to comply?
- Have the "Decision Requirements" and other applicable ordinances been met?

Staff Recommendation

The Planning Division recommends approval of file# CUP 2017-16, a conditional use permit application for a wireless telecommunication facility located at approximately 95 Ogden Canyon Rd, Ogden, UT, on parcel 13-075-0006. This recommendation for approval is subject to all review agency requirements and with the following conditions:

- 1. The applicant will be required to comply with all statements on the submitted site plan, including the plan to restore the re-routed gravel road.
- 2. The proposed cedar fence shall not exceed 6' in height as stated in LUC§108-7-3.

This recommendation is based on the following findings:

- 1. The proposed use conforms to the Ogden Valley General Plan.
- 2. The proposed use, if conditions are imposed, will not be detrimental to public health, safety, or welfare.
- 3. The proposed use, if conditions are imposed, will comply with applicable County ordinances.
- 4. The proposed use will not deteriorate the environment of the general area so as to negatively impact surrounding properties and uses.

Exhibits

- A. Application
- B. Site and Building Plan

Map 1



Weber County Conditional Use Permit Application								
Application submittals will be accepted by appointment only. (801) 399-8791. 2380 Washington Blvd. Suite 240, Ogden, UT 84401								
Date Submitted / Completed	Fees (Office Use)	Receipt Nu	ımber	(Offic	ce Use)		File Number (Off	ice Use)
Property Owner Contact Info	rmation	_l						
Name of Property Owner(s)		Mailing Ad	dress	of P	ropert	y Owner(s)		
Ogden Chamber of Commerce	e	2380 W	ashi	ngt	on Bl	vd Suite 2	290, Ogden, l	UT
Phone 801-621-8300	Fax	1						
Email Address (required) chuck@ogdenweberchamber.com		Preferred Method of Written Correspondence ☐ Email ☐ Fax						
Authorized Representative C	ontact Information							
Name of Person Authorized to Represent the Property Owner(s) Verizon Wireless / Technology Associates		Mailing Address of Authorized Person 5710 S Green Street, Murray, UT 84123						
Phone 801-463-1020 ext. 2106	Fax							
Email Address				_		n Correspon	dence	
daniel.thurgood@taec.net		✓ Em	nail	<u>Ц</u>	Fax	Mail		
Property Information								
Project Name		Total Acre	age				Current Zoning	
SAL Peery Camp SC		N/A						
Approximate Address SW SEC 24, T6N, R1W, Ogden Canyon Highway, Ogden, UT		Land Seria 13-075-			(s)			
Proposed Use Wireless Telecommunication	Facility	·			3.5			
gained approval from the Og- been working with SHPO ext- significant areas of the prope with conditions and requirem of Agreement between the Fo	submitted a project at this prop den Valley Township Planning ensively on how best to constr erty. Verizon Wireless has rece ents. Verizon Wireless has ag CC, SHPO, The Ogden-Weber um is attached for your referer	Commiss ruct and s eived app greed to the r Chambe	sion. ite the rovanese er of	ne p ne p il or coi Cor	ver the	ne past five t so as to current si ons and re rce, and t	e years Verize not disturb the ting and design and design and the ting and the ting are the ting	zon Wireless has he historically gn from SHPO n a Memorandum ounty Heritage
The approved design includes a compound size of 1,224 square feet surrounded by an 8' tall cedar fence. The compound will include an emergency backup generator, an equipment platform with outdoor equipment cabinets to operate the facility, and a 40' tall monopole with a flange. This will allow for the monopole to be extended in the event a wireless carrier would like to install additional equipment/collocate.								
Additional aspects of this plan to help mitigate potential adverse affects include using the existing roadway up to the proposed site area, no disturbance of surrounding soil and vegetation, protection for the historic lime kiln ruins during construction, and temporary exclusion fencing.								
A new interpretive sign will also be installed by Verizon Wireless. See attached Memorandum for details.								

Basis for Issuance of Conditional Use Permit
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. The affects that this facility may have on the area are visual impact and historical impact. Both have been addressed by the current design and approved by multiple agencies in the attached Memorandum of Agreement.
That the proposed use will comply with the regulations and conditions specified in the Zoning Ordinance and other applicable agency standards for such use.
To the best of our knowledge all regulations and conditions will be met by the proposed design and location of this facility.



SAL - PEERY CAMP

SITE INFORMATION

APPLICANT: VERIZON WIRELESS 9656 SOUTH PROSPERITY ROAD WEST JORDAN, UTAH 84088

SITE ADDRESS: 83 OGDEN CANYON ROAD OGDEN, UTAH 84401

LATITUDE AND LONGITUDE: N 41'14'23.16", W 111'54'18.29"

ZONING JURISDICTION: WEBER COUNTY

PROJECT DESCRIPTION:

VZW IS PROPOSING TO CONSTRUCT AN UNMANNED COMMUNICATIONS FACILITY CONSISTING OF ANTENNAS MOUNTED TO A NEW MONOPOLE WITH OUTDOOR EQUIPMENT AND GENERATOR

TYPE OF CONSTRUCTION:

OUTDOOR EQUIPMENT AND GENERATOR, MONOPOLE, AND ANTENNAS

HANDICAP REQUIREMENTS:

FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION, HANDICAP ACCESS REQUIREMENTS \underline{DO} NOT APPLY

POWER COMPANY:

ROCKY MOUNTAIN POWER, 1-888-221-7070

LOCATION MAP Copy of Sander 2 Sand State 3 Sand State

DO NOT SCALE DRAWINGS

CONTRACTOR SHALL VERIFY ALL PLANS, AND EXISTING DIMENSIONS, AND CONDITIONS ON THE JOB SITE, AND SHALL IMMEDIATELY NOTIFY THE ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME

CONTACT INFORMATION

SITE ACQUISITION: TECHNOLOGY ASSOCIATES EC, INC 5710 SOUTH GREEN STREET SALT LAKE CITY, UTAH 84123 CONTACT: DANIEL THURGOOD PHONE: 801-875-7789 CONSTRUCTION MANAGEMENT: VERIZON WIRELESS 9656 SOUTH PROSPERITY ROAD WEST JORDAN, UTAH 84088 CONTACT: CRAIG SKINNER PHONE: 801-573-2878

DRIVING DIRECTIONS

TAKE I-15 NORTH TO 12TH STREET EXIT IN OGDEN (APPROX 40 MILES). TURN EAST ON 12TH AND FOLLOW ROAD EAST TOWARD THE MOUNTAIN. CONTINUE UP THE CANYON APPROX 1 MILE. SITE IS ON THE RIGHT SIDE JUST WEST OF THE KILN AND TRAIL HEAD.

VERIZON WIRELESS REPRESENTATIVE: VERIZON WIRELESS RF ENGINEER: TAEC SITE ACQUISITION: TAEC CONSTRUCTION MANAGER: SITE OWNER:

APPROVALS

	DRAWING INDEX		
SHEET NO.	SHEET TITLE	R E V	REV DAT
T100	TITLE SHEET, VICINITY MAP, GENERAL SITE INFORMATION	1	03.07.2
SURV	SITE SURVEY	1	03.07.2
C100.1	OVERALL SITE PLAN	1	03.07.2
C100.2	OVERALL SITE PLAN WITH AERIAL PHOTO UNDERLAY	1	03.07.2
C101	ENLARGED SITE PLAN	1	03.07.2
C200	SOUTHEASTERLY SITE ELEVATION	0	
C201	SOUTHWESTERLY SITE ELEVATION	0	
C202	SOUTH AND EAST SITE ELEVATIONS	0	



UNDERGROUND SERVICE ALERT, CALL 'BLUE STAKES OF UTAH' @ 811 OR 1-800-662-4111

THREE WORKING DAYS BEFORE YOU DIG



verizon wireless

VERIZON WIRELESS

9656 SOUTH PROSPERITY ROAD WEST JORDAN, UTAH 84088

TAEC

Technology Associates Engineering Corporation Inc.
TECHNOLOGY ASSOCIATES

UTAH MARKET OFFICE 5710 SOUTH GREEN STREET SALT LAKE CITY, UTAH 84123

CORPORATE OFFICE
3115 SOUTH MELROSE DRIVE, SUITE #110

CARLSBAD, CALIFORNIA 92010

DRAWN BY: JAY C
CHECKED BY: DAN T

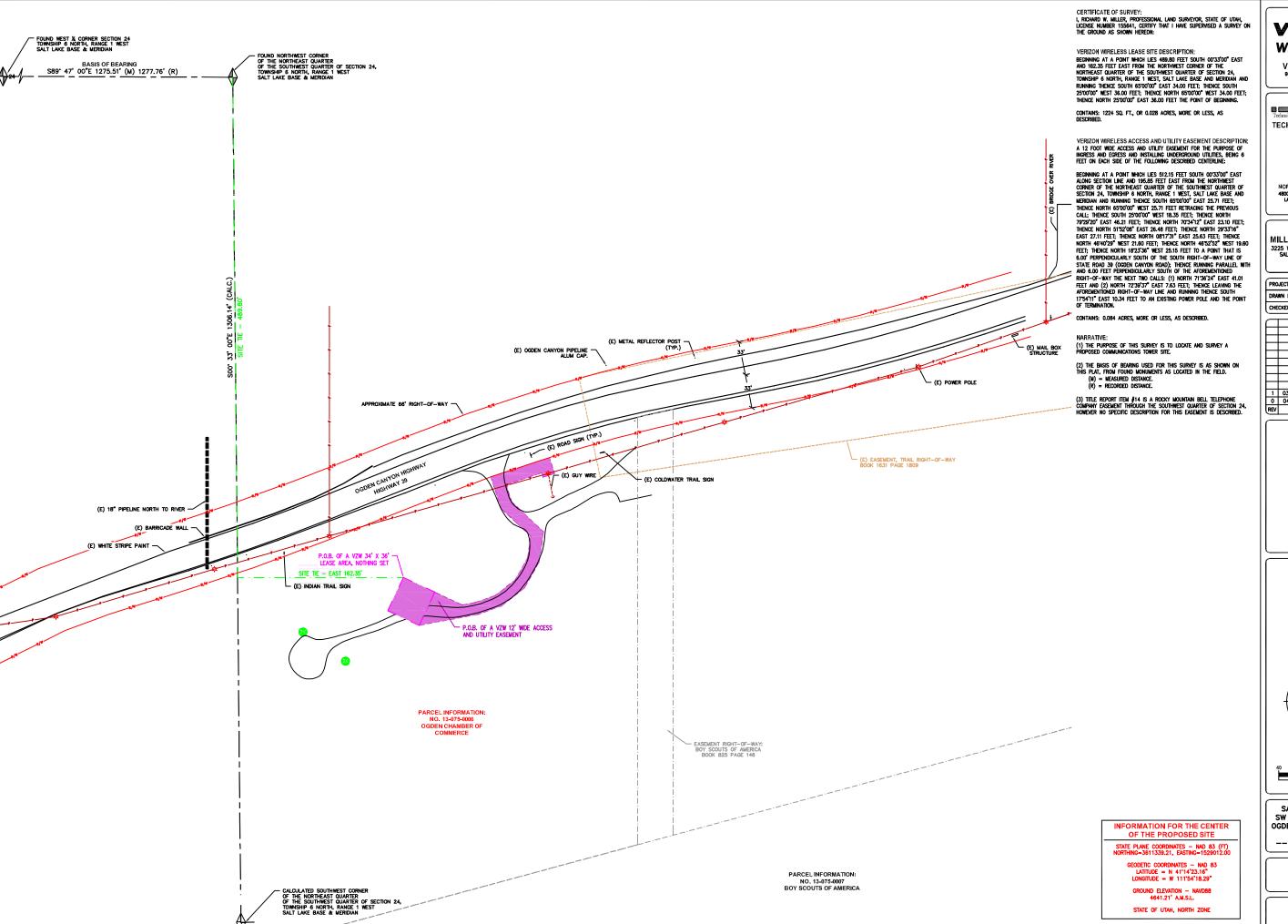
1	03.07.2016	REVISED UTILITIES
0	02.18.2016	ZONING DRAWINGS
REV	DATE	DESCRIPTION

SAL - PEERY CAMP SW SEC 24, T6N, R1W 83 OGDEN CANYON ROAD OGDEN, UTAH 84401 -- RAWLAND SITE --

TITLE SHEET
VICINITY MAP
GENERAL INFORMATION

SHEET NUMBE

T100



verizon wireless

VERIZON WIRELESS 9656 SOUTH PROSPERITY ROAD WEST JORDAN, UTAH 84088

TAEC

TECHNOLOGY ASSOCIATES

UTAH MARKET OFFICE 9847 SOUTH 500 WEST SANDY, UTAH 84070

NORTHWEST REGIONAL OFFICE 4800 SW MEADOWS ROAD, SUITE 300 LAKE OSWEGO, OREGON 97035

SURVEY PREPARED BY:

MILLER ASSOCIATES INC. 3225 W. CALIFORNIA AVE., SUITE 202 SALT LAKE CITY, UTAH 84104 PHONE: 801-975-1083 FAX: 801-975-1081

PRO	JECT NO:	11042
DRAWN BY:		JULIA W
CHE	CKED BY:	RICHARD M
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Н		
Н		
Н		
Н		
ш		REVISED UTILITY
-	04.25.2011	SITE SURVEY
REV	DATE	DESCRIPTION
	DRA	CHECKED BY: 1 03.07.2016 0 04.25.2011



SAL - PEERY CAMP SW SEC 24, T6N, R1W OGDEN CANYON HIGHWAY OGDEN, UTAH -- RAWLAND SITE --

SHEET TITLE

SITE SURVEY

SURV

ASAC INFORMATION SHEET 91:003

INFORMATION REGARDING SURVEY DATA SUBMITTED TO THE FAA

FAA Order 8260.19c requires proponents of certain proposed construction (located beneath instrument procedures) provide the FAA with a site survey and/or letter, from a licensed land surveyor, which certifies the site coordinates and the surface elevation at the site. On October 15, 1992, the FAA started using the North American Datum of 1983 (NAD-83), and therefore all site coordinates should be based on NAD-83. The FAA requires that the survey letter contain an accuracy statement that meets accuracy tolerances required by the FAA. The most requested tolerances are +/- 50 feet in the horizontal and +/- 20 feet in the vertical (2-C). When the site coordinates and/or site elevation can be certified to a greater accuracy than requested by the FAA, please do so.

In order to avoid FAA processing delays, the original site survey or certifying letter should be attached to the 7460 when it is filed at the FAA's regional office. It must be signed and sealed by the licensed land surveyor having performed or supervised the survey.

The FAA accuracy codes and a sample accuracy statement are listed below.

ACCURACY CODES:

	HORIZONTAL	VER	ΓICAL
Code	Tolerance	Code	Tolerance
1	+/- 15 ft	A	+/- 3 ft
2	+/- 50 ft	В	+/- 10 ft
3	+/- 100 ft	C	+/- 20 ft
4	+/- 250 ft	D	+/- 50 ft
5	+/- 500 ft	E	+/- 125 ft
6	+/- 1000 ft	F	+/- 250 ft
7	+/- 1/2 NM	G	+/- 500 ft
8	+/- 1 NM	Н	+/- 1000 ft
9	Unknown	I	Unknown

Date: OCTOBER 24, 2011

Re: SAL - PEERY CAMP

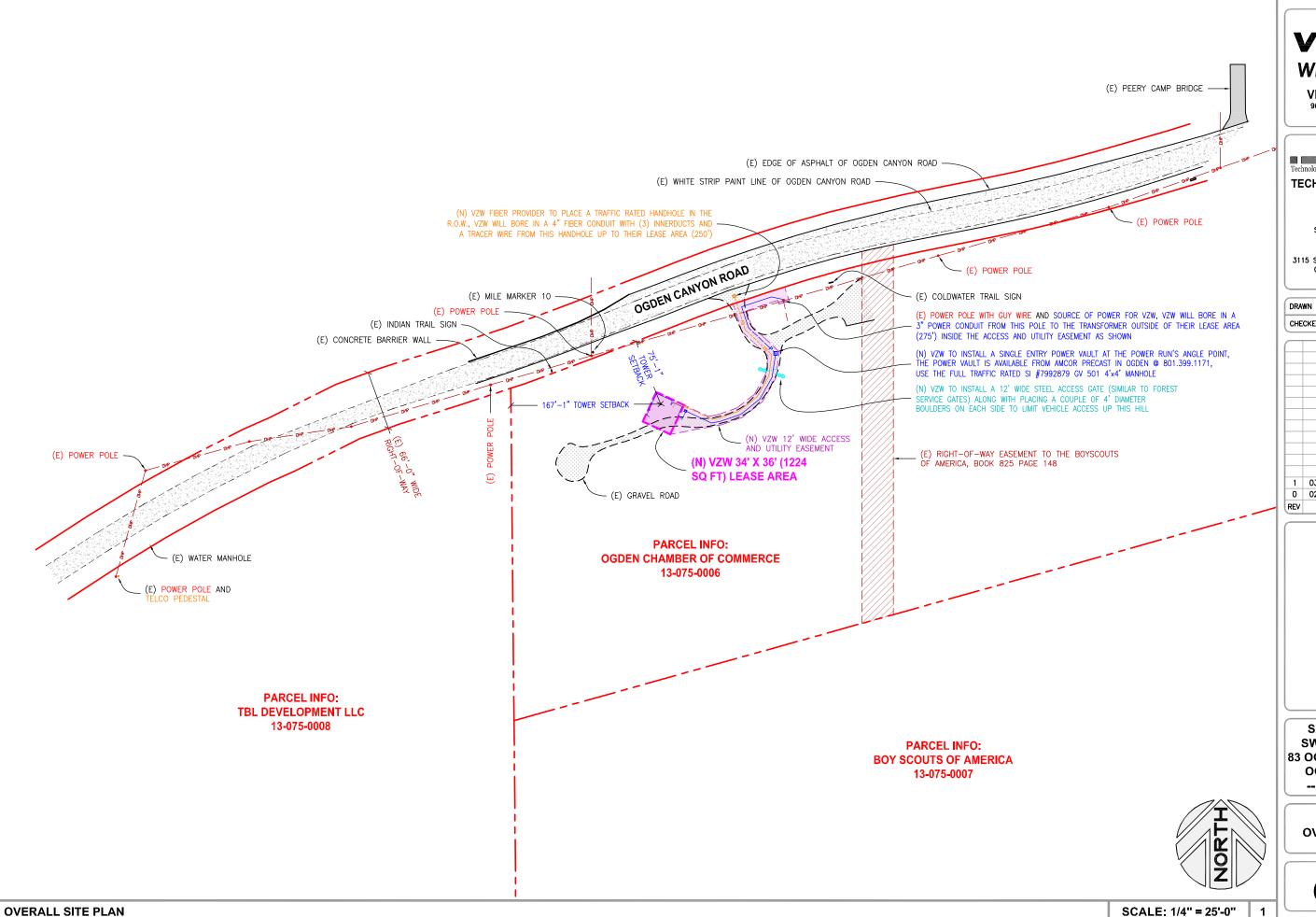
SW 1/4 OF SECTION 24, TOWNSHIP 6 NORTH, RANGE 1 WEST, SALT LAKE MERIDIAN

I certify that the latitude of N $41^{\circ}14'23.16''$, and the longitude of W $111^{\circ}54'18.29''$, are accurate to within 15 feet horizontally and the site elevation of 4641.21 feet, AMSL (American Mean Sea Level), is accurate to within \pm 0 feet vertically. The horizontal datum (coordinates) are in terms of the North American Datum of 1983 (NAD-83) and are expressed as degrees, minutes and seconds, to the nearest (tenth/hundredth) of a second. The vertical datum (heights) are in terms of the (NAVD88) and are determined to the nearest foot.



Professional Licensed Land Surveyor: 1-A FAA Letter

Richard W. Miller, Utah LS no. 155641





VERIZON WIRELESS

9656 SOUTH PROSPERITY ROAD WEST JORDAN, UTAH 84088

TAEC

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UTAH MARKET OFFICE 5710 SOUTH GREEN STREET SALT LAKE CITY, UTAH 84123

CORPORATE OFFICE

3115 SOUTH MELROSE DRIVE, SUITE #110 CARLSBAD, CALIFORNIA 92010

DRAWN BY: JAY C
CHECKED BY: DAN T

1 03.07.2016 REVISED UTILITIES
0 02.18.2016 ZONING DRAWINGS
REV DATE DESCRIPTION

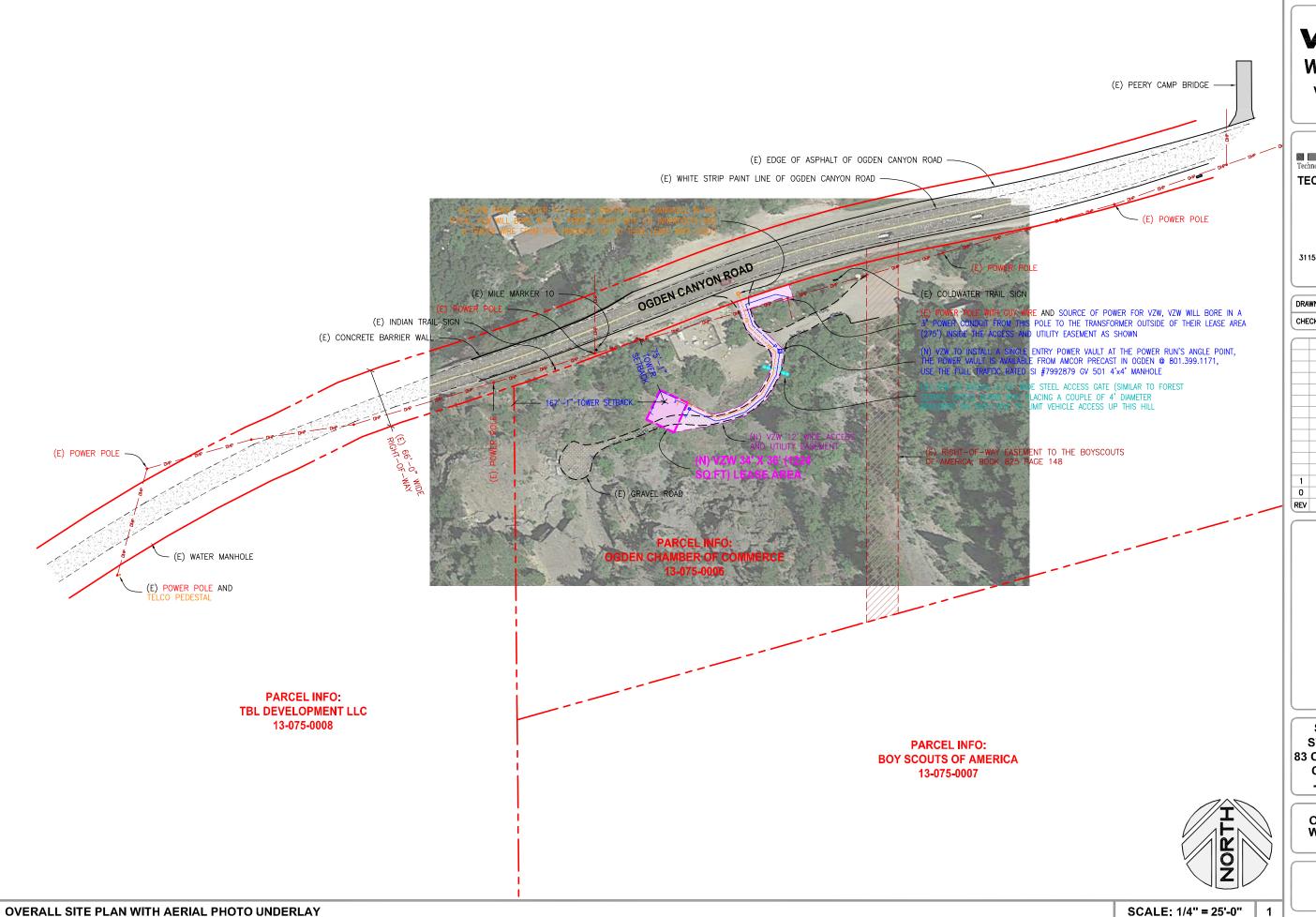
SAL - PEERY CAMP SW SEC 24, T6N, R1W 83 OGDEN CANYON ROAD OGDEN, UTAH 84401 -- RAWLAND SITE --

SHEET TITLE

OVERALL SITE PLAN

SHEET NUMBE

C100.1





VERIZON WIRELESS

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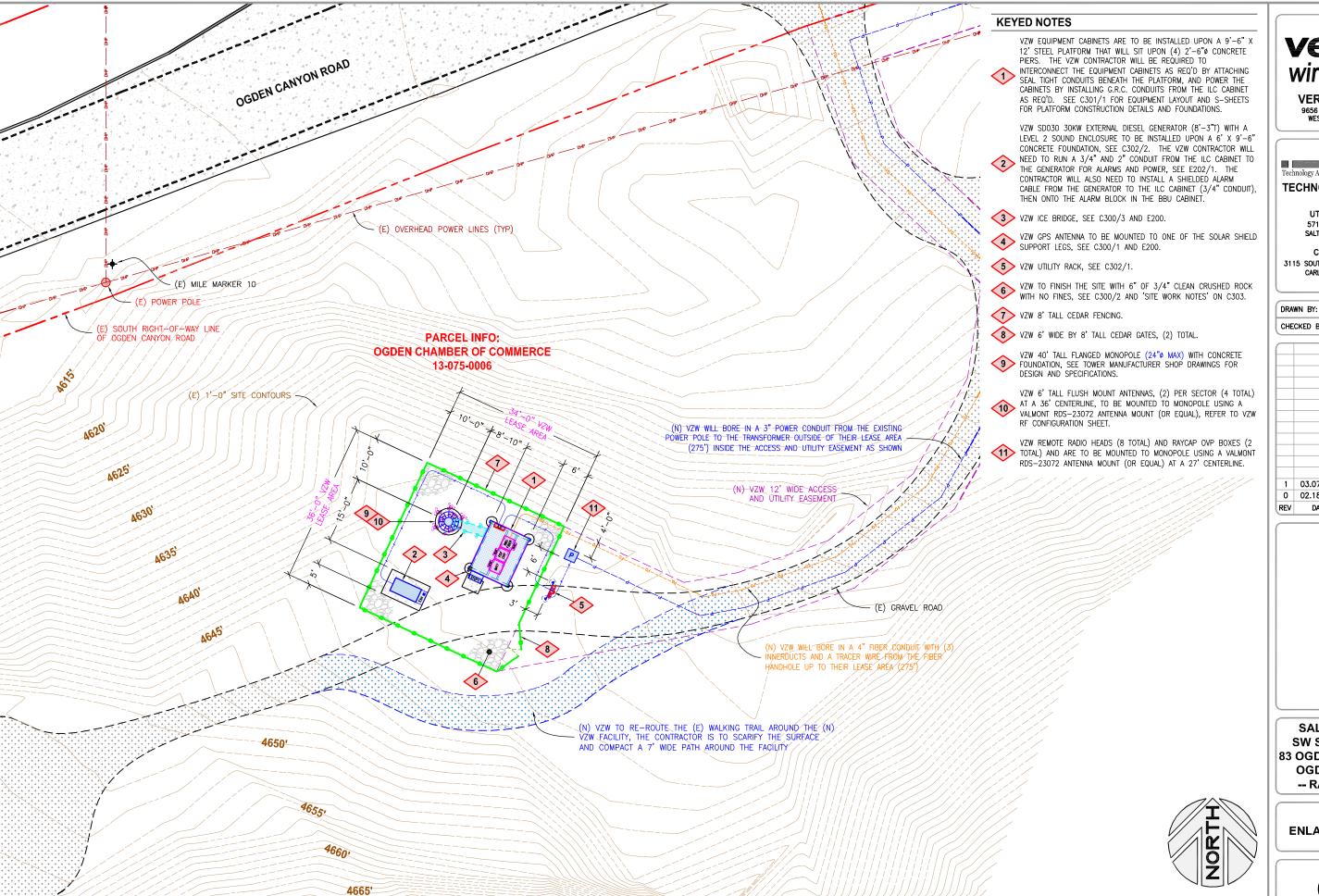
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REV	DATE	DESCRIPTION

SAL - PEERY CAMP SW SEC 24, T6N, R1W 83 OGDEN CANYON ROAD OGDEN, UTAH 84401 -- RAWLAND SITE --

SHEET TITLE
OVERALL SITE PLAN
WITH AERIAL PHOTO
UNDERLAY

SHEET NUMB

C100.2



ENLARGED SITE PLAN



VERIZON WIRELESS

9656 SOUTH PROSPERITY ROAD WEST JORDAN, UTAH 84088

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1 03.07.2016 REVISED UTILITIES 0 02.18.2016 ZONING DRAWINGS

DESCRIPTION

DATE

SAL - PEERY CAMP SW SEC 24, T6N, R1W 83 OGDEN CANYON ROAD OGDEN, UTAH 84401 -- RAWLAND SITE --

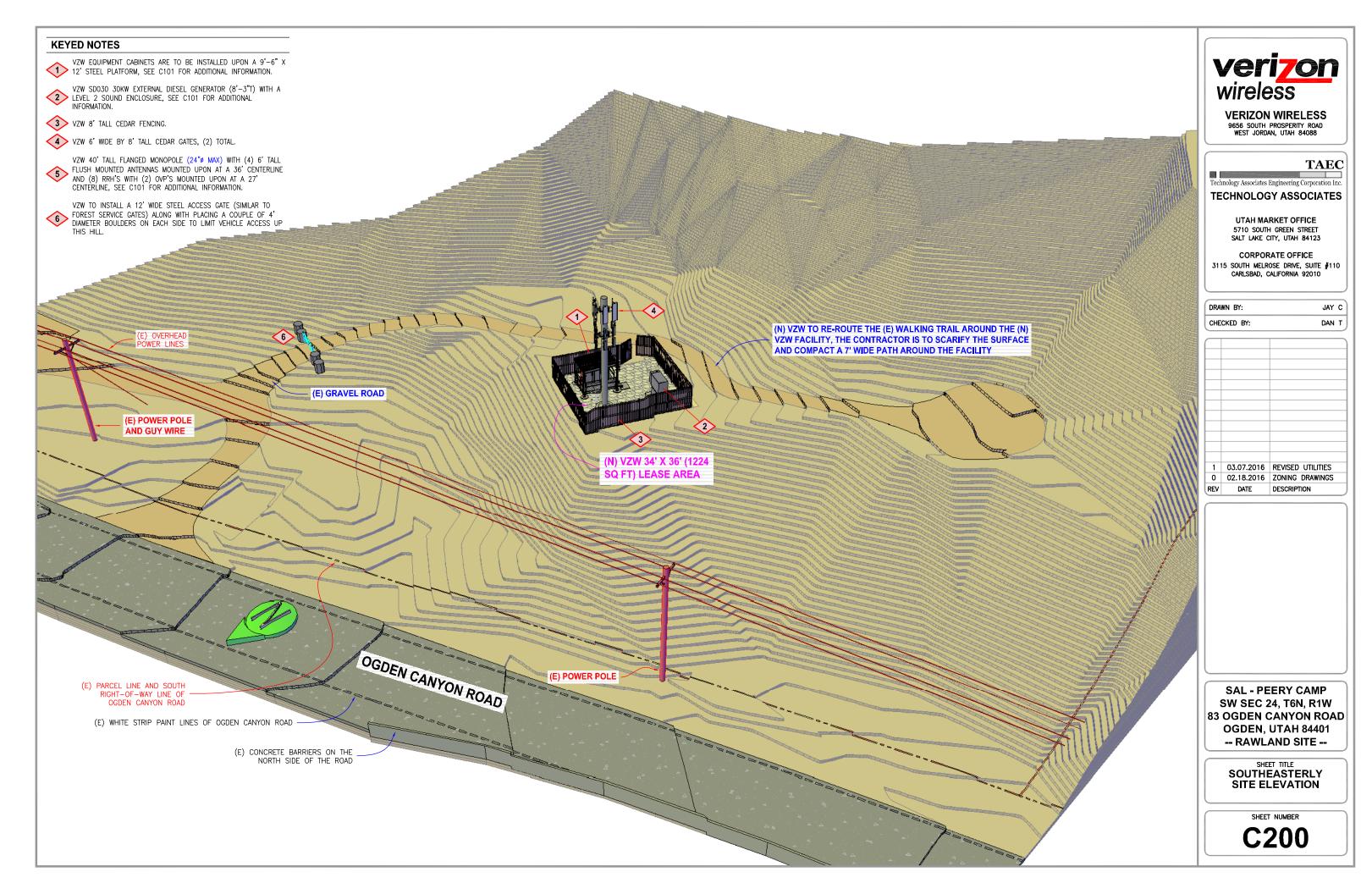
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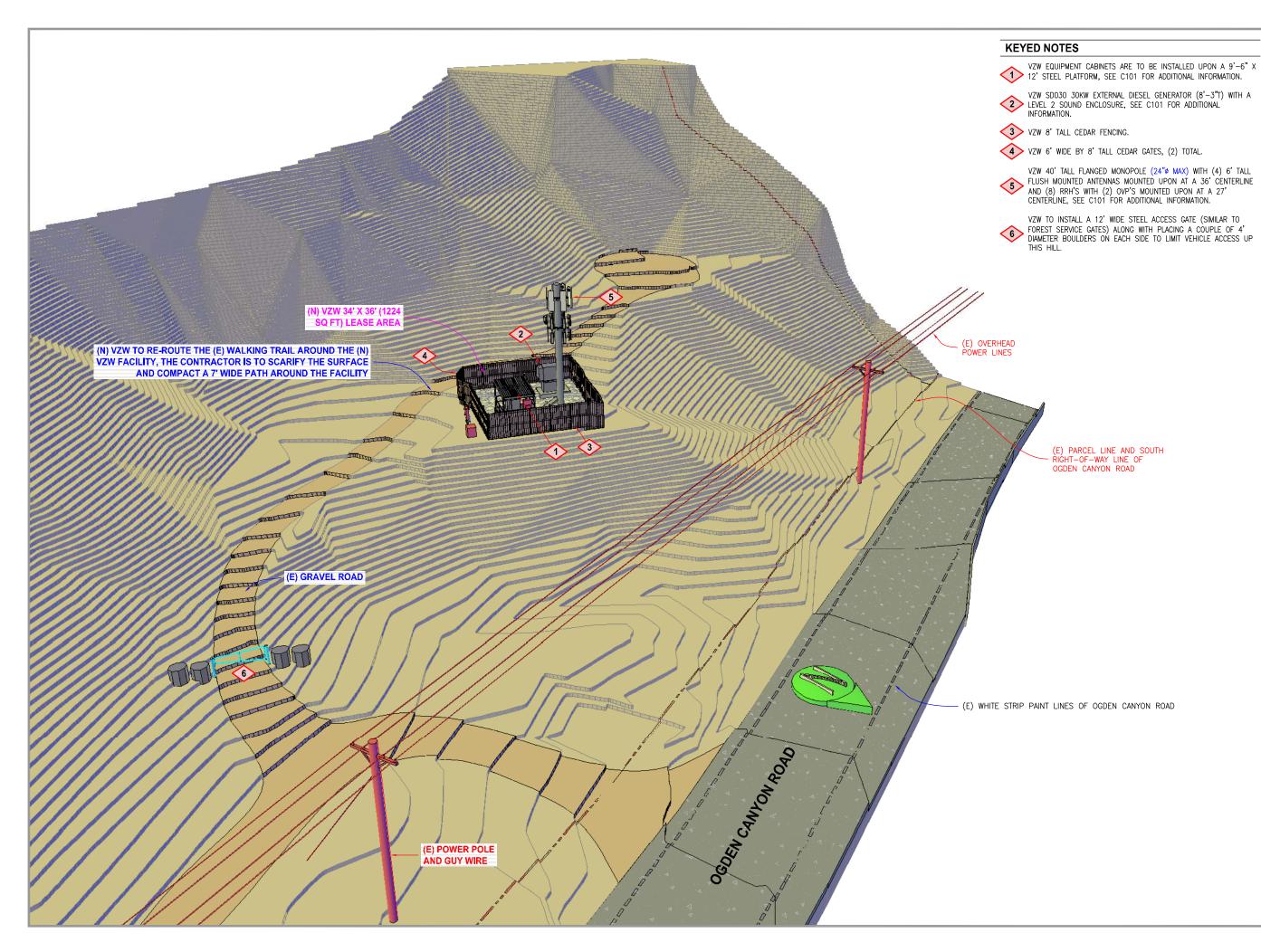
ENLARGED SITE PLAN

SHEET NUMBE

SCALE: 1/4" = 5'-0"

C101







VERIZON WIRELESS

9656 SOUTH PROSPERITY ROAD WEST JORDAN, UTAH 84088

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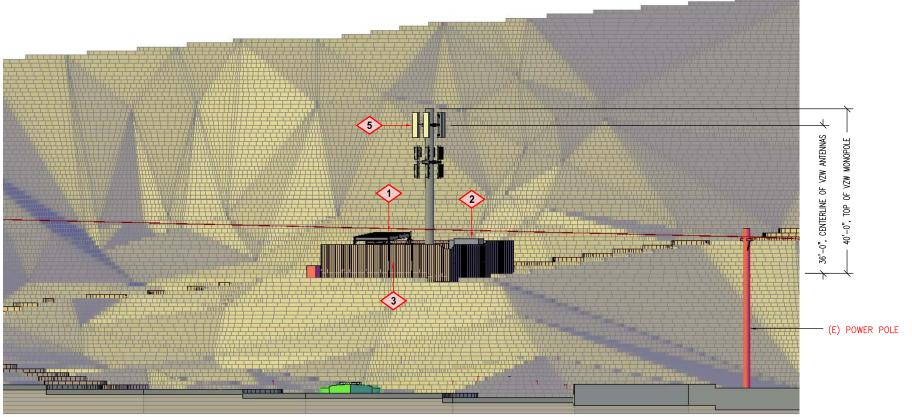
SHEET TITLE
SOUTHWESTERLY
SITE ELEVATION

SHEET NUMBER

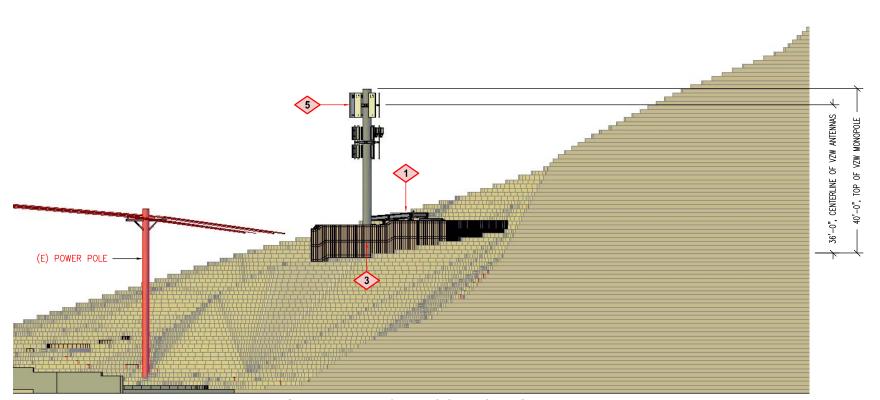
C201

KEYED NOTES

- VZW EQUIPMENT CABINETS ARE TO BE INSTALLED UPON A 9'-6" X 12' STEEL PLATFORM, SEE C101 FOR ADDITIONAL INFORMATION.
- VZW SD030 30KW EXTERNAL DIESEL GENERATOR (8'-3"T) WITH A LEVEL 2 SOUND ENCLOSURE, SEE C101 FOR ADDITIONAL INFORMATION.
- 3 VZW 8' TALL CEDAR FENCING.
- 4 VZW 6' WIDE BY 8' TALL CEDAR GATES, (2) TOTAL.
- VZW 40' TALL FLANGED MONOPOLE (24" MAX) WITH (4) 6' TALL FLUSH MOUNTED ANTENNAS MOUNTED UPON AT A 36' CENTERLINE AND (8) RRH'S WITH (2) OVP'S MOUNTED UPON AT A 27' CENTERLINE, SEE C101 FOR ADDITIONAL INFORMATION.
- VZW TO INSTALL A 12' WIDE STEEL ACCESS GATE (SIMILAR TO FOREST SERVICE GATES) ALONG WITH PLACING A COUPLE OF 4' DIAMETER BOULDERS ON EACH SIDE TO LIMIT VEHICLE ACCESS UP THIS HILL.



SITE ELEVATION - LOOKING SOUTH



SITE ELEVATION - LOOKING EAST



VERIZON WIRELESS

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SHEET TITLE
SOUTH AND EAST
SITE ELEVATIONS

SHEET NUMBER

C202