



Staff Report for Administrative Approval

Weber County Planning Division

Synopsis

Application Information

Application Request: Consideration and action on a conditional use permit application for a new collocation on an existing wireless telecommunications facility.

Type of Decision: Administrative

Applicant: Verizon Wireless

Authorized Agent: Craig Chagnon

File Number: CUP# 2018-04

Property Information

Approximate Address: 2449 W 4000 S, Roy

Project Area: 0.07 acres

Zoning: M-1

Existing Land Use: Cell tower

Proposed Land Use: Cell tower equipment collocation

Parcel ID: 08-052-0016

Township, Range, Section: Township 5 North, Range 2 West, Section 11

Adjacent Land Use

North: Residential

East: Residential

South: Residential

West: Residential

Staff Information

Report Presenter: Steve Burton
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801-399-8766

Report Reviewer: RK

Applicable Ordinances

- Title 104, Chapter 22 Manufacturing Zone (M-1)
- Title 108, Chapter 1 Design Review
- Title 108, Chapter 4 Conditional Uses

Summary and Background

The applicant is requesting approval of a conditional use permit for a new collocation of telecommunication equipment on the existing cell tower located at 2449 W 4000 S, Roy. The proposed collocation will not include any ground expansion or increased height of the existing site and tower. The list of all proposed new equipment is outlined in the conditional use application (Exhibit A).

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 meets these standards. The following is staff's evaluation of the request.

Analysis

General Plan: The proposed use conforms to the West Central Weber County General Plan ensuring that new manufacturing uses are within existing manufacturing zones.

Zoning: The subject property is located within the Manufacturing (M-1) zone. The intent of the M-1 zone can be further described in LUC §104-22-1 as follows:

The purpose of the light manufacturing zone is to provide suitable areas that will accommodate the need for light intensity type manufacturing and its associated accessory uses, some of which may have an environmental impact requiring public review and regulation.

The proposed use is conditionally allowed in the M-1 zone and has been reviewed as a "Public utility substation". The proposed new equipment will be located within the existing fenced equipment compound. The proposed new equipment will meet the following setback requirements of the M-1 Zone (104-22-4(3)):

Minimum yard setbacks:

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

Side: None, except 20 feet where adjacent to a residential zone boundary and a side yard facing a street on a corner lot, and for single-family dwelling.

Rear: None, except 20 feet where building rears on a residential zone and 30 feet for single-family dwellings.

Conditional Use Review: A review process has been outlined in LUC §108-4-3 to ensure compliance with the applicable ordinances and to mitigate anticipated detrimental effects. The following is an analysis of the application reviewed against the applicable conditional use standards:

- *Standards relating to safety for persons and property:* The application is for a collocation, not a new tower. Because the proposed collocation does not include any ground expansion or height increase, concerns of safety of persons and property are not anticipated.
- *Standards relating to infrastructure, amenities, and services:* The proposed collocation will enhance the telecommunications services that are provided in the area. The new equipment will be located on the existing cell tower site.
- *Standards relating to the environment:* Detrimental effects to the environment are being mitigated by the applicant choosing to collocate rather than propose a new tower.
- *Standards relating to the current qualities and characteristics of the surrounding area and compliance with the intent of the general plan:* The proposed site is an existing cell tower site. The proposed collocation includes equipment that is already on the site for other telecommunication companies and will not have detrimental effects on the surrounding area.

Design Review: The proposed conditional use mandates a design review as outlined in LUC §108-1 to ensure that the general design, layout and appearance of the building remains orderly and harmonious with the surrounding neighborhood. Certain areas of the design review are only applicable due to the nature of the request. As part of this review, the Planning Director 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.* Traffic safety and congestion are not anticipated given the nature of the request.
- *Considerations relating to landscaping.* 10% of the project area consists of existing deciduous trees and field grass, meeting the landscaping requirement.
- *Considerations relating to buildings and site layout.* The proposal does not include any buildings or site expansion. The proposed equipment will be located on the tower and within the existing fenced area.
- *Considerations relating to utility easements, drainage, and other engineering questions.* The applicant will need to adhere to all conditions of the Engineering Division including but not limited to storm water and surface water drainage, retention facilities, and site clean-up of the property. 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.

Review Agencies: Prior to the commencement of work, the applicant will need to receive the approval from all applicable agencies for the water system improvements. 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 Director Considerations

LUC §108-4-3(2)(7) states the following:

De minimis revisions to a previously approved conditional use permit may be approved by the planning director provided it can be determined that the changes are slight, inconsequential, and not in violation of any substantive provision of this Code. The planning director's written approval of a de minimis revision shall be appended to the written decision of the planning commission. Revisions that are de minimis shall not require public notice.

Staff Recommendation

Staff recommends approval of file# CUP 2018-04, a conditional use permit for a new collocation of telecommunication equipment on the existing cell tower located at 2449 W 4000 S, Roy. This recommendation for approval is subject to all review agency requirements and is based on the following findings:

1. The project is considered a de minimis revision to a previously approved conditional use permit.
2. The proposed use conforms to the West Central Weber County General Plan.
3. The proposed use will provide the needed water sources to meet the demands of the Western Weber area.
4. The proposed use, if conditions are imposed, will not be detrimental to public health, safety, or welfare.
5. The proposed use, if conditions are imposed, will comply with applicable County ordinances.
6. The proposed use will not deteriorate the environment of the general area so as to negatively impact surrounding properties and uses.

Administrative Approval

Administrative approval of the CUP 2018-04 is hereby granted based upon its compliance with the Weber County Land Use Code.

Date of Administrative Approval: 8/6/18


Rick Grover

Weber County Planning Director

Exhibits

- A. Application
- B. Site Plan

Map 1

