

Minutes of the April 08, 2014 Western Weber County Township Planning Commission, held in the Weber County Commission Chambers, 2380 Washington Blvd., 1st Floor, Ogden, UT

Members Present: Mark Whaley, Vice Chair
Doug Hansen
Ryan Judkins
Wayne Andreotti

Member Excused: Jannette Borklund
Andrew Favero
John Parke

Staff: Sean Wilkinson, Planning Director; Jim Gentry, Principal Planner; Steve Parkinson, Planner; Monette Hurtado, Legal Counsel; Sherri Sillitoe, Secretary

- Pledge
- Roll Call

Vice Chair Whaley called the meeting to order; he led those in attendance with the pledge of allegiance and conducted the roll call as listed above.

1. Minutes
 - 1.1. Approval of the March 11, 2014 minutes

Vice Chair Whaley declared the March 11, 2014 meeting minutes approved as written.

Director Wilkinson summarized the Opening Meeting Statement.

Petitions, Applications and Public Hearings

2. Administrative Items
 - 2.1. New Business

- b. CUP 2014-03 Consideration and action on a Conditional Use Permit for a 120 foot cell tower at approximately 6061 West 900 South (Daniel Thurgood, Applicant)

Jim Gentry presented a report and indicated that 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 and will house the mechanical equipment for the site, and will be connected to the 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 added with the height to be determined at the time of construction.

Nefi Garcia, Agent for Verizon Wireless, agreed with the staff report conditions. They proposed to move the tower 500 ft. east due to water and other issues where they were previously planning the tower. There is a County-owned road to the east and they will receive an approval letter from the County allowing them to use the access road to access the leased property. They were not able to collocate on other towers in the area due to the coverage needed.

Commissioner Hansen clarified that there would be no landscaping for the tower site. Nefi Garcia indicated that they felt that this location did not need landscaping.

Commissioner Andreotti asked if there is power to the site and Mr. Garcia replied no, Verizon will pull the power from 12th Street.

In answer to a question by Commissioner Hansen, Nefi Garcia indicated that today everyone has a cell phone and data demand is driving the need for this tower.

MOTION: Commissioner Judkins moved to approve CUP 2014-03 for a 120 foot cell tower at approximately 6061 West 900 South subject to staff recommendations with the landscaping exemption. Commissioner Hansen seconded the motion. A vote was taken and Vice Chair Whaley said the motion carried by a unanimous vote.

- a. CUP 2014-02 Consideration and action on a Conditional Use Permit for a Transient Amusement Business (corn maze and zip line) on an annual basis at 2801 South 3500 West (Don and Dea Ann Staker, Applicants)

Steve Parkinson presented a staff report and indicated that the applicant is proposing to operate a corn maze and zip line on an annual basis from September 19th until October 31st. The hours of operation are Monday through Thursday from 4:00 PM to 9:00 PM and Saturday 10:00 AM to 11:00 PM. The entire property is 35 acres with a residential home and two large buildings, one of which will not be used for the transient amusement business.

Attractions are to include: a nine-acre corn maze, which includes a kiddy maze with interactive games within the maze. There will be a bounce house, corn box, two slides, pumpkin patch, kiddy zip line, kids train and a fire pit. There will also be vendors providing food, snacks and drinks, which will be within the barn. The parking will be south of the canal and there is an existing bridge to get from the parking to the amusements. There will be obstacles around the canal so visitors will be warned to stay out of the canal.

The applicants have been diligent to responding for staff's requests for information. The applicant indicated that there are very few residents around the property so any lighting won't flood the neighbors. Also, they will watch the potential dust issue. Staff has suggested that after the season if there were any issues of concern, they could have a review meeting to determine if any mitigation is needed.

Commissioner Hansen asked if the word "transient" could be changed to "seasonal" in the description. Steve Parkinson indicated that "transient" was listed in the ordinance.

Sean Wilkinson indicated that the operation is such a seasonal use, that it wouldn't be the main driver of an agri-tourism operation, but it could be an agri-tourism operation.

Don Staker indicated that they will not do a zip line this year.

Commissioner Judkins asked if they will be providing lighting in the parking lot. Don Staker indicated that they have a neighbor to the south whose light shines into his bedroom. Most of the time, the area has sufficient lighting.

Commissioner Judkins asked what road they will use as access, and Don Staker replied that he will use 2550 and 3350 South as access. Commissioner Judkins stated that Weber County Engineering may have something to say about the increased traffic on 2550 S.

Commissioner Hansen asked if they will use a barrier on the non-used agricultural area. Don Staker indicated that there is no reason for anyone to go out to the remaining acreage where alfalfa is planted to the west. There is a field of alfalfa planted to the west. To provide oversight of the area, their ticket booth will be located on the bridge. There will also be signs and other obstacles placed on the bridge to help direct traffic away from the canal.

Commissioner Hansen wanted to make sure there was a clear definition to where the public is directed to go and where not to go. Don Staker reported that there is a gate half way on the tumbling building that they can close and the tumbling building will be locked. He can put a gate at the residence. The west field will be planted in alfalfa and people shouldn't have the desire to go out there.

Commissioner Andreotti indicated that he believes it is a good idea to have a review meeting after the first season. Mr. Staker agreed that it is a good idea.

Don Staker indicated that the barn is a metal building and he will put gravel on the floor. The north and south walls are enclosed and the building is open to the east and west. He believes they can put the vendors in that building. Steve Parkinson indicated that the Weber County Building and Health Department will need to review the hay barn for the public to be able to come into it. The Health Department will get involved with the port-o-potty numbers that will be required based upon the number of visitors.

MOTION: Commissioner Hansen moved to approve CUP 2014-02 for a Transient Amusement Business (corn maze and zip line) on an annual basis at 2801 South 3500 West subject to staff and agency approvals and conditions to include that this will be an annual activity and as a minimum at the end of the first season a review meeting will be held to review if any mitigation will be needed for the next season. Commissioner Judkins seconded the motion. A vote was taken and Vice Chair Whaley stated that the motion carried with all members present voting aye.

Commissioner Andreotti indicated that if the zip line is not done this year, then they should not include it at this time. If they decide next year that they want to do that, they could come back and ask staff.

Note: The proposal is approved with the zip line, but the applicant has indicated that they will not have a zip line this year. If a zip line is desired next year, the applicant can bring the plans to staff for them to approve the specifics.

3. Legislative Items

3.1. New Business

1. ZTA 2014-04 Consideration and action on a request to amend the Weber County Land Use Code Title 104 (Zones) Chapter 9 (Forest Zoned F-5, F-10, and F-40) Section 2 (Permitted Uses) by increasing the allowed size of a shed from 100 square feet to 200 square feet (Sunridge Property Owners Association Board Members, Applicant)

Jim Gentry presented a staff report and indicated that the proposal is to amend the above zones to increase the allowed size of a shed from 100 square feet to 200 square feet. In 1983 an amendment to the zoning ordinance was approved to allow temporary trailers in the Forest Zones as well as 100 square foot sheds. At that time the County Commission was debating between 100 and 150 square foot sheds. The County Commission at that time went with 100 square foot sheds, but no reasons were given as to why they chose that size. The amendment was added to allow lot owners a place to store tools and other equipment they needed to work on their lots. Today, lot owners need a place to store and lock up costly ATV's and support equipment and not have to transport their equipment each time they visit the site. The size increase will allow property owners a place to store the modern side by side and the larger ATV's.

The other part of this application is to amend Title 104, Chapter 9, Section 3 Conditional Uses by removing Subsection (16) Recreation Resort and renumbering to reflect that change. The recreation lodge definition is more focused on the recreation uses versus the commercial uses and is more appropriate in the Forest Zones. With Recreation Resort, commercial type uses are wide open in the Forest Zones.

In response to a question by Commissioner Judkins, Jim Gentry indicated that the change took place to allow recreation vehicles in the forest zones in 1983. They didn't want to propose too large a building so the owners could put bathrooms in them. The sheds would only be allowed to be 25 ft. high. A land use permit is required for the sheds and a copy of that permit is then forwarded to the Building Inspection Department.

MOTION: Commissioner Hansen moved to recommend to the County Commission approval of ZTA 2014-04 to amend the Weber County Land Use Code Title 104 (Zones) Chapter 9 (Forest Zoned F-5, F-10, and F-40) Section 2 (Permitted Uses) by increasing the allowed size of a shed from 100 square feet to 200 square feet as indicated subject to staff and agency requirements and to include the removal of the recreation resort definition (Title 104, Chapter 9, Section 3, Subsection 16) as described in the staff report. Commissioner Andreotti seconded the motion. A vote was taken and Vice Chair Whaley indicated that the motion carried.

6. Planning Director Report

Sean Wilkinson indicated that staff is considering changing the order in which presentations are made. They are considering allowing the applicant to present their application first, followed by the staff presentation. In discussions recently, they have found that this county is not the norm. When staff presents the case first, sometimes it looks like staff is advocating or presenting the applicant's point of view.

Commissioner Judkins asked if it would help get the applicants to attend the meeting, and Mr. Wilkinson replied that it may. Commissioner Andreotti stated that it may improve public perception as well. Sean Wilkinson indicated that they will try the new order at the next meeting.

The meeting was adjourned at 5:50 P.M.

Respectfully Submitted,

Sherri Sillitoe, Secretary,
Weber County Planning Division