ITEM 3  David Grow requests a Conditional Use Permit for a 253-foot radio broadcast tower, generally located at 1950 South 600 West, in the A1.5 (Agricultural) Zone. **Lakewood Neighborhood.** 15-0007CUP, Aaron Ardmore, 801-852-6404

| Applicant: | Stephen Johnson & David Grow |
| Staff Coordinator: | Aaron Ardmore |
| Property Owner: | Great Stock Company |
| Parcel ID#: | 21:051:0029 |
| Current Zone: | A1.5 |
| Proposed Zone: | A1.5 |
| General Plan Designation: | Residential |
| Acreage: | 5 |
| Number of Properties: | 1 |
| Number of Lots: | 1 |
| Total Building Square Feet: | 240 |
| Council Action Required: | No |

**Current Legal Use:** Vacant agricultural land.

**Relevant History:** The applicant currently has two radio towers located on the adjacent parcel to the north, which is in the approval process for a residential subdivision; meaning the current towers must come down. The applicant has found a new location on the subject property to build a replacement tower for the two being removed.

**Neighborhood Issues:** No neighborhood issues have been reported to staff at the time of this report, the applicant has contacted the neighborhood chair, who indicated he would like to have a meeting. At the time of this report, no meeting has occurred.

**Summary of Key Issues:**
- The applicant must remove current K.O.V.O towers.
- The new K.O.V.O. tower would be 253 feet tall and include a related 12’x20’ building on the site.
- The proposed location is in the A1 zone, which requires a conditional use permit for communication towers.

**Staff Recommendation:** Staff recommends approval, with the following conditions:
1. Comply with Section 14.34.420, Provo City Code.
2. Comply with all technical requirements from the Coordinators Review Committee prior to applying for a building permit.
OVERVIEW

The applicant is requesting approval for a new radio communications tower, generally located at 1950 South 600 West. The applicant currently has two smaller towers located around 588 West 1700 South and 699 West 1600 South, respectively.

The new tower is needed due to the sale and subdivision of the property that holds the current towers. The new five acre site would include a 253 foot high tower with a 6 foot high base, measuring 3 feet and 6 inches across. Stretching out from the tower would be a number of support cables anchored at six sites that reach out a maximum of 200 feet from the base. In the northeast corner of the site would be a generator pad and a 12’x20’ building related to the operation of the tower.

The proposal is currently being reviewed by the Coordinator Review Committee, but no major concerns have been found. Planning staff support this location and proposal for the radio tower.

PLANNING REVIEW

1. Compliance with 14.02.040

The ordinance, in part, is as follows:

(1) The Planning Commission may, subject to the procedures and standards set forth in this Chapter, grant, conditionally grant, or deny an application for a Conditional Use Permit for uses allowed by the chapter for the applicable zone. The purpose of a Conditional Use Permit is to allow proper integration of uses into the community which may only be suitable in specific locations and may have potentially detrimental characteristics if not properly designed, located, and conditioned.

(2) The following standards shall apply to any request for a Conditional Use Permit: (responses in bold)

(a) A proposed conditional use shall be granted unless the subject use will be detrimental to the health, safety, or general welfare of persons residing in the vicinity or injurious to property in the vicinity. No health, safety, or general welfare concerns have been found by staff.

(b) A proposed conditional use shall be detrimental to the health, safety, or general welfare of persons residing in the vicinity or injurious to property in the vicinity:

(i) if the proposed use will cause unreasonable risks to the safety of persons or property because of vehicular traffic or parking, large gatherings of people, or other causes; The proposed use will have little to no traffic.

(ii) if the proposed use will unreasonably interfere with the lawful use of surrounding property: The proposed use will not interfere with the lawful use of the surrounding properties.
(iii) if the proposed use will create a need for essential municipal services which cannot be reasonably met; The proposed use will only require electric service, which can be reasonably met.
(iv) if the proposed use will in any other way be detrimental to the health, safety or general welfare of persons residing in the vicinity or injurious to property in the vicinity. Staff does not believe that the proposed use will be detrimental in any way to the health, safety, or general welfare of persons or property.

(c) A change in the market value of real estate shall not be a basis for the denial of a proposed conditional use.
(d) If a part of a proposed conditional use is found to be contrary to the standards described in this section, the applicant may propose or consent to curative measures which will make the proposed use not contrary to the standards described in this section.

CONCLUSIONS

Staff finds no concerns with the health, safety, or general welfare of people or property with this proposal.

RECOMMENDATION

Staff recommends approval, with the following conditions:

CONDITIONS OF APPROVAL

1. Comply with Section 14.34.420, Provo City Code.

2. Comply with all technical requirements from the Coordinators Review Committee prior to applying for a building permit.

ATTACHMENT

1. Proposed Site