



**Project #23-002  
Cache County Wireless Pt2Pt Fairground Tower  
Located at 510 South 400 West**

**REPORT SUMMARY**

*Project Name:* Cache County Wireless Pt2Pt Fairground Tower  
*Proponent / Owner:* Bartt Nelson / Cache County Corp  
*Project Address:* 510 S. 400 W.  
*Request:* Conditional Use Permit  
*Current Zoning:* Recreation (REC)  
*Type of Action:* Quasi-Judicial  
*Hearing Date:* January 12<sup>th</sup>, 2023  
*Submitted By:* Russ Holley, Senior Planner

**RECOMMENDATION**

Staff recommends that the Planning Commission **conditionally approve** a Conditional Use Permit for Project #23-002, Cache County Wireless Pt2Pt Fairground Tower, in the Recreation (REC) zone located at 510 S. 400 W., TIN #02-058-0056.

Current Land use adjoining the subject property

<i>North:</i>	MR-12: Residential Uses	<i>East:</i>	NR-6: Residential Uses
<i>South:</i>	REC: Logan Parks and Rec.	<i>West:</i>	NR-6: Residential Uses

**PROPOSAL**

This is a proposal for a new 120-foot-tall galvanized steel monopole for Cache County emergency and public point-to-point wireless communication purposes. The pole is proposed with three round antenna arrays near the top and arena lighting (rodeo) at the midpoint. The pole placement is planned near the southwest corner of the rodeo arena and approximately in the center of the almost 60-acre county fairground property in the Woodruff Neighborhood. The pole is part of a network of wireless point-to-point facilities throughout the entire county and surrounding mountains. Cache County desires to be their own sole provider of wireless communications and these infrastructure additions are needed to provide adequate levels of service as per the attached wireless frequency analysis (consultant). An application for a similar pole is also being proposed at the Sherriff's Complex along Highway 30.

**LAND DEVELOPMENT CODE**

The Land Development Code (LDC) 17.15 outlines development standards in the Recreation and Public zones to better integrate necessary public facilities and in a way that does not detract from adjacent properties and neighborhood character. Certain allowances and exemptions are given to certain public/emergency facilities with the procurement of a Conditional Use Permit. Standard heights in the REC zone (without allowances/exemptions) are 45 feet tall. Only public emergency or public utility poles are allowed to be taller than 45 feet tall and the overall height is limited to only what it necessary for service levels based on professional analysis. No commercial or similar types of poles or towers are allowed to exceed code standards.

LDC 17.38 outline standards for all new wireless telecommunications facilities and specifies design requirements. Monopoles are allowed to be 70' tall in Industrial and Commercial Service zones, 60' in Commercial zones and 40' tall in all other zoning districts. Antennas (pole attachments) mounted to the side of pole should be as slim as possible and shall not extend beyond three (3) feet of the outside edge of the pole. Poles must be setback two (2) horizontal

feet to every one (1) vertical feet of pole height from adjacent streets and residential properties. In no case can a pole be placed within 150 feet of a residential structure. The accessory ground equipment shall be enclosed within a solid fence/wall. Co-location is encouraged to discourage the proliferation of wireless communications facilities.

### SETBACKS

The Land Development Code (LDC) setback requirements for cell towers in the REC zone are as follows (as measured from property lines):

Front (street):	2 to 1 horizontal to vertical pole height
Residential Zone:	2 to 1 horizontal to vertical pole height
Residential Structure:	150'

The following setbacks are proposed for the pole base (as measured from the base of the pole):

Front (300 West):	~350'
Corner (400 South):	~950'
Residential Zone (East):	~410'

For the proposed 120-foot pole, a 240 setback would be required from 300 West and 400 South and as proposed complies with both standards. The proposal is at least 150 feet away from the nearest home. All ground equipment structures would be subject to standard REC zone setbacks of 20 feet from a front or side property line and 10 feet from a rear property line. As proposed, the project meets minimum setback requirements of the LDC.



Figure 1 shows the proposed pole location near the center corner of the site.

### PLACEMENT & STEALTH DESIGN

The LDC also requires “stealth” design measures to limit the negative visual impacts of telecommunication and wireless towers to neighboring properties. Blending or mimicking nearby architecture, backgrounds or vegetation is encouraged to help camouflage the towers and its associated equipment. The Planning Commission may consider surrounding land use and compatibility, parcel size, and parcel location when determining the appropriate design and placement of these facilities.

The proposed tower attempts to achieve stealth design through color and materials. Being a lighter silver color, the galvanized pole, should blend into the background sky color as this area of town is quite flat and most perspectives from a lower angle. This pole material will not fade or discolor over time creating a consistent view. This pole is proposed to double as a light pole for the arena and by doing so will reduce the overall clutter in the area. As conditioned, with the Planning Commission determining the appropriate level of stealth, the project meets the requirements of the LDC.

### FENCING, NOISE AND SCREENING

The LDC requires that if ground equipment is associated with the cell tower it be screened from view with a solid screen fence or wall and landscaping. As conditioned, with a fence, the project meets the requirements of the LDC. Often these facilities have back-up diesel generators and may be periodical turned on from general maintenance. Existing noise ordinance would regulate any noise disturbance between 10:00 pm and 7:00 am. This area of town does contain numerous nearby residential land uses, but with the approximate 400-foot setback and the co-location with lighting, impacts should be minimal.

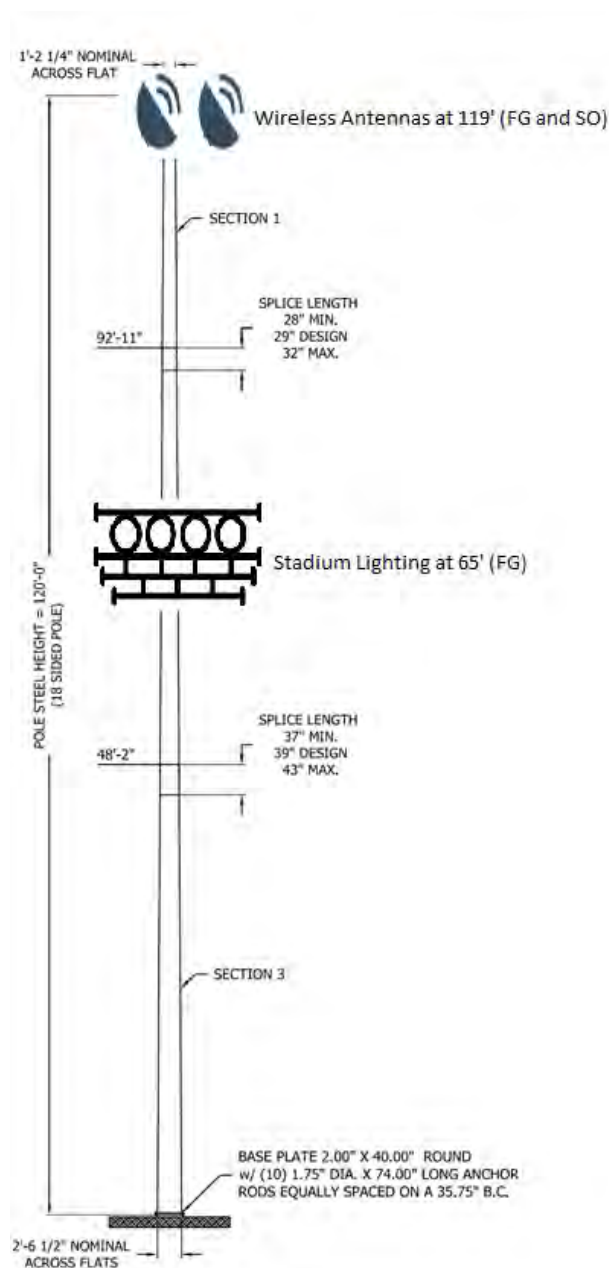


Figure 2 shows the pole design with rodeo stadium lighting

## CONDITIONAL USE PERMITS

The Planning Commission may conditionally approve a Conditional Use Permit that is based on an objective standard in compliance with Utah Code (10-9a-507) and only upon substantiating the following findings:

- A. The proposed use is consistent with the allowable maximum densities of the underlying zone.
- B. The proposed use is consistent with the requirements of the Land Development Code.
- C. The use is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining properties.
- D. The site will be served by infrastructure having sufficient capacities to meet the service demands of the proposed use.
- E. The proposed use is compatible with the surrounding neighborhood character as defined in Section 17.62.
- F. The proposed access is consistent with Logan City access and roadway standards and Utah Department of Transportation requirements where applicable.
- G. The conditional use is aimed at mitigating the possible negative impacts of excessive light, noise, and traffic.

## SUMMARY

Although the Wireless Chapter of the LDC does not apply to public emergency wireless facilities, the Public and Recreation zoning development standards specifically require a Conditional Use Permit for any proposal that exceeds REC zone standards (heights, coverage, etc.). When reviewing the project for a Conditional Use Permit, the adopted LDC 17.38 Wireless Chapter provides really good information to appropriately implement these structures in areas of town in a sensitive and less-impactful method. Although heavily vegetated, the upper most visible part of the pole will fade into the sky-colored background. Staff considers the placement and color of this tower to be appropriate for the character of this area. As conditioned, staff recommends approval of this tower proposal.

## AGENCY AND CITY DEPARTMENT COMMENTS

Comments were solicited from the following departments or agencies:

• Engineering	
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## PUBLIC COMMENTS

Notices were mailed to property owners within 300 feet of the subject property. As of the time of this report, no comment had been received.

## PUBLIC NOTIFICATION

Legal notices were published in the Herald Journal on 12/31/22 and the Utah Public Meeting website on 1/02/23. Public notices were mailed to all property owners within 300 feet of the project site on 12/26/22.

## RECOMMENDED CONDITIONS OF APPROVAL

*This project is subject to the proponent or property owner agreeing to comply with the following conditions as written, or as may be amended by the Planning Commission.*

1. All standard conditions of approval will be recorded with the Design Review and are available in the Community Development Department.
2. The tower shall be no taller than 120'.
3. If ground equipment is ever installed, a solid fence shall enclose and screen the equipment.
4. The pole placement shall match the submitted site plan and double as a light pole for the rodeo arena.

5. The Planning Commission will determine antenna and stealth design standards.
6. Prior to issuance of a Building Permit, the Director of Community Development shall receive a written memorandum from each of the following departments or agencies indicating that their requirements have been satisfied:
  - a. Engineering - contact 435-716-9160
  - b. Groundwater is shallow at the site and there is a moderate potential for liquefaction in the area. All design shall account for these conditions in the design.

### **RECOMMENDED FINDINGS FOR APPROVAL FOR THE CONDITIONAL USE PERMIT**

*The Planning Commission bases its decisions on the following findings supported in the administrative record for this project:*

1. The proposed project is compatible with surrounding land uses and will not interfere with the use and enjoyment of adjacent properties and stealth design of the tower will help to mitigate visual impacts.
2. The Conditional Use Permit conforms to the requirements of Title 17 of the Logan Municipal Code and is consistent with the allowable maximum densities of the underlying zone compatible with surrounding land uses and will not interfere with the use and enjoyment of adjoining properties.
3. The site will be served by infrastructure having sufficient capacities to meet the service demands of the proposed use.
4. The proposed use is compatible with the surrounding neighborhood character as defined in Section 17.62.
5. The proposed access is consistent with Logan City access and roadway standards and Utah Department of Transportation requirements where applicable.
6. The conditional use is aimed at mitigating the possible negative impacts of excessive light, noise, and traffic.
7. The project meets the goals and objectives of the PUB designation within the Logan General Plan by providing reliable and quality public service options.
8. The project met the minimum public noticing requirements of the Land Development Code and the Municipal Code.

This staff report is an analysis of the application based on adopted city documents, standard city development practices, and available information. The report is to be used to review and consider the merits of the application prior to and during the course of the Planning Commission meeting. Additional information may be revealed by participants at the Planning Commission meeting which may modify the staff report and become the Certificate of Decision. The Director of Community Development reserves the right to supplement the material in the report with additional information at the Planning Commission meeting.



# APPLICATION FOR PROJECT REVIEW

For Staff Only		<input checked="" type="checkbox"/> <b>Planning Commission</b>		<input type="checkbox"/> <b>Land Use Appeal Board</b>	<input type="checkbox"/> <b>Administrative Review</b>
<b>Date Received</b> 11/28/22	<b>Planner</b>	<b>Zone/Neighborhood</b> REC/WOODRUFF	<b>Scheduled Meeting Date</b> Jan 12, 2023	<b>Application Number</b> PC 23-002	
Type of Application (Check all that apply):					
<input type="checkbox"/> Design Review		<input checked="" type="checkbox"/> Conditional Use		<input type="checkbox"/> Subdivision	
<input type="checkbox"/> Code Amendment		<input type="checkbox"/> Appeal		<input type="checkbox"/> Administrative Design Review	
				<input type="checkbox"/> Zone Change	
				<input type="checkbox"/> Other	
<b>PROJECT NAME</b> Cache County Wireless Pt2Pt Network - FAIRGROUND TOWER					
<b>PROJECT ADDRESS</b> 450 S 500 W, Logan, UT 84321				<b>COUNTY PLAT TAX ID #</b> 02-058-01-00570	
<b>AUTHORIZED PROJECT REPRESENTATIVE FOR OWNER</b> Bart Esplin / Bartt Nelson				<b>PHONE #</b> 435-755-1759	
<b>MAILING ADDRESS</b>		<b>CITY</b>	<b>STATE</b>	<b>ZIP</b>	
450 S 500 W, Logan, UT 84321					
<b>EMAIL ADDRESS</b> fairgrounds@cachecounty.org / bartt.esplin@cachecounty.org / bartt.nelson@cachecounty.org					
<b>PROPERTY OWNER OF RECORD</b> Cache Count Corp				<b>PHONE #</b> 435-755-1850	
<b>MAILING ADDRESS</b>		<b>CITY</b>	<b>STATE</b>	<b>ZIP</b>	
199 N Main St, Logan, UT, 84321					
<b>EMAIL ADDRESS</b> executive@cachecounty.org / david.zook@cachecounty.org / dspraggins@cachesheriff.org					
<b>DESCRIBE THE PROPOSED PROJECT AS IT SHOULD BE NOTICED AND PRESENTED</b> (Include as much detail as possible - attach a separate sheet if needed) See SOW				<b>Total Lot Size (acres)</b> 57.88	
				<b>Size of Proposed New Building (square feet)</b> /	
				<b>Number of Proposed New Units/Lots</b> /	
I certify that the information contained in this application and all supporting plans are correct and accurate. I also certify that I am authorized to sign all further legal documents and permit on behalf of the property owner.				<b>Signature of Property Owner's Authorized Project Representative</b> 	
I certify that I am the property owner on record of the subject property and that I consent to the submittal of this project. I understand that all further legal documents and permits will be sent to my authorized agent listed above.				<b>Signature of Property Owner</b> 	

**APPLICATION MUST BE ACCURATE AND COMPLETE**  
**NO SITE ACTIVITY MAY OCCUR UNTIL AFTER APPROPRIATE COMMITTEE APPROVAL -**

# Fairgrounds tower location

Write a description for your map.

**Legend**

- Cache County
- fairgrounds tower
- Logan Aquatic Center
- Zootah

