



**Provo City Planning Commission Administrative Hearing**

**Report of Action**

**July 17, 2024**

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**Item #1** Richard Dannen requests a Conditional Use Permit for communications facilities (SLU 4700) in the A1.20 (Agricultural) Zone, located approximately at 2495 West Lakeview Parkway. Provo Bay Neighborhood. Jessica Dahneke (801) 852-6413 jdahneke@provo.org PLCUP20240156

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The following action was taken on the above described item by an Administrative Hearing Officer, acting in behalf of the Provo City Planning Commission, on: July 17, 2024.

**APPROVED WITH CONDITIONS**

Administrative Hearing Officer: Aaron Ardmore

Includes facts of the case, analysis, and conclusions outlined in the Staff Report, with any changes noted. Administrative Hearing Officer determination is consistent with the Staff analysis and determination.

**Conditions of Approval**

1. The project must meet all code requirements in 14.34.250(11)(f)

**STAFF PRESENTATION**

The Staff Report to the Planning Commission provides details of the facts of the case and the Staff's analysis, conclusions, and recommendations. Staff also responded to Public Comment in the following way:

- Based on the measurement scale in the provided plans, the antenna was set back far enough from the property line.
- Installation of a fence around the antenna is not required by code.
- The installation of the antenna is not considered development because it is not intended for habitation nor use by the public.

**CITY DEPARTMENTAL ISSUES**

The Coordinator Review Committee (CRC) has reviewed the application and given their approval.

**NEIGHBORHOOD MEETING DATE**

The Neighborhood District Chair determined that a neighborhood meeting would not be required.

**NEIGHBORHOOD AND PUBLIC COMMENT**

The Neighborhood District Chair was not present or did not address the Planning Commission during the hearing.

**CONCERNS RAISED BY PUBLIC**

Any comments received prior to completion of the Staff Report are addressed in the Staff Report to the Planning Commission. Key issues raised in written comments received subsequent to the Staff Report or public comment during the public hearing included the following:

- Jeff Stubbs, a neighboring property owner, asked to show the antenna was far enough from his property line. Mr. Stubbs also asked if the antenna would have a fence around it to keep his animals out.
- Mr. Stubbs asked how this could be built if the city had previously said land was undevelopable.

**APPLICANT RESPONSE**

Key points addressed in the applicant's presentation to the Planning Commission included the following:

- The applicant was not in attendance.



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Administrative Hearing Officer



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Development Services Director

See Key Land Use Policies of the Provo City General Plan, applicable Titles of the Provo City Code, and the Staff Report for further detailed information. The Staff Report is a part of the record of the decision of this item.

Administrative decisions may be appealed by submitting an application/notice of appeal, with the required application and noticing fees, to the Development Services Department, 445 West Center Street, Provo, Utah, **within fourteen (14) calendar days of the Hearing Officer's decision** (Provo City office hours are Monday through Thursday, 7:00 a.m. to 6:00 p.m.).

**BUILDING PERMITS MUST BE OBTAINED BEFORE CONSTRUCTION BEGINS**