



Planning and Development Services

2001 S. State Street N3-600 • Salt Lake City, UT 84190-4050

Phone: (385) 468-6700 • Fax: (385) 468-6674

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Kearns Planning Commission

Public Meeting Agenda

Monday, March 4, 2024 5:30 P.M.

Location

Join meeting in WebEx

Meeting number (access code): 961 841 420

<https://slco.webex.com/meet/wgurr>

Join meeting in WebEx (download available at <https://www.webex.com/downloads.html> for Windows, Android, and Apple devices)

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Dial wgurr@slco.webex.com

You can also dial 173.243.2.68 and enter your meeting number.

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**Anchor Location KEARNS ATHLETIC TRAINING AND EVENT CENTER
5658 SOUTH COUGAR LANE
MEETING ROOM**

*UPON REQUEST, WITH 5 WORKING DAYS NOTICE, REASONABLE ACCOMMODATIONS FOR QUALIFIED INDIVIDUALS MAY BE PROVIDED. PLEASE CONTACT WENDY GURR AT 385-468-6707.
TTY USERS SHOULD CALL 711.*

The Planning Commission Public Meeting is a public forum where, depending on the agenda item, the Planning Commission may receive comment and recommendations from applicants, the public, applicable agencies and MSD staff regarding land use applications and other items on the Commission's agenda. In addition, it is where the Planning Commission takes action on these items, which may include: approval, approval with conditions, denial, continuance or recommendation to other bodies as applicable.

BUSINESS MEETING

- 1) Welcome and approval of the agenda. (Motion/Voting)
- 2) **Commissioner Discussion and Staff Assignments:** this standing agenda item allows Planning Commissioners the opportunity to raise and discuss important issues related to current and long range planning in Kearns Metro Township. The Commission may direct assignments to planning staff related to discussion items. (Discussion and Staff Direction: Planning Staff)

LAND USE APPLICATION(S)

CUP2024-001077 - James Woodruff is requesting conditional use approval to build a 50' communications pole for the Kearns Improvement District which will transmit data from water meters throughout Kearns. **Acres:** 0.03. **Location:** 6040 South Impressions Drive. **Zone:** R-1-8. **Planner:** Gordon Bennett (Motion/Voting)

BUSINESS MEETING (Cont.)

- 3) Approval of the February 5, 2024 Planning Commission Meeting Minutes.
(Motion/Voting)
- 4) **Presentation of Town Center Survey Results and Draft Vision:** Planning staff will present the results of the 2023 Kearns Town Center Survey. They will also share the draft vision statement, values, and goals that were crafted based on responses and stakeholder feedback. **Planner:** Bianca Paulino (Presentation / Discussion)
- 5) Other Business Items. (As Needed)

ADJOURN

Rules of Conduct for Planning Commission Meetings

PROCEDURE FOR PUBLIC COMMENT

1. Any person or entity may appear in person or be represented by an authorized agent at any meeting of the Commission.
2. Unless altered by the Chair, the order of the procedure on an application shall be:
 - a. The supporting agency staff will introduce the application, including staff's recommendations and a summary of pertinent written comments and reports concerning the application
 - b. The applicant will be allowed up to 15 minutes to make their presentation.
 - c. The Community Council representative can present their comments as applicable.
 - d. Where applicable, persons in favor of, or not opposed to, the application will be invited to speak.
 - e. Where applicable, persons opposing the application, in whole or in part will be invited to speak.
 - f. Where applicable, the applicant will be allowed 5 minutes to provide concluding statements.
 - g. Surrebuttals may be allowed at the discretion of the Chair.

CONDUCT FOR APPLICANTS AND THE PUBLIC

1. Speakers will be called to the podium by the Chair.
2. Each speaker, before talking, shall give his or her name and address.
3. All comments should be directed to the Commissioners, not to the staff or to members of the audience.
4. For items where there are several people wishing to speak, the Chair may impose a time limit, usually 3 minutes per person, or 5 minutes for a group spokesperson. If a time limit is imposed on any member or spokesperson of the public, then the same time limit is imposed on other members or spokespersons of the public, respectively.
5. Unless otherwise allowed by the Chair, no questions shall be asked by the speaker or Commission Members.
6. Only one speaker is permitted before the Commission at a time.
7. The discussion must be confined to essential points stated in the application bearing on the desirability or undesirability of the application.
8. The Chair may cease any presentation or information that has already been presented and acknowledge that it has been noted in the public record.
9. No personal attacks shall be indulged in by either side, and such action shall be sufficient cause for stopping the speaker from proceeding.
10. No applause or public outbursts shall be permitted.
11. The Chair or supporting agency staff may request police support to remove offending individuals who refuse to abide by these rules.
12. After the public comment portion of a meeting or hearing has concluded, the discussion will be limited to the Planning Commission and Staff.



Kearns Planning Commission March 4, 2024

File CUP2024-001077

Conditional Use Summary and Recommendation

Request: Amend Conditions of Approval for Kearns Improvement District Communications Pole

Parcel ID: 20-13-381-008-0000 **Current Zone:** R-1-8 (Residential Zone)

Property Owner: Kearns Improvement District

Applicant/Representative: James Woodruff

Property Address: 6040 S Impressions Drive

Property Area: 0.03 Acres

Planner: Gordon Bennett

Summary of Recommendation: Approval as proposed.



PROJECT DESCRIPTION

The site of the proposed communications pole is on a small parcel owned by Kearns Improvement District in the southeastern corner of South Park in Kearns, where Impressions Drive and Ridge Flower Way meet. This will be a 50' communication pole to be used by the Kearns Improvement District to receive data regarding water usage.

Neighborhood Character

Surrounding Properties	Zone	Land Use
North	PF	Park
South	PF	Park
East	R-1-8	Single Family Residential
West	PF	Park
General Plan Designation	Public Use	

Compatibility with existing buildings in terms of size, scale and height.	Yes
Compliance with Landscaping Requirements Verified.	Yes
Compliance with the General Plan.	Yes

ISSUES OF CONCERN/PROPOSED MITIGATION

The proposed 50' pole is consistent with other utility poles in the area. The planning staff find no issues that need to be mitigated.

PLANNING STAFF ANALYSIS

The proposed antenna is considered a "wireless telecommunication facility" in the Kearns Code, which is regulated under section 19.42.360 of the Kearns Municipal Code. Because a monopole in an R-1-8 zone is a conditional use under 19.42.360.D of that section, it is subject to review and approval under Section 19.16.040 (Conditional Uses) of the Kearns Code as well. The applicable standards in 19.42.360 of the code are:

19.42.360.E.(3) Monopole.

- a. The height limit for monopoles is sixty feet (60'), except that the Planning Commission may allow a monopole up to eighty feet (80') in the C-2, C-3, M-1, and M-2 zones if it finds:
 - i. The monopole will blend in with surrounding structures, poles, or trees and is compatible with surrounding uses;
 - ii. The monopole will be available for co-location with other companies; and
 - iii. The monopole will be setback at least three-hundred feet (300') from any residential zone boundary.
- b. The height shall be measured from the top of the structure including antennas, to the original grade directly adjacent to the monopole.
- c. In all R-1, R-2, and R-4-8.5 zones, monopoles will only be allowed in conjunction with an existing public or quasi-public use as defined in Chapter 19.04, which include, but are not limited to, churches, schools, utilities, and parks.

- d. No monopoles may be allowed in the front yard setback of any lot.
- e. Monopoles shall be setback from any residential structure a distance equal to the monopole's height.
- f. Stealth monopole facilities are encouraged and variations from the provisions of this Section may be allowed, as determined by the Director for permitted uses and the Planning Commission for conditional uses. Stealth monopoles need not be located with public or quasi-public uses in all R-1, R-2, and R-4-8.5 zones (see Table 19.42.350).

We have found that the communications pole complies with the requirements of Chapter 19.42.360 of the Kearns Municipal Code in terms of height, location, and design. The proposed height and design of the monopole are within the limits in the code and are designed to minimize impacts on nearby properties. The monopole does not impact traffic, and is proposed to be at least 120 feet away from the nearest residence. The maximum allowable height for a monopole is 60', whereas this monopole is at a height of 50'.

The Conditional Use Approval Standards set forth in 19.16.040.C of the code are:

- C. Approval Standards. The Planning Commission shall review the site plan and other information submitted to evaluate the impacts of the proposed conditional use. The Planning Commission may impose conditions to mitigate the reasonably anticipated detrimental impacts of the proposed use. A conditional use permit shall be approved unless the imposition of conditions cannot mitigate reasonably anticipated detrimental effects in accordance with the following standards:
 - 1. The proposed site development plan complies with all applicable provisions of the zoning ordinance, including specific use standards, parking, building setbacks, and building height;
 - 2. The proposed use and site development plan complies with all other applicable laws and ordinances;
 - 3. The proposed use and site development plan does not present a serious traffic hazard or create anticipated traffic increases on the nearby road system which exceeds the amounts called for under the adopted transportation engineering standards;
 - 4. The proposed use and site development plan do not pose a serious threat to the safety of occupants or residents or properties in the vicinity by failure to adequately address the following issues: fire safety, geologic hazards, soil or slope conditions, liquefaction potential, site grading/topography, storm drainage/flood control, high ground water, environmental health hazards, or wetlands; and
 - 5. The proposed use and site development plan do not adversely impact properties in the vicinity of the site through lack of compatibility with adopted community general plan standards.

Planning Staff have evaluated the application and reviewed the above criteria, and found that the application as proposed is in compliance with the above criteria for approval.

PLANNING STAFF RECOMMENDATION

Planning staff recommends approval of the telecommunications monopole with height and site plan as proposed, provided final plans are in compliance with the requirements of 19.42.360.E(3) and are consistent with the plans and photo simulation submitted with the application.

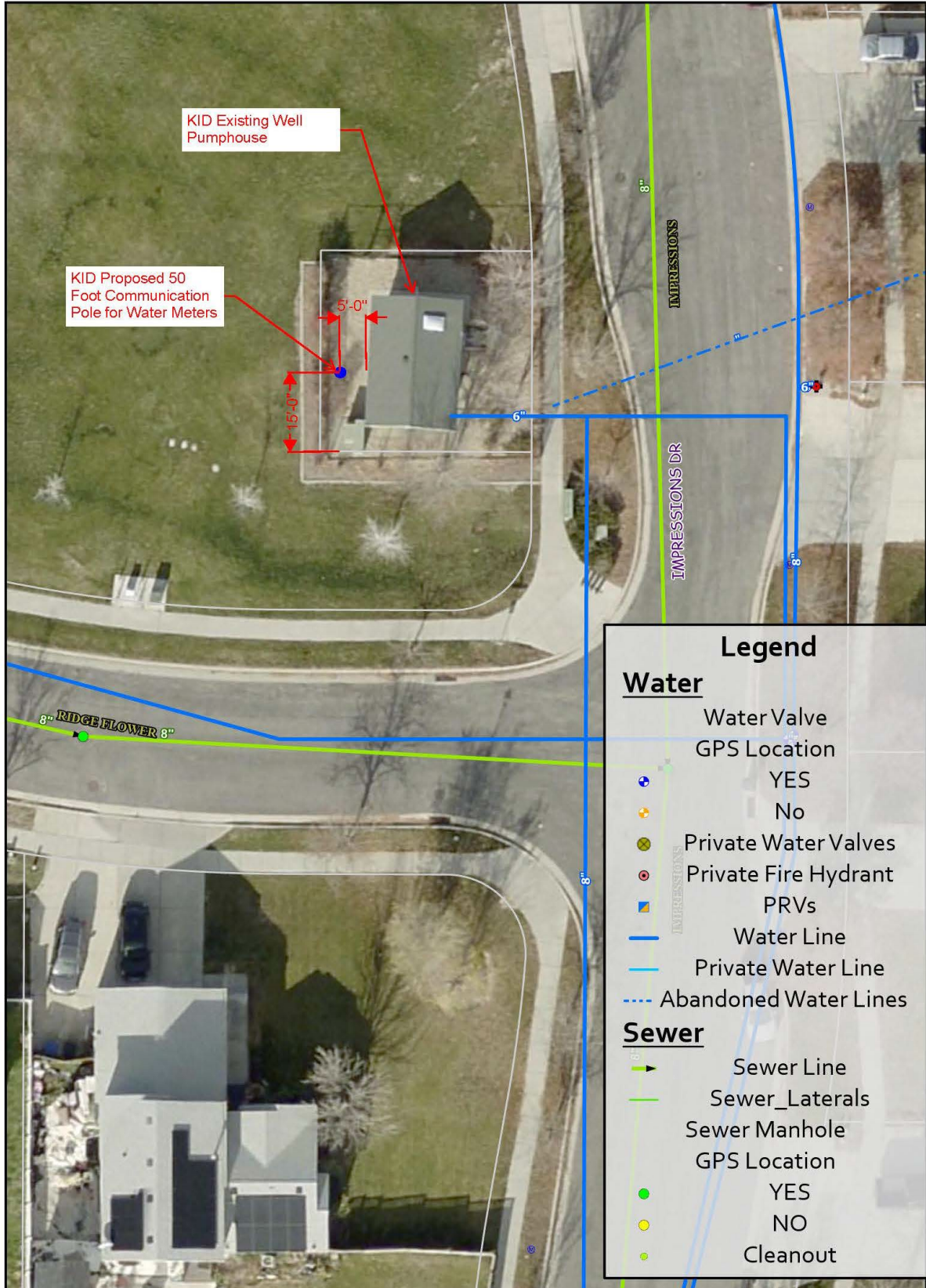
Attachments:

Site Plan
Photo Simulation



KID Proposal for 50' Pole 6040 S. Impressions Dr.

Date: 8/15/2023



Legend

Water

- Water Valve
- GPS Location
- YES
- No
- Private Water Valves
- Private Fire Hydrant
- PRVs
- Water Line
- Private Water Line
- Abandoned Water Lines

Sewer

- Sewer Line
- Sewer_Laterals
- Sewer Manhole
- GPS Location
- YES
- NO
- Cleanout

Elevation Example Photo

