Cochise County
Community Development
Planning, Zoning and Building Safety Division

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MEMORANDUM

TO: Cochise County Planning and Zoning Commission
FROM: Peter Gardner, Planner II
FOR: Daniel Coxworth, AICP, Planning Director
SUBJECT: Docket SU-18-11 (SBA Tower Moson)
DATE: May 29, 2018 for the June 13, 2018 Meeting

APPLICATION FOR A SPECIAL USE

The Applicant requests a Special Use Authorization to approve a 150-foot tall, self-supporting wireless communications tower. The 4.14-acre site, 107-62-005F, is located at the northeast corner of S. Moson Road & E. Ford Rules Road and is zoned RU-4. In a rural zoning district, towers greater than 30-feet in height require Special Use Authorization.

I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING LAND USES

Parcel Size:	4.14 acres (180,251.40 sq-ft)
Zoning:	RU-4 (Rural; one dwelling per 4 acres)
Growth Area:	Category D-Rural Area
Comprehensive Plan Designation:	Rural Residential
Area Plan:	None
Existing Uses:	Vacant
Proposed Uses:	150' tall wireless communication facility

Zoning/Use of Surrounding Properties

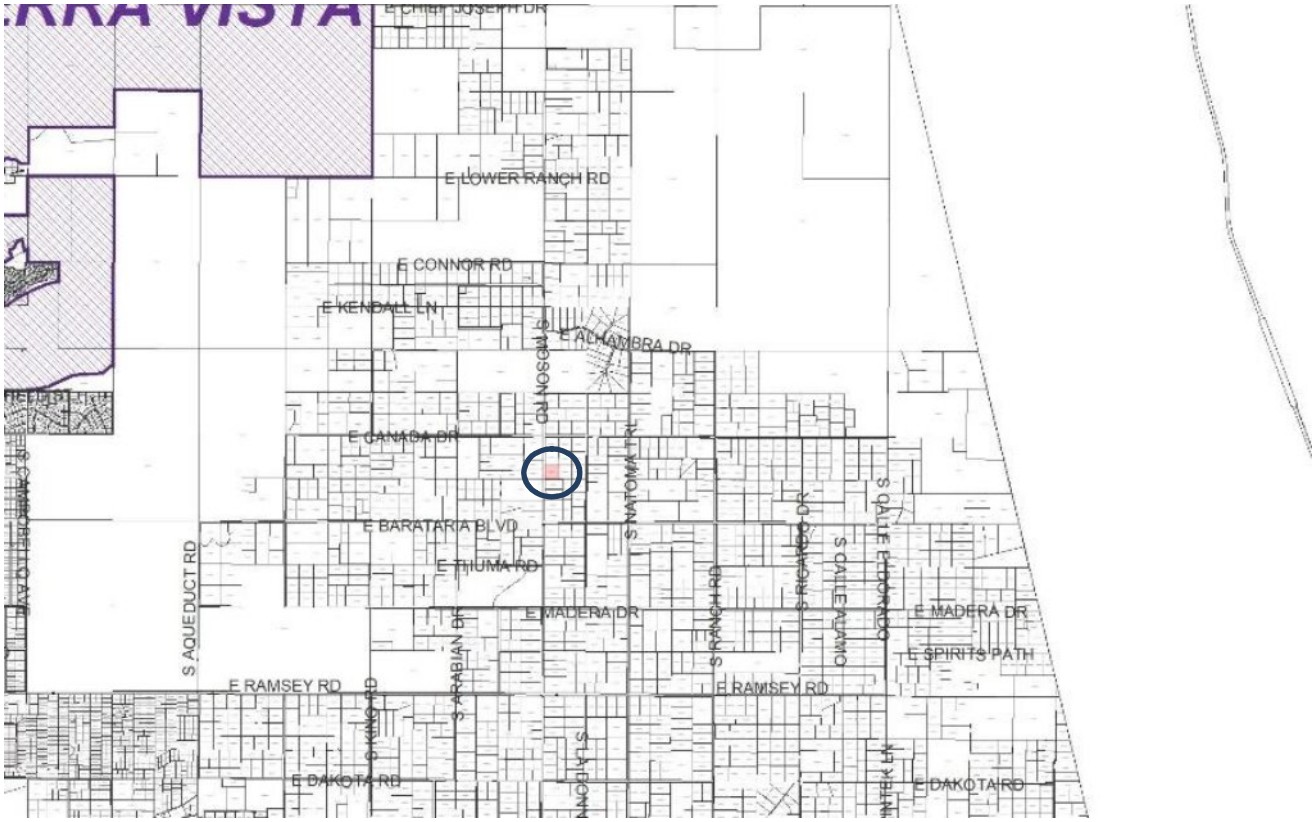
Relation to Subject Parcel	Zoning District	Use of Property
North	RU-4	Rural Residential
South	Non-maintained Road/RU-4	E. Ford Rules Road/Rural Residential
East	RU-4	Rural Residential
West	County Maintained Road/RU-4	S. Moson Road/Rural Residential

II. PARCEL HISTORY

N/A, vacant land

III. NATURE OF REQUEST

The Applicant is requesting a Special Use authorization to approve an unmanned wireless communications facility consisting of a 150-foot tower and base equipment. The tower is located on private property along S. Moson Road, approximately 3.3 miles north of E. Hereford Road and 4.6 miles south of E. Highway 90.



Location Map

The proposed tower and base equipment will be surrounded by an 8-foot-tall chain link fence. A new dirt driveway will be constructed to the facility from E. Ford Rules Road.

After construction is complete, there will be minimal traffic to and from the facility; service and maintenance personnel visit the site once or twice a month, normally at night when cell phone traffic is the lightest.

View looking northeast at tower

IV. ANALYSIS OF IMPACTS – COMPLIANCE WITH SPECIAL USE FACTORS

Section 1716.02 of the Zoning Regulations provides a list of ten factors with which to evaluate Special Use applications. Staff uses these factors to help determine the suitability of a given Special Use request, whether to recommend approval for a Special Use Authorization, as well as to determine what Conditions and/or Modifications may be needed.

Eight of the ten factors apply to this request. The project, as submitted, complies with seven of those factors. With approval of the wavier and reccomended conditions of Approval the project complies with the eigth. The two remaining factors are not applicable to this application.

A. Compliance with Duly Adopted Plans: Complies

The proposed project complies with the Comprehensive Plan. The Land Use and Rural Character Elements encourage minimizing light pollution, and the site will only be lit as needed for maintenance. While the Rural Character Element encourages open viewscapes, the proposed tower will allow the installation of up to two additional carriers, potentially limiting the number of towers required to provide service in this area.

B. Compliance with the Zoning District Purpose Statement: Complies

The purpose Section 601.02 "To encourage those types of non-residential and non-agricultural activities which serve local needs or provide a service and are compatible with rural living" is met. The tower will provide telephone service and improved emergency services communications to the area, with minimal impacts to the rural area.

C. Development Along Major Streets: Complies

The property takes access from E. Ford Rules Road, from S. Moson Road. No additional access from S. Moson Road is proposed.

D. Traffic Circulation Factors: Complies

The applicant provides periodic maintenance to the antennas on the tower once or twice a month as needed. Though the increase in traffic is minimal, the only access proposed is from E. Ford Rules Road.

E. Adequate Services and Infrastructure: Complies

The project site is served by SSVEC; no other utilities are required by the Applicant. The tower has access via E. Ford Rules Road, from S. Moson Road. The tower is unmanned and will add minimal traffic to either roadway.

F. Significant Site Development Standards: Complies with waiver and conditions

The site development standards for Communications Facilities are found in Article 18, Section 1813 of the Zoning Ordinance. The proposed tower is 150 feet tall and provides the ability for up to two additional collocations. This meets the requirement for any tower greater than 150 feet to provide for at least three carriers.

The Zoning regulations require that the facility be setback from all parcel boundaries and rights of way by a minimum of the height of the tower. The facility will meet all setbacks.

The application meets the off-street parking requirement.

The site is not in a designated floodplain.

Staff is recommending that, other than emergency signage, no additional signage be permitted for this use.

G. Public Input: Complies

The Applicant sent letters and elevation drawings to all property owners within one mile of the tower parcel to notify them of his application and to address any neighbor concerns. Staff also provided notice. Fourteen letters in support and thirteen letters in opposition were received and are included in the packet.

H. Hazardous Materials: Not Applicable

I. Off-Site Impacts: Complies.

The antennas do not generate smoke, noise, lights, or odors. The most significant noise is generated by the air conditioning units on ground in the equipment shelters that are similar to air conditioning units in homes. The tower will have no lights and the base facility will have no lighting except when the technician is on-site working.

Many neighbors have voiced concern regarding the impact to the view sheds that the proposed tower will have. The metal, lattice design typically will blend into the landscape particularly from far distances. As previously stated, the proposed tower will allow the installation of up to two additional carriers, potentially limiting the number of towers required to provide service in this area and limiting impact to the overall view shed.

J. Water Conservation: Not Applicable

No new water use is proposed.

VI. PUBLIC COMMENT

The Planning Department mailed notices to neighboring property owners within one mile of the subject property. Staff posted the property on May 21, 2018 and published a legal notice in the *San Pedro Valley News-Sun on May 23, 2018*. In response to applicant and County mailings, the Planning Department received fourteen letters in support and thirteen letters in opposition.

VII. WAIVERS

1. Based on the limited traffic to the site as an unmanned facility, Staff recommends waiving the requirement for a Private Maintenance Agreement.

VIII. SUMMARY AND CONCLUSION

This request is for a Special Use authorization to approve a 150-foot wireless communication tower and base equipment surrounded by a chain link fence on a 4.14-acre parcel southeast of Sierra Vista.

Factors in Favor of Approving the Special Use

1. With the recommended Conditions of Approval, the proposed use would fully comply with the eight Special Use factors used by staff to analyze this request;
2. Cochise County encourages co-location of wireless facilities and the proposal adds equipment to an existing tower by increasing its height;
3. The applicant is providing wireless phone and data service to the community, in an area with minimal service;
4. The applicant is improving 911 emergency coverage in the area
5. Fourteen letters of support have been received.

Factors Against Allowing the Special Use

1. Thirteen letters in opposition to the request have been received.

IX. RECOMMENDATION

Based on the factors in favor of approval, Staff recommends **Conditional Approval** of the Special Use request, subject to the following Conditions and Modification above:

1. Within 30-days of approval of the Special Use, the Applicant shall provide the County a signed Acceptance of Conditions form and a Waiver of Claims form arising from ARS Section 12-1134. Prior to operation of the Special Use, the Applicant shall apply for a building/use permit for the project within 12-months of approval. The building/use permit shall include a site plan in conformance with all applicable site development standards (except as modified) and with Section 1705 of the Zoning Regulations, the completed Special Use permit questionnaire and application, and appropriate fees. A permit must be issued within 18-months of the Special Use approval, otherwise the Special Use may be deemed void upon 30-day notification to the Applicant;
2. It is the Applicant's responsibility to obtain any additional permits, or meet any additional Conditions, that may be applicable to the proposed use pursuant to other federal, state, or local laws or regulations;
3. No signage, other than emergency signage, will be allowed for this wireless communications facility; and
4. Any changes to the approved Special Use will be considered a Modification to this Special Use and will require review and approval of the Planning and Zoning Commission.

Sample Motion: *Mr. Chairman, I move to approve Special Use SU-18-11 with the Conditions of Approval and Modification recommended by staff; the Factors in Favor of Approval constituting the Findings of Fact.*

IX. ATTACHMENTS

A. Staff Report
B. Application, Site Plan, Maps
C. Public Comments
D. Agency Comments