



Cochise County
Community Development
 Planning, Zoning and Building Safety Division

Public Programs...Personal Service
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MEMORANDUM

TO: Cochise County Planning and Zoning Commission
FROM: Robert Kirschmann, Planner II
FOR: Daniel Coxworth, AICP, Planning Director
SUBJECT: Docket SU-19-08 (VTC-Cochise)
DATE: August 29, 2019 for the September 11, 2019 Meeting

APPLICATION FOR A SPECIAL USE

The Applicant requests a Special Use Authorization to approve a 100-foot tall, self-supporting wireless communications tower at Cochise Elementary School. The .83-acre site, APN 204-03-036, is located at 5025 N. Bowie Ave in Cochise and is zoned R-9. In a residential zoning district, communication towers require Special Use Authorization. The Applicant is Valley Connections, LLC.

I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING LAND USES

Parcel Size: .83 Acres
 Zoning: Residential (R-9; one dwelling per 9,000 square feet)
 Growth Area: Category C (Rural Community Areas)
 Comprehensive Plan Designation: Neighborhood Conservation
 Area Plan: None Applicable
 Existing Uses: Vacant Land

Zoning/Use of Surrounding Properties

Relation to Subject Parcel	Zoning District	Use of Property
North	R-9	Residential Homes
South	R-9	Cochise Elementary School
East	R-9	Vacant/ residential Homes
West	R-9	Cochise Elementary School

II. PARCEL HISTORY

2012 Solar Installation
 2016 Kitchen grease and fire suppression
 2018 Additional fire suppression

Planning, Zoning and Building Safety
 1415 Melody Lane, Building E
 Bisbee, Arizona 85603
 520-432-9300
 520-432-9278 fax
 1-877-777-7958
 planningandzoning@cochise.az.gov

Highway and Floodplain
 1415 Melody Lane, Building F
 Bisbee, Arizona 85603
 520-432-9300
 520-432-9337 fax
 1-800-752-3745
 highway@cochise.az.gov
 floodplain@cochise.az.gov

III. NATURE OF REQUEST

The Applicant requests a Special Use Authorization to approve a 100-foot tall, self-supporting wireless communications tower. The .83-acre site, APN 204-03-036, is located at 5025 N. Bowie Ave in Cochise and is zoned R-9. In a residential zoning district, communication towers require Special Use Authorization. The Applicant is Valley Connections, LLC.



SR 186

The Applicant has been working with Cochise Elementary School on an appropriate location for the Tower. Ultimately it was determined that behind the school, between an existing storage/maintenance yard and the well would be the best place. This location provided a minimum of 100 feet of distance from the tower to property lines, thereby complying with the fall zone requirements.

Additionally, the location minimizes the impact to the campus in the event that additional facilities need to be provided.

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.

Five of the ten factors apply to this request. The project, as submitted, complies with four of those factors. One factor does not comply.

A. Compliance with Duly Adopted Plans: Not Applicable

The project site is not within the boundary of any Area Plan. The Comprehensive Plan generally does not include policies that speak to unmanned, wireless communication facilities, but these are uses commonly found throughout various areas in the County.

B. Compliance with the Zoning District Purpose Statement: Complies

Section 701 of the Zoning Regulations encourages an area for family living at low to medium densities and variety of housing types coexisting. As a project intended to facilitate better internet, wireless phone coverage in the region, the proposed tower would comply by providing the additional services to the residents and the children at the school.

C. Development Along Major Streets:

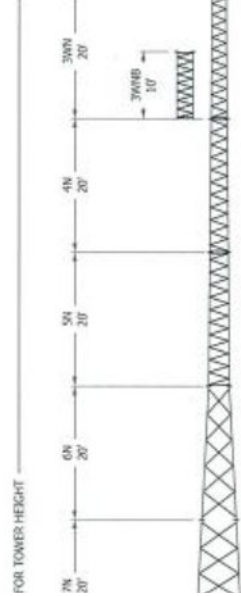
The project site is not located along any

D. Traffic Circulation Factors: Not

Apart from the initial construction crew and expected to receive minimal traffic during

E. Adequate Services and

The wireless communication towers provide region. Electric power is provided by Sulfur with backup generators in close proximity to



Not Applicable

major road.

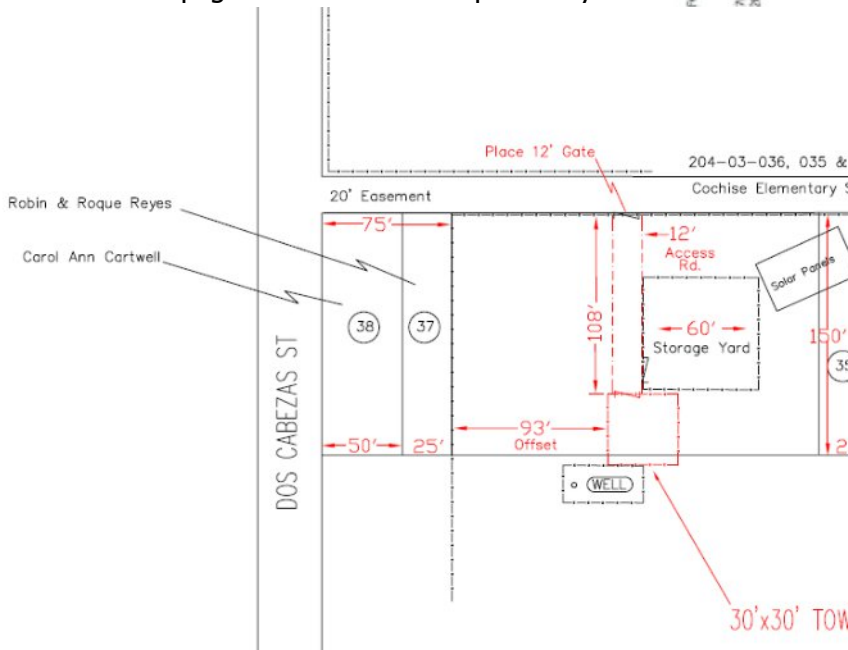
Applicable

maintenance teams, the site is operation.

Infrastructure: Complies

wireless infrastructure to the Springs Valley Electric Coop, the equipment.

F. Significant Site

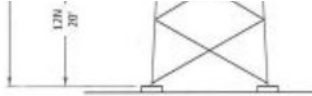


Development

Standards: Complies

to a set of use-specific site in Section 1813 of the Zoning relative to co-location,

Wireless Communication facilities are subject development standards. These are provided Regulations, and among them are standards setbacks, height standards, design and certification, as well as security. The proposed tower meets all site development standards as proposed.



G. Public Input: Does not Comply

The Applicant and Staff both notified surrounding property owners within 1,000 feet. In response to the approximately 80 letters the County sent we received three responses. All three responses are in opposition to the request. The letters site aesthetics and health issues associated with wireless communication. Federal law explicitly prohibits jurisdictions from considering RF emissions when siting towers, so such concerns will not be further addressed by Staff.

H. Hazardous Materials: Not Applicable

I. Off-Site Impacts: Complies

Apart from providing more robust internet, wireless phone and data coverage for the school, residents and visitors, as well as other providers, the project is not expected to produce any new off-site impacts, beyond visual impacts. As noted in Section G above, RF emissions and any potential impacts thereof are removed from County or State Authority.

J. Water Conservation: Not Applicable**VI. PUBLIC COMMENT**

The Planning Department mailed notices to neighboring property owners within a 1,000 feet of the subject property. Staff posted the property and published a legal notice in the *Sierra Vista Herald*. In response to the County mailing, the Planning Department received written communications from three property owners as noted in Section G above.

VII. WAIVERS

None requested or required.

VIII. SUMMARY AND CONCLUSION

This request is for a Special Use authorization to approve a 100-foot wireless communication tower and base equipment on the campus of Cochise Elementary School.

Factors in Favor of Approving the Special Use

1. The request complies with four of the applicable Special Use factors used by staff to analyze such requests;
2. The Special Use would facilitate increased range and quality of internet, phone and wireless data coverage throughout the region, benefitting consumers and emergency service providers. Structurally, the tower as proposed could accommodate additional equipment for other providers in the future;
3. The tower would be sited on a school campus and provide service and revenue for them.

Factors Against Allowing the Special Use

1. Three property owners have expressed opposition to the project.
2. The project does not comply with the public input.

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. The Applicant shall protect Dos Cabezas Street during the construction of the tower to the Satisfaction of the County Engineer.
4. No signage, other than emergency signage, will be allowed for this wireless communications facility; and
5. 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-19-08 with the Conditions of Approval and Modification recommended by staff; the Factors in Favor of Approval constituting the Findings of Fact.*