



# Cochise County

## Development Services

### Planning, Zoning and Building Safety Division

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#### MEMORANDUM

**TO:** Cochise County Planning and Zoning Commission  
**FROM:** Christine McLachlan, AICP, Planner II  
**FOR:** Daniel Coxworth, AICP, Development Services Director  
**SUBJECT:** Docket SU-21-13 (Whetstone Telecom W) Agency Comments Summary  
**DATE:** May 5, 2021 for the May 12, 2021 Meeting

#### AGENCY COMMENTS DOCKET SU-21-12 (Whetstone Telecom N)

On April 9, 2021, the Development Review Team for the County was transmitted case information for their review. Reviewers were given until April 26, 2021 to respond and were notified that a failure to respond by that date would result in an automatic approval by their agency/Department.

The following is a summation of all the comments that were received by that date.

**Cochise County, ROW:** Mustang Heights is a 60' public right-of-way, no need for further dedication at this time.

**Cochise County, Environmental Health:** No Concerns

**Cochise County Engineering:** Please clarify the distance from the 50' tall pole if it should fall over, what is that distance to the building in the aerial? Also would like to see something in writing from the property owner "granting / giving" permission to use his land.

*(Planning response: Per 1813.04 Communication facilities must be setback from all parcel boundaries, lease boundaries and rights-of-way a distance equal to at least the height of the tallest structure in the facility, measuring from its base, distance from buildings is not regulated by zoning. Letter of authorization is included in the application packet.)*

**Cochise County Building:** No comments received.

**Cochise County Attorney's Office:** No comments received.

**Fire Department:** No Comments received.

**Cochise County Sheriff's Office:** No Comments received.

**Sulfur Springs Valley Electric Cooperative:** SSVEC has no special conditions to submit for this special use permit.

Per the application, the equipment attached to this structure will require new service. Because the owner of the structure is not the owner of record for the property, SSVEC will require an easement from the property owner prior to constructing the new service.

Please refer to the Sulphur Springs Valley Electric Cooperative website at [www.ssvec.org](http://www.ssvec.org) then the "Services" tab for information about how to establish a new service, Service Conditions, Service Entrance Requirements, and an application for a New Service/Line Extension Application.

#### **Planning, Zoning and Building Safety**

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You can also contact one of our Engineering Services Representatives for assistance:

- Sierra Vista- 520-515-3465
- Willcox: 520-384-5469

**Southwest Gas:** No comments received.

**Arizona Game and Fish:** No comments received.

**National Resources Defense Council:** No comments received.

**Arizona Department of Environmental Quality:** No comments received.

**State Lands Department:** No comments received.

**Arizona Department of Water Resources:** No comments received.

**U.S. Fish and Wildlife Service:** No comments received.

**Fort Huachuca:** With regard to both of these requests, we would like to know the frequencies being used to transmit and receive data.

*(Applicant Response: “we will have 18GHz Licensed Back haul links, 3GHz CBRS access points to serve the customers, and possibly some 5GHz off these new sites.”)*

Ft. Huachuca: Our Frequency Spectrum Manager provided this feedback, so we still have a question about the frequencies being used in the 5GHz band. See below.

The rules governing the Citizens Broadband Radio Service (CBRS 3550-3700) are found in Part 96 of the FCC’s rules, link below.

The CBRS and 18 GHz backhauls are not an issue. I am interested to know what frequencies in the 5 GHz they will be using. Fort Huachuca has 2-14th and CBP flying UAVs in the 5 GHz band.

\* CBRS 3550-3700.....no issues.

\* 18GHz.....no issues.

\* 5GHz.....!! If they are planning to use this band, we need to know.

*(Applicant Response: “We are not planning on using 5GHz on these locations, it was just a possibility. We have 5GHz already in production on the other site we have in the area, and the reason why we are wanting to put these other site in with other frequencies to mitigate the noise that we know is in the area. I will relay this to our engineers so we can plan ahead to let the Fort know if 5GHz is planned.”)*

*(Planning Response: Condition recommended that “The applicant shall notify the County Zoning Inspector of any proposed frequency changes” to ensure the County and Fort are notified if any changes to frequency, including 5 GHz is planned.)*