



**MEMORANDUM**

**TO:** Cochise County Planning and Zoning Commission  
**FROM:** Robert Kirschmann, Planner II  
**FOR:** Daniel Coxworth AICP, Development Services Director  
**SUBJECT:** SU 22-20 (Arabian) Application for a Special Use Authorization  
**DATE:** September 29, 2022, for the October 12, 2022, Meeting

**Docket SU 22-20 (Arabian)**

The applicant, AT&T Mobility, represented by Brian Barrett, requests a Special Use Authorization to approve a replacement wireless communication tower of 130 feet and associated equipment.

The project is located at the existing Fry Fire Station on 5019 S Arabian Way, Sierra Vista Arizona. The property is also identified as Assessor Parcel Numbers 107-75-020 consisting of approximately 2 acres.

The establishment of a communications tower that exceeds 30-feet in height is subject to site development standards in Article 18 of the Zoning Regulations and requires Special Use Authorization from the Planning and Zoning Commission in a rural zoning district.

*Figure 1: Request Location*



**I. DESCRIPTION OF SUBJECT PARCEL AND SURROUNDING USES**

**Site Size:** 2 Acres  
**APN:** 107-75-020  
**Zoning:** RU-4 (Rural, 4-acres minimum parcel), Essential Government Services  
**Growth Area:** Category D  
**Plan Designation:** Rural Residential  
**Area Plan:** None  
**Existing Uses:** Fry Fire Station, existing 141’ communication tower(to be removed)  
**Proposed Uses:** Same, with replacement Tower

**Surrounding Zoning and Uses**

Relation to Subject Parcel	Zoning District	Use of Property
North	RU-4	Single Family Residential
South	RU-4	Single Family Residential
East	RU-4	Vacant
West	RU-4	Coronado Elementary School

**II. SITE HISTORY**

1996 Fire Station constructed

**III. REQUEST DESCRIPTION**

The applicant proposes to replace the existing 141’ tall communication tower with a 130’ tall free-standing, self-collapsing telecommunications tower on a 2-acre rural zoned parcel. The tower is composed of factory-built steel that is assembled on-site and placed on a concrete pad with rebar reinforcement. The tower and associated equipment will be surrounded by a slatted chain link fence. The final product and services will be the provision/maintenance of new T Mobile Service and relocation on emergency communications.

All new telecommunication towers require:

- Approval from the local governing authority for the proposed site (in this case the planning and zoning commission through a special use authorization)
- Compliance with Federal Communications Commission (FCC) rules implementing NEPA
- In the interest of aviation safety, the following may also be required:
  - Federal Aviation Administration notification and/or
  - Antenna Structure Registration.

The Federal Communications Act (Section 332 (c)(7)) preserves state and local authority over zoning and land use decisions for personal wireless service facilities but sets forth specific limitations on that authority. Specifically, local governments may not:

- unreasonably discriminate among providers of functionally equivalent services,
- regulate in a manner that prohibits or has the effect of prohibiting the provision of personal wireless services, must act on applications within a reasonable period of time,

Any application denial must be in writing and supported by substantial evidence in a written record. The statute also preempts local decisions premised directly or indirectly on the environmental effects of radio frequency (RF) emissions, assuming that the provider is in compliance with the Commission’s RF rules.







The Applicant proposes ingress/egress from Thuma (see photo to left) there is a gate directly off the road. The Fire Station use will continue to use both roads(See photo below). No new road cuts are proposed. The limiting of access points and the low traffic demand of the use, once constructed, complies with the requirement to “minimize road cuts that are associated with unsafe traffic conflicts.”

**4. Traffic Circulation Factors: Complies**

Specifically, this factor stipulates that the Special Use Authorization request should not result in the use of any residential street for non-residential through traffic. Apart from the initial construction crew and maintenance teams, the site is expected to receive minimal traffic during the life of its operation.

**5. Adequate Services and Infrastructure: Complies**

The wireless communication towers provide additional wireless service to the region. Electric power is provided by Sulfur Springs Valley Electric Co-op (SSVEC). SSVEC has no comments or conditions on the request. The applicant will need to satisfy all service conditions and service entrance requirements required by SSVEC for new service. Water, sewer/septic, natural gas, telephone, and wastewater service is not required for the proposed use.



**6. Significant Site Development Standards: Complies with Modification**

Wireless Communication facilities are subject to a set of use-specific site development standards contained in Section 1813 of the Zoning Regulations. Among them are standards relative to co-location, setbacks, height standards, design, and certification, as well as noise. The proposed tower meets all site development standards, as proposed.



Development Standard	Proposed
All new communication facilities will be designed by a Registrant licensed by the State of Arizona.	Will comply
For towers up to 150-feet in height, the structure shall be designed to accommodate at least two providers.	Complies
Certifications	Will comply (permitting)
Setbacks: 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.	Requesting modification
Min Site Area	Exempt
Max height	No limit with SUP
Noise or Vibration	Will comply

**7. Public Input: Complies**

See Section IV. Public Comment for additional discussion.

**8. Hazardous Materials: Not Applicable**

The Applicant states that the use of hazardous and dangerous materials is not anticipated on site.

**9. Off-Site Impacts: Complies**

Major off-site impacts could include temporary construction traffic, dust, noise, and long-term dust, noise, and visual impacts. Some impacts are mitigated by the proposed concept plan, while others can be mitigated by conditions.



- Odor – proposed special use will not generate noticeable odors during construction or operation.
- Noise – the application states that all tubular section of the tower and mounts will be capped to prevent noise/vibrations.
- Traffic – The project will operate remotely and will not require on-site staff; consequently, once constructed the use will not have a significant traffic impact.
- Dust - Project construction would likely generate fugitive dust, which will be mitigated with spraying from water trucks.

**10. Water Conservation: Not Applicable**

There will be no employees or customers coming to the site. The proposed tower does not require on-site water.

**VI. PUBLIC COMMENT**



The applicant mailed letters to property owners within 1,000 feet of the property prior to application submittal and received no responses.

The case planner mailed letters to the same property owners within 1,000 feet of the subject property, published a legal ad in the *Sierra Vista Herald*, and posted legal notices on the property. To date, staff has received no responses.

**VII.WAIVERS**

The Applicant is request waivers to the setbacks. The Zoning requires that the tower be at least its height from all property lines. The means the tower would be required to be set back 130 feet from all property lines. The parcel is only

300 feet by 300 feet and would not work. With the existing buildings and use of the site it is posing numerous constraints on locating the tower. The applicant is requesting an approximately 5-foot setback for the equipment cabinet and 25 feet for the tower on the east side. The north setback will be approximately 90 feet. The existing tower is located also on the northern property line so the 90-foot setback would be an improvement. The tower is engineered to be self-collapsing. Finally, along the south and east is extensive vegetation which will help mitigate the encroachment.

**VI. SUMMARY AND CONCLUSION**

This request is for a Special Use authorization to approve a 130-foot-tall wireless communication tower on a 2-acre rural zoned parcel.

**Factors in Favor of Approving the Special Use**

1. The project complies with eight of the criteria used to evaluate special use requests; and
2. The proposed use would maintain and expand the range and quality of internet and wireless data coverage within the immediate area; and
3. Structurally, the tower, as proposed, could accommodate additional equipment for other wireless providers in the future. In addition, this will replace an existing tower on the site.

**Factors Against Approving the Special Use**

1. None identified.

**VII. RECOMMENDATION**

Based on the factors in favor of approval, staff recommends **Approval** of the Special Use request, subject to the following conditions:

1. The maximum height of the Wireless Communication Facility shall be limited to 130’;
2. No signage, other than emergency signage, will be allowed for this wireless communication facility;
3. The facility owner shall notify the County Zoning Inspector of any proposed frequency changes;
4. The facility owner shall be responsible for maintenance in a manner consistent with the original approval of the facility, and equipment cabinets shall display a legible contact number for reporting maintenance problems to the facility owner;

**Sample Motion:**

*Mr. Chairman, I move to approve Docket SU22-20 (Arabian), on parcel 107-75-020 with the Conditions of Approval recommended by staff; the Factors of Approval constituting Findings of Fact.*