

Docket SU23-29

Special Use Authorization for a Communication Tower

**Planning and Zoning Commission
January 10, 2024**



DEVELOPMENT SERVICES



Request

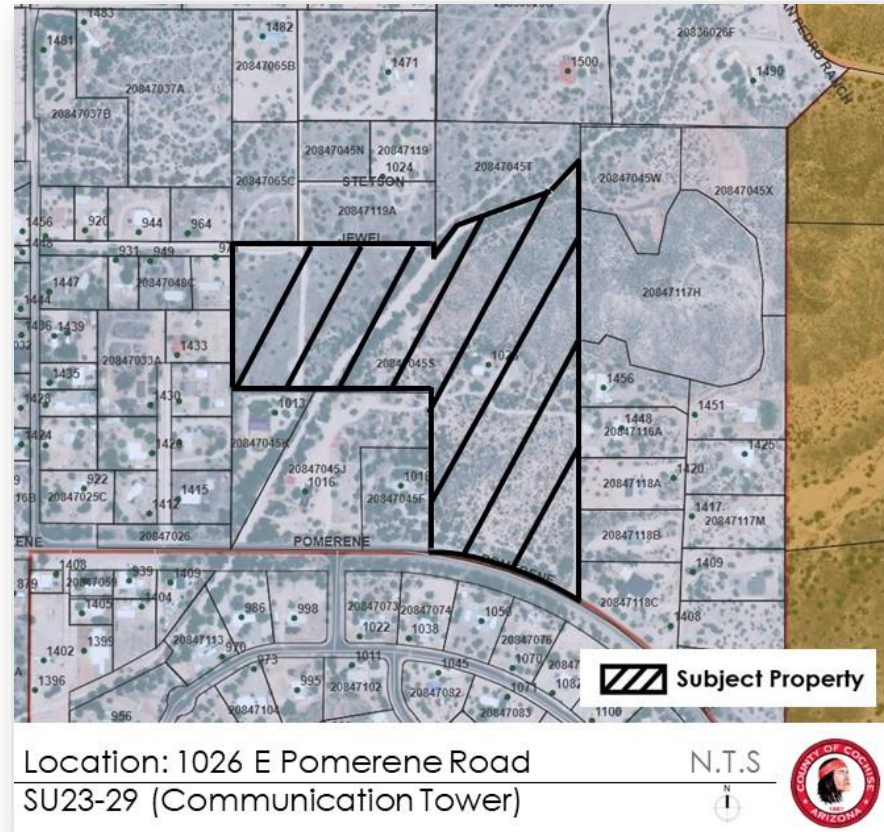
Applicant:	Integrated Elements Unlimited, Merlin Hinrichs
Current Zoning:	R-18 (Residential District)
Comp Plan:	Rural
Growth Area:	C – Rural Community
Current Use:	Single Family Residence
Proposed Uses:	Communication Tower

Property Location



Property Details

- 1026 E Pomerene Rd
- 23 acres (~200 SF project area)
- Existing tower w/ equipment
 - 1.5 years
 - ~20 feet tall
 - Ground equipment
 - Elevation 3670'





Pomerene Road, viewing west

Pomerene Road, viewing east



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Subject property, viewing north

Existing tower





Subject property, viewing south

Viewing south to Pomerene Road



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Applicant Photo Received 12/25/2023

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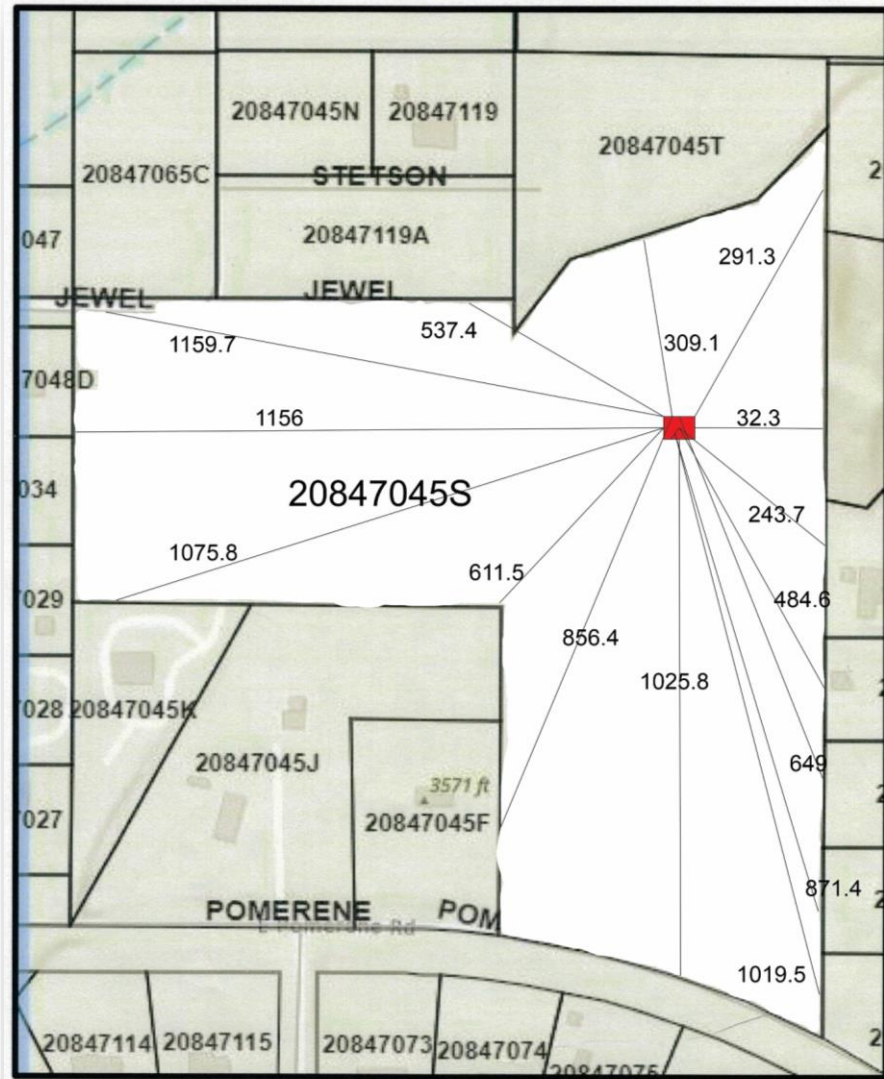


Applicant Photos Received 1/9/2024

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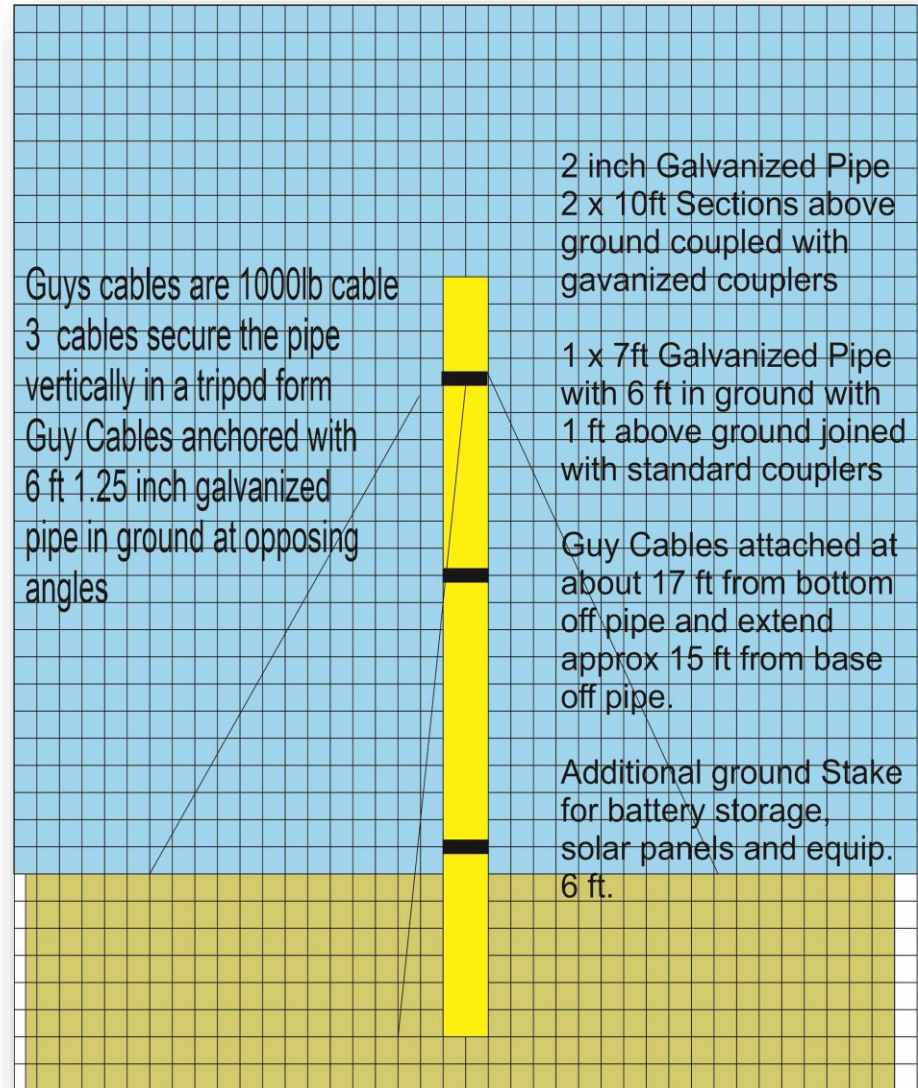


Equipment
Project Area



Equipment Details

- 2" galvanized pipe system
- 21' above grade
- 6' below grade
- 3 guy wires
- Solar panels, battery containers, storage box



Special Use Authorization Factors

1. Compliance with adopted plans
2. Compliance with zoning district purpose
3. Development along major streets
4. Traffic circulation
5. Adequate services and infrastructure
6. Significant site development standards
7. Public input
8. Hazardous materials
9. Off-site impacts
10. Water conservation

Factors in Favor

- Complies with nine factors
 - Adopted plan, zoning district; development along major streets; traffic circulation; adequate services/infrastructure; site development standards; public input; off-site impacts; water conservation
- Low intensity, portable use in area with limited residential development
- Terrain offers desirable location with low probability of nearby incompatible uses in the future
- No opposition from surrounding property owners

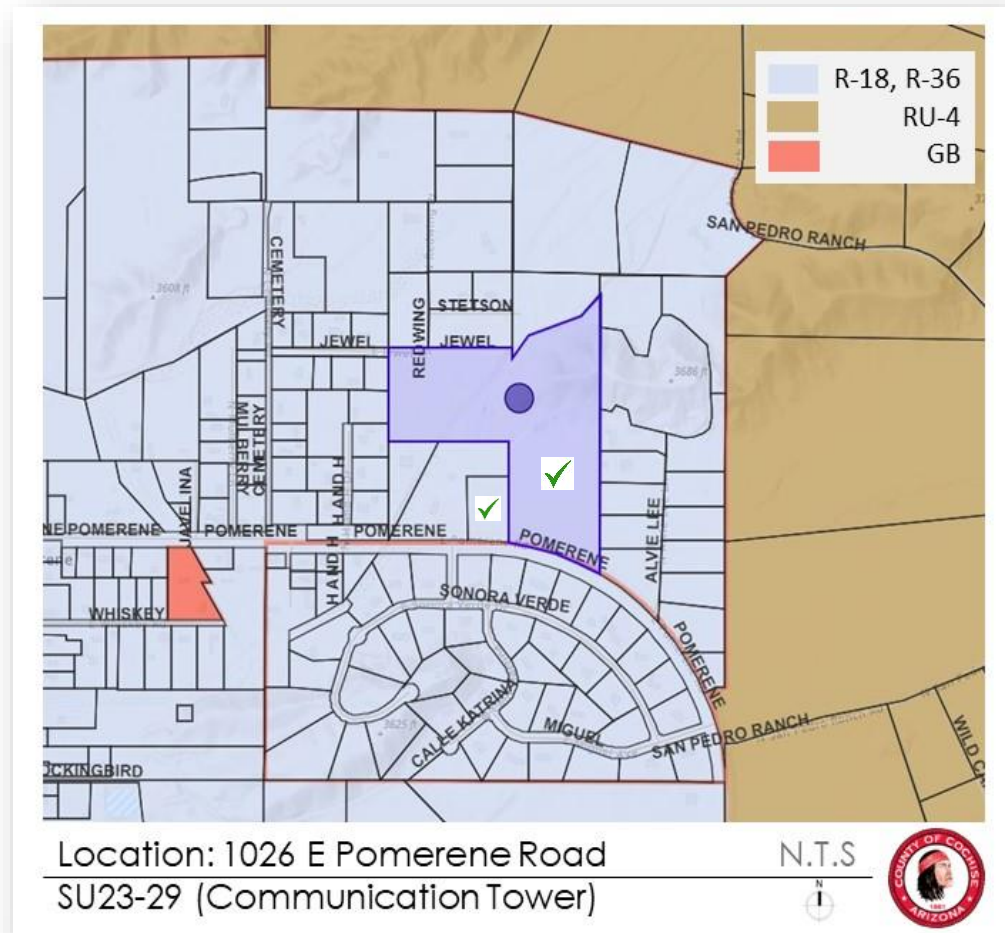
Factors Not in Favor

- None identified

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Citizen Review / Public Notice

- 6 December
 - Applicant letters
- 19-20 December
 - Notices
 - Posting
 - Legal ad



Section 2.03 Definitions

- Communication Tower
 - Any support structure, including lattice-type towers and monopoles, used to achieve the necessary elevation for communication equipment.
- Communication Equipment
 - A facility or shelter used for housing equipment for switching, processing, transmission, and/or reception of Federal Communications Commission (FCC) licensed wireless communications services involving the use of an antenna array, connection cables, and equipment shelters.

Section 2.51.120

- Existing towers do not require special uses, building permits if existing prior to 1999 and permitted by zoning district
- New towers must be designed by AZ licensed registrant
- Towers up to 150' must accommodate at least 2 providers; greater than 150' at least 3 providers
- Affidavits demonstrating compliance with FAA, FCC
- New equipment on existing tower requires engineer certificate, report, or plan indicating compliance with safety standards
- Setbacks to property lines, lease area boundary, edge of ROW must be equal to or greater than tower height
- Maximum height determined by zoning district; heights may exceed zoning district limit with approved special use
- Noise or vibration nuisances prohibited
- Facilities unused for 12 months considered abandoned, removal may be required

Applicant Presentation / Discussion



Staff Recommendation

Staff recommends conditional approval of Docket SU23-29 for an existing communication tower with supporting ground equipment. If the Commission wishes to grant approval, Staff recommends the following condition:

1. Applicant shall provide a notarized affidavit confirming the distance of the existing communication tower and supporting equipment from the east property line. Tower height shall not exceed 21' and setbacks depicted on the site plan shall be maintained.
2. Applicant has discretion whether to accommodate additional providers as required by Section 2.51.120 of county zoning regulations per waiver request.

**Standard conditions related to acceptance of conditions, permitting timeframes, and modifications to an approved special use apply to and have not been modified by this request.*

Sample Motion

Madam Chair, I move to approve Docket SU23-29 (Pomerene Communication Tower) with conditions of approval recommended by staff, the Factors of Approval constituting Findings of Fact.

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