

BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: July 7, 2015

Title: P21-15-010 - Unisource Energy Corporation - N. La Canada Dr. - Type III Conditional Use Permit

Introduction/Background:

Proposal is to add an antenna to an existing communication tower. The tower height is proposed to increase from 70 feet to 85 feet. The tower and equipment is inside an existing Tucson Electric Power Company substation.

Discussion:

To tower will be increased to accommodate a second carrier. The applicant is proposing to use an existing tower instead of proposing a new tower.

Conclusion:

The new antenna are to provide increase coverage in the area.

Recommendation:

The Pima County Hearing Administrator recommends approval of the conditional use permit. On motion, the Planning and Zoning Commission voted 9-0 to approve the conditional use permit for the communication tower.

Fiscal Impact:

None

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Departme	nt: Development Se	rvices Departmen	t n Te	lephone: 724-6675
for				1/12/.

Gepartment Director Signature/Date:	Quille 6/17/2015
Deputy County Administrator Signature	=/Date: Musser for John Bernal @/23/15
County Administrator Signature/Date:_	C. Delielbury c/23/15



TO: Honorable Ally Miller, Supervisor, District #1

FROM: Arlan M. Colton, Planning Director MMC

DATE: June 10, 2015

SUBJECT: <u>P21-15-010</u> <u>UNISOURCE ENERGY CORPORATION – N. LA CANADA DR.</u> (Conditional Use – Type III – Communication Tower)

The above referenced Conditional Use is within your district and is scheduled for the Board of Supervisors' **TUESDAY**, **JULY 7**, **2015** hearing.

REQUEST: Conditional Use – Communication Tower

OWNER: Unisource Energy Corporation (TEP) 4350 E. Irvington Rd., Mail Stop OH204 Tucson, AZ 85714

AGENT: Reliant Land Services on behalf of T-Mobile c/o David Ullrich 7201 E. Camelback Rd #310 Scottsdale, AZ 85251

DISTRICT:

STAFF CONTACT: Tom Drzazgowski

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PUBLIC COMMENT TO DATE Staff has received no written comment on this case.

HEARING ADMINISTRATOR RECOMMENDATION: APPROVAL WITH STANDARD AND SPECIAL CONDITIONS.

PLANNING AND ZONING COMMISSION RECOMMENDATION: APPROVAL WITH STANDARD AND SPECIAL CONDITIONS.

MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM: The subject property is located outside the Maeveen Marie Behan Conservation Land System.

CP/TD/ar Attachments



BOARD OF SUPERVISORS MEMORANDUM

Subject: P21-15-010

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FOR JULY 7, 2015 MEETING OF THE BOARD OF SUPERVISORS

- TO: HONORABLE BOARD OF SUPERVISORS
- **FROM:** Arlan M. Colton, Planning Director M Public Works-Development Services Department-Planning Division
- **DATE:** June 10, 2015

ADVERTISED ITEM FOR PUBLIC HEARING

CONDITIONAL USE PERMIT COMMUNICATION TOWER

P21-15-010 UNISOURCE ENERGY CORPORATION – N. LA CANADA DR. Request of Reliant Land Services, on property located at 8951 N La Canada Dr., in the CR-1 Zone, for a conditional use permit for a communication tower (increase height by 15 feet and add antenna to an existing communication tower). Chapter 18.97 in accordance with Section 18.07.030H2e of the Pima County Zoning Code allows a communication tower increase as a Type III conditional use in the CR-1 zone. On motion, the Planning and Zoning Commission vote 9-0 (Commissioner Cook was absent), to recommend APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITION. The Hearing Administrator recommends APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITION. (District 1)

(District 1)

Planning and Zoning Commission Hearing (May 27, 2015)

The Planning & Zoning Commission hearing on this case took place on May 27, 2015. At same, the Commission heard the applicant's presentation and queried both the applicant and staff on numerous particular details of the application, and also heard testimony from one (1) member of the public. Issues explored at length by the Commission included: 1) the presence of other towers in the immediate area and whether or not the existing coverage was therefore sufficient; 2) the height of the proposed tower extension relative to the other towers in the area; and 3) the fact that competing wireless providers must be provided equal access to "gap" areas, despite the factthat other providers (and towers) may already be established in the same area.



Board of Supervisors Memorandum

<u>P21-15-010</u>

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FOR BOARD OF SUPERVISORS JULY 7, 2015 PUBLIC HEARING

TO: HONORABLE BOARD OF SUPERVISORS

FROM: Jim Portner, Hearing Administrator

DATE: May 29, 2015

DOCUMENT: <u>P21-15-010</u>

CONDITIONAL USE PERMIT REQUEST FOR PUBLIC HEARING

Request of Reliant Land Services, on property located at 8951 N. La Canada Drive, in the **CR-1 Zone**, for a conditional use permit for a communication tower (increase height by fifteen feet and add antenna to an existing communications tower). Chapter 18.97, in accordance with Section 18.07.030H2e of the Pima County Zoning Code allows a communication tower increase as a Type III conditional use in the CR-1 zone. (District 1)

CASE PARTICULARS

This is a Conditional Use Permit request (Type III) to increase the height of an existing monopole by fifteen feet (15') and to locate a new 7' tall antennae array at the top of the tower. The total height of the new tower will be eighty-five feet (85'). A similar conditional use permit case, encompassing an increase in height tower and the addition of a new antennae array, was processed under Case No. P21-12-006. This case was heard by the Planning & Zoning Commission in May, 2012 and approved by Board of Supervisors in July, 2012. The current CUP request therefore represents the second co-location request on the same tower; co-location is encouraged by the Zoning Code as a preferred alternative to new communication towers. The new on-the-ground equipment servicing the new antennae array will be located within the walled TEP compound. The existing monopole is anodized aluminum.

SUMMARY OF THE PLANNING & ZONING COMMISSION PUBLIC HEARING

The Planning & Zoning Commission hearing on this case took place on May 27, 2015. At same, the Commission heard the applicant's presentation and queried both the applicant and staff on numerous particular details of the application, and also heard testimony from one (1) member of

the public. Issues explored at length by the Commission included: 1) the presence of other towers in the immediate area and whether or not the existing coverage was therefore sufficient; 2) the height of the proposed tower extension relative to the other towers in the area; and 3) the fact that competing wireless providers must be provided equal access to "gap" areas, despite the fact that other providers (and towers) may already be established in the same area.

After discussing all of the above and closing the public hearing, the Commission voted 9-0 (motion by Neeley, seconded by Johns & Membrila; Commissioner Cook being absent) to recommend APPROVAL of this CUP request to the Board of Supervisors, subject to the Hearing Administrator's standard and special conditions as follows:

Standard Conditions

1. Adherence to all requirements of Section 18.07.030.H and Section 18.07.040.A.4 (General Regulations and Exceptions) of the Pima County Zoning Code.

Special Conditions

- 1. The new/resultant total tower height shall be no more than eighty-five feet (85').
- 2. The new tower/pole extension, antennae array, and any exposed cabling shall be painted to, as best as possible, match the color of the existing monopole and existing antennae arrays.

HEARING ADMINISTRATOR'S CONSIDERATIONS

This request proposes to increase the height of an existing monopole communications tower and to install a new antennae array at its top. In that regard, this request constitutes a co-location. The existing tower is located within an existing Unisource/TEP sub-station walled compound. The total height of the new tower would be eighty-five feet (85').

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Wireless Service Coverage and "Gap" Considerations

The Federal Telecommunications Act of 1996 encourages all new wireless installations that introduce or enhance reliable wireless coverage in those areas where a "gap" in coverage or service-quality presently exists.

A set of before and after propagation plots have been provided by the applicant to illustrate the existing coverage gap that typifies the area. The plots indicate that the existing tower is centered within a large area wherein the coverage is generally in the > -104 dBm range the lowest service category on their rating scale). With the proposed new antennae array in place, this same area is upgraded to the > -84 dBm level, the best category of their rating scale.

Comprehensive Plan Considerations

The Pima County Comprehensive Plan designates this property as *Low Intensity Urban (LIU)*, the purpose of which is "to designate areas for a mix of low-density housing types and other compatible uses." Communications towers have been approved within the *LIU* designation in the past (and on this very site). This particular proposal is for an increase in the height of an existing tower and the installation of a new antennae array.

In consideration of the above, the request essentially constitutes a co-location on an existing tower located within an existing walled Unisource/TEP sub-station compound. As such, this application is not viewed as being in conflict with the Comprehensive Plan.

Zoning and Land Use Considerations

The subject parcel is zoned CR-1, as are the single-family residential subdivisions adjacent to it on the west, north, east, and south. The property to the west/southwest is zoned CR-5 and contains a higher density single-family residential subdivision. The proposed new antennae array does not present major new or additional impacts (visual or otherwise) over the existing condition, the proposed increase in height notwithstanding.

Other Vertical Elements in the Surrounding Area

The proposed antennae array will be mounted upon a existing tower within the existing walled compound of a Unisource/TEP sub-station. The resultant new tower height will be 85'. Along the west side of La Canada Drive, extending to the north and the south, is a string of TEP power poles which are wooden, approximately 45' tall, and spaced approximately 250' on center. Along the east side of La Canada Drive, also extending to the north and the south, is string of large metal power poles, approximately 65' to 70' tall and spaced approximately 400' on center.

Public Outreach

As of the writing of this report, the Hearing Administrator is not aware or any formal or informal outreach to the neighbors by the applicant. While not required as a part of the conditional use permit process, applicants are always advised by staff to undertake outreach and communications with affected neighbors. The Hearing Administrator's recommendation to the Planning & Zoning Commission was put forth in the absence of any known neighborhood issues. In that no significant neighborhood testimony or issues arose at the May 27, 2015 P&Z public hearing, the Commission has recommended approval to the Board of Supervisors based only the special conditions crafted by the Hearing Administrator.

HEARING ADMINISTRATOR'S RECOMMENDATION

After having visited the subject property and after considering all of the above and reviewing the applicant's submitted materials, the Hearing Administrator found the proposed increase in height of an existing communications tower and the addition of a new antennae array to be an acceptable use on the subject property and within the surrounding context.

It was therefore the recommendation of the Hearing Administrator that the Planning & Zoning Commission recommend **APPROVAL** of this Type III conditional use permit subject to the following Standard and Special Conditions:

Standard Conditions

1. Adherence to all requirements of Section 18.07.030.H and Section 18.07.040.A.4 (General Regulations and Exceptions) of the Pima County Zoning Code.

Special Conditions

- 1. The new/resultant total tower height shall be no more than eighty-five feet (85').
- 2. The new tower/pole extension, antennae array, and any exposed cabling shall be painted to, as best as possible, match the color of the existing monopole and existing antennae arrays.

SONORAN DESERT CONSERVATION CONCEPT PLAN/ENVIRONMENTAL ISSUES

Comprehensive Plan Regional Environmental Policies - Conservation Lands System

In December, 2001 the Board of Supervisors incorporated the Maeveen Marie Behan Conservation Lands System (MMB-CLS) into the Comprehensive Plan 2001 Update as the Regional Environmental Policies. The MMB-CLS is the heart of the Sonoran Desert Conservation Plan (SDCP). On June 21, 2005, the Board of Supervisors amended the Comprehensive Plan Regional Environmental Policies and the MMB-CLS to reflect recommendations from the SDCP Science Technical Advisory Committee that were based on

new scientific and technical data. As adopted, Conservation Guidelines associated with the MMB-CLS establish conservation objectives for a variety of projects (e.g. rezoning actions, comprehensive plan amendments, Type II and Type III conditional use permits, etc.) that require a discretionary decision by the Board of Supervisors. Conservation objectives include:

- Important Riparian Areas 95% undisturbed natural open space
- Biological Core Management Areas 80% undisturbed natural open space
- Special Species Management Areas 80% undisturbed natural open space
- Multiple Use Management Areas 66-2/3% undisturbed natural open space

The subject tower site is located within an area that is **OUTSIDE OF** the Maeveen Marie Behan Conservation Lands System. The proposal meets the prescriptions of the MMB-CLS in that no mandated threshold level of disturbance applies to it.

Biological Impacts Report

On July 17, 2001, the Board of Supervisors adopted Ordinance No. 2001-103, which requires the applicant's notice to the US Fish and Wildlife Service (USFWS) staff regarding the pending matter, and staff commentary on biological resources and development impacts of the subject site and proposal.

Staff Commentary on Biological Impacts

Staff has reviewed this application and finds that: 1) its approval is not expected to affect any resources essential to Pima County's biological conservation priorities; and 2) that it would not be in conflict with the Regional Environmental Policies of the 2001 Comprehensive Plan Update. This application proposes the replacement of an existing antennae array only; no on-the-ground modifications will occur and so no existing vegetation or desert specimens will be disturbed (the entire sub-station site within the walled compound has been previously cleared of vegetation).

Facts Confirmed by the Pima County Geographic Information System (GIS)

The following facts are confirmed by the Pima County GIS and the Sonoran Desert Conservation Plan maps with respect to this conditional use permit request:

Cactus Ferruginous Pygmy Owl. The subject property is not located within an area that is designated as Former Critical Habitat, nor Draft Recovery Area, and is within Survey Zone 1. This site is located within the Priority Conservation Area (PCA) for this species.

Western Burrowing Owl. The subject property is located within a general area designated as having medium quality habitat potential for the Western Burrowing Owl; it is not within the Priority Conservation Area (PCA) for this species.

Pima Pineapple Cactus. The subject property is located within an area that is outside the known range of the Pima Pineapple cactus. It is not within the Priority Conservation Area (PCA) for this species.

Needle-Spined Pineapple Cactus. The subject property is located within an area that is outside of the known range for the Needle-Spined Pineapple cactus. It is not within the Priority Conservation Area (PCA) for this species.

DEPT. OF TRANSPORTATION RECOMMENDATION

The Department of Transportation will review this project as need be during the Development Plan process.

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attachments

cc: Carmine DeBonis, Director, Development Services Yves Khawam, Chief Building Official Arlan Colton, Planning Official Carmine DeBonis, Chief Zoning Inspector Unisource Energy Corporation, Owner Reliant Land Services, c/o David Ullrich, Applicant

NOTICE

PIMA COUNTY BOARD OF SUPERVISORS

PUBLIC HEARING

PUBLIC HEARING WILL BE HELD by the Pima County Board of Supervisors on **Tuesday**, **July 7, 2015** at the time noted, in the Board of Supervisors' Hearing Room, first floor, 130 W. Congress Street, Tucson, Arizona.

This is not a complete agenda and does not reflect the order in which cases will be heard.

AT OR AFTER 9:00 A.M.

REQUESTS A CONDITIONAL USE PERMIT

<u>P21-15-010 UNISOURCE ENERGY CORPORATION – N. LA CANADA DR.</u>

Request of Reliant Land Services, on property located at 8951 N La Canada Dr., in the CR-1 Zone, for a conditional use permit for a communication tower (increase height by 15 feet and add antenna to an existing communication tower). Chapter 18.97 in accordance with Section 18.07.030H2e of the Pima County Zoning Code allows a communication tower increase as a Type III conditional use in the CR-1 zone. (District 1)

The Board Hearing Room is wheelchair accessible, Assistive Listening Devices are available, and closed captioning is available on cable television. The following services are available upon prior request (ten working days) at the Clerk of the Board: Agenda materials printed in Braille or large print; a signer for the hearing impaired.

DONE BY ORDER OF THE PIMA COUNTY BOARD OF SUPERVISORS THIS 7th DAY OF JUNE, 2015.

TELEPHONE: DEVELOPMENT SERVICES / ZONING ENFORCEMENT 724-6675



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PIMA COUNTY DEVELOPMENT SERVICES REPORT TO THE PIMA COUNTY PLANNING & ZONING COMMISSION

CASE:P21-15-010UNISOURCE ENERGY CORPORATION --- N. LA CANADA DR.

- OWNERSHIP: Unisource Energy Corporation (TEP) 4350 E. Irvington Road, Mail Stop OH204 Tucson, AZ 85714
- APPLICANT: Reliant Land Services on behalf of T-Mobile c/o David Ullrich 7201 E. Camelback Road #310 Scottsdale, AZ 85251
- **LOCATION:** On the grounds of an existing Unisource/TEP sub-station compound (walled enclosure) located at 8951 N. La Canada Drive. For all intents and purposes, this request is a co-location, in that it proposes to increase the height of an existing tower within the Unisource/TEP compound (see a full description of request below).
- **REQUEST:** This is a Conditional Use Permit request (Type III) to increase the height of an existing monopole by fifteen feet (15') and to locate a new 7' tall antennae array at the top of the tower. The total height of the new tower will be eighty-five feet (85'). A similar conditional use permit case, encompassing an increase in height tower and the addition of a new antennae array, was processed under Case No. P21-12-006. This case was heard by the Planning & Zoning Commission in May, 2012 and approved by Board of Supervisors in July, 2012. The current CUP request therefore represents the second co-location request on the same tower; colocation is encouraged by the Zoning Code as a preferred alternative to new communication towers. The new on-the-ground equipment servicing the new antennae array will be located within the walled TEP compound. The existing monopole is anodized aluminum.

PETITIONER'S STATEMENT REGARDING THE TYPE OF USE PROPOSED

"Collocation on an existing Cell Tower, extension of 15' in additional height to provide a T-Mobile array."

PETITIONER'S STATEMENT REGARDING COMPATIBILITY

"No new pole is proposed. The extension of the existing pole will provide the area with additional service with a minimal view disruption. Two existing arrays are on the property currently."

The petitioner has provided a complete submittal package, including various supporting materials, coverage/propagation plots, and a development plan of the property.

HEARING ADMINISTRATOR'S CONSIDERATIONS

This request proposes to increase the height of an existing monopole communications tower and to install a new antennae array at its top. In that regard, this request constitutes a co-location. The existing tower is located within an existing Unisource/TEP sub-station walled compound. The total height of the new tower would be eighty-five feet (85').

Wireless Service Coverage and "Gap" Considerations

The Federal Telecommunications Act of 1996 encourages all new wireless installations that introduce or enhance reliable wireless coverage in those areas where a "gap" in coverage or service-quality presently exists.

A set of before and after propagation plots have been provided by the applicant to illustrate the existing coverage gap that typifies the area. The plots indicate that the existing tower is centered within a large area wherein the coverage is generally in the < -104 dBm range the lowest service category on their rating scale). With the proposed new antennae array in place, this same area is upgraded to the < -84 dBm level, the best category of their rating scale.

Comprehensive Plan Considerations

The Pima County Comprehensive Plan designates this property as *Low Intensity Urban (LIU)*, the purpose of which is "to designate areas for a mix of low-density housing types and other compatible uses." Communications towers have been approved within the *LIU* designation in the past (and on this very site). This particular proposal is for an increase in the height of an existing tower and the installation of a new antennae array.

In consideration of the above, the request essentially constitutes a co-location on an existing tower located within an existing walled Unisource/TEP sub-station compound. As such, this application is not viewed as being in conflict with the Comprehensive Plan.

Zoning and Land Use Considerations

The subject parcel is zoned CR-1, as are the single-family residential subdivisions adjacent to it on the west, north, east, and south. The property to the west/southwest is zoned CR-5 and contains a higher density single-family residential subdivision. The proposed new antennae array does not present major new or additional impacts (visual or otherwise) over the existing condition, the proposed increase in height notwithstanding.

Other Vertical Elements in the Surrounding Area

The proposed antennae array will be mounted upon an existing tower within the existing walled compound of a Unisource/TEP sub-station. The resultant new tower height will be 85'. Along the west side of La Canada Drive, extending to the north and the south, is a string of TEP power poles which are wooden, approximately 45' tall, and spaced approximately 250' on center. Along the east side of La Canada Drive, also extending to the north and the south, is string of large metal power poles, approximately 65' to 70' tall and spaced approximately 400' on center.

Public Outreach

As of the writing of this report, the Hearing Administrator is not aware or any formal or informal outreach to the neighbors by the applicant. While not required as a part of the conditional use permit process, applicants are always advised by staff to undertake outreach and communications with affected neighbors. The Hearing Administrator's recommendation below is put forth in the absence of any known neighborhood issues. In the event that same arise at public hearing, the Planning & Zoning Commission has the prerogative to revisit the recommendation and special conditions presented herein.

HEARING ADMINISTRATOR'S RECOMMENDATION

After visiting the subject property and after considering all of the above and reviewing the applicant's submitted materials, the Hearing Administrator finds the proposed increase in height of an existing communications tower and the addition of a new antennae array to be an acceptable use on the subject property and within the surrounding context.

It is therefore the recommendation of the Hearing Administrator that the Planning & Zoning Commission recommend **APPROVAL** of this Type III conditional use permit subject to the following Standard and Special Conditions:

Standard Conditions

1. Adherence to all requirements of Section 18.07.030.H and Section 18.07.040.A.4 (General Regulations and Exceptions) of the Pima County Zoning Code.

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SONORAN DESERT CONSERVATION CONCEPT PLAN/ENVIRONMENTAL ISSUES

<u>Comprehensive Plan Regional Environmental Policies — Conservation Lands System</u>

In December, 2001 the Board of Supervisors incorporated the Maeveen Marie Behan Conservation Lands System (MMB-CLS) into the Comprehensive Plan 2001 Update as the Regional Environmental Policies. The MMB-CLS is the heart of the Sonoran Desert Conservation Plan (SDCP). On June 21, 2005, the Board of Supervisors amended the Comprehensive Plan Regional Environmental Policies and the MMB-CLS to reflect recommendations from the SDCP Science Technical Advisory Committee that were based on new scientific and technical data. As adopted, Conservation Guidelines associated with the MMB-CLS establish conservation objectives for a variety of projects (e.g. rezoning actions, comprehensive plan amendments, Type II and Type III conditional use permits, etc.) that require a discretionary decision by the Board of Supervisors. Conservation objectives include:

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Biological Impacts Report

On July 17, 2001, the Board of Supervisors adopted Ordinance No. 2001-103, which requires the applicant's notice to the US Fish and Wildlife Service (USFWS) staff regarding the pending matter, and staff commentary on biological resources and development impacts of the subject site and proposal.

Staff Commentary on Biological Impacts

Staff has reviewed this application and finds that: 1) its approval is not expected to affect any resources essential to Pima County's biological conservation priorities; and 2) that it would not be in conflict with the Regional Environmental Policies of the 2001 Comprehensive Plan Update. This application proposes the replacement of an existing antennae array only; no on-the-ground modifications will occur and so no existing vegetation or desert specimens will be disturbed (the entire sub-station site within the walled compound has been previously cleared of vegetation).

Facts Confirmed by the Pima County Geographic Information System (GIS)

The following facts are confirmed by the Pima County GIS and the Sonoran Desert Conservation Plan maps with respect to this conditional use permit request:

Cactus Ferruginous Pygmy Owl. The subject property is not located within an area that is designated as Former Critical Habitat, nor Draft Recovery Area, and is within Survey Zone 1. This site is located within the Priority Conservation Area (PCA) for this species.

Western Burrowing Owl. The subject property is located within a general area designated as having medium quality habitat potential for the Western Burrowing Owl; it is not within the Priority Conservation Area (PCA) for this species.

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DEPT. OF TRANSPORTATION RECOMMENDATION

The Department of Transportation will review this project as need be during the Development Plan process.

attachments

cc: Carmine DeBonis, Director, Development Services Yves Khawam, Chief Building Official Arlan Colton, Planning Official Carmine DeBonis, Chief Zoning Inspector Unisource Energy Corporation, Owner Reliant Land Services, c/o David Ullrich, Applicant



PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT

201 N. Stone Avenue, 1st Floor Tucson, Arizona 85701-1207

CARMINE DeBONIS Director

Phone: (520) 740-6520 FAX: (520) 798-1843

MEMORANDUM

- TO: Members of the Pima County Planning & Zoning Commission
- FROM: Jim Portner, Pima County Hearing Administrator
- SUBJECT: P21-15-010 UNISOUCE ENERGY CORPORATION N. LA CANADA DRIVE --- Type III Conditional Use Permit Request for a Communications Tower (increase in the height of an existing tower and installation of a new panel antennae array).
- DATE: May 9, 2015

This memorandum is intended to assist the members of the Planning & Zoning Commission in its evaluation of the above-referenced Type III request for a communications tower (specifically, increasing the height of an existing tower and installation of a new antennae array). The existing tower is located within a walled Unisource/TEP sub-station compound. Per the Federal Telecommunications Act of 1996, twenty-one (21) criteria were established which can be considered by the local zoning authority in its decision to approve or deny such requests.

These twenty-one criteria are listed below (in *italics*), with a brief commentary on each for the Commission's consideration:

- 1. Amount of compliance with permit requirements. A Type III CUP is required because the new replacement panel antennae array increases the height of the existing monopole tower by three feet (3'). The applicant has initiated this permitting process with the CUP application that is before you.
- 2. Staff approval or disapproval. Not applicable; the Type III CUP process calls for a recommendation by the Hearing Administrator, P&Z and a final decision by the Board of Supervisors.

Memorandum to the Planning & Zoning Commission P21-15-010 – UNISOURCE ENERGY CORPORATION – N. LA CANADA DRIVE May 9, 2015 Page 2 of 3

- 3. *Zoning approval or disapproval*. Not applicable; same comment as Item 2 above. This site is zoned CR-1.
- 4. Other towers in the same zoning classification. Other towers have previously been in approved in Pima County within the CR-1 zone.
- 5. Other towers in other zoning classifications. Pima County has previously approved towers in the SH, GR-1, RH, SR, CR-1, and CR-4 residential zones, as well as in the CB-1 and CB-2 business zones.
- 6. Amount of neighborhood opposition and whether it is substantial and supported by factual evidence. There has been no neighborhood opposition, either written or verbal, received by staff on this request at the time this Memorandum's preparation.
- 7. *Type of neighborhood opposition*. None received to date.
- 8. *Nature of neighborhood opposition, whether aesthetic, etc.* Not applicable, per above.
- 9. Amount, type, and nature of evidence offered by wireless provider. Contained within application packet and discussed further in the staff report; additional information may be sought by the Commission at hearing.
- 10. *Expert testimony*. None to date.
- 11. *Height of tower*. The existing tower is seventy feet (70') tall and is located within an existing Unisource/TEP walled sub-station compound. The applicant proposes to increase the height of the tower and mount a new panel antennae array at a top-height of eighty-five feet (85').
- 12. *Color of tower*. The existing tower is anodized aluminum. The hearing administrator proposes a special condition requiring that the tower extension and new panel antennae array be painted to substantially match the color of the existing pole.
- 13. *Possibilities of camouflage*. See Item #12 above. While certain forms of camouflage are available (faux palm tree, pine tree, saguaro), the Hearing Administrator does not believe any of these are warranted for this particular location given that it is the extension of an existing tower that has been in place for a long time. It is warranted that the new array simply match the color of the existing tower.
- 14. Service coverage issues; such as whether a gap would be created that would impede emergency service. See applicant materials and the Hearing Administrator's staff report, wherein the existing and proposed coverage characteristics are discussed. In short, the

applicant asserts that a coverage gap exists within the surrounding area with respect to signal strength. This gap will be properly addressed by the installation of the proposed new antennae array.

- 15. Alternative sites explored. It is the Hearing Administrator's position that this application constitutes a co-location. The proposal makes intelligent use of the existing monopole tower to addresses the gap in question. See applicant materials Item #5, wherein other sites are discussed, all of which were found inferior to the one chosen for various presented reasons.
- 16. *Possibilities for co-location on an existing tower*. This is a co-location application, in that it is only concerned with the installation of a new wireless antennae array to replace the existing one presently on the tower.
- 17. *Possibilities for more, shorter towers*. Not applicable; this is a co-location on an existing tower. See Item #16 above.
- 18. *Provision for tower removal.* The existing monopole tower is on property owned by Unisource Energy Corporation. Lease provisions between the Unisource and T-Mobile will cover the removal of the wireless facilities once/if the agreement is terminated.
- 19. *Possibilities for this tower serving as a co-location site for other providers*. Other carriers are already located on this existing tower; it is not know whether any future co-location opportunities remain.
- 20. *Time taken to make the decision (by the local zoning authority).* This item is before the Commission for the first time at its May 27, 2015 public hearing. Federal law encourages a timely response by the local zoning authority. It is recommended that the Commission vote on their formal recommendation to the Board of Supervisors at the May 27, 2015 meeting.
- 21. *Government contracts with the wireless provider*. The applicant indicates that T-Mobile does have government contracts in force, but does not provide detail as to same.

PLANNING AND ZONING COMMISSION NOTICE OF HEARING

NOTICE IS HEREBY GIVEN that the Planning and Zoning Commission will hold a hearing on Wednesday, May 27, 2015, at 9:00 a.m. in the Board of Supervisors' Hearing Room, first floor, 130 W. Congress Street, Tucson, Arizona on the following:

P21-15-010 UNISOURCE ENERGY CORPORATION - N. LA CANADA DR.

Request of Reliant Land Services, on property located at 8951 N La Canada Dr., in the CR-1 Zone, for a conditional use permit for a communication tower (increase height by 15 feet and add antenna to an existing communication tower). Chapter 18.97 in accordance with Section 18.07.030H2e of the Pima County Zoning Code allows a communication tower increase as a Type III conditional use in the CR-1 zone. (District 1)

There will be additional cases heard at this hearing.

Individuals with disabilities who require accommodations, including auxiliary aids or services, for effective participation and communication in the meeting may call the Planning Division at (520) 724-9000 at least one week prior to the meeting. Our meeting site is wheelchair accessible.

If you have any questions regarding this hearing, you may come to the Zoning Enforcement Division, Public Works Building, 201 N. Stone Avenue, First Floor, Tucson, Arizona, or telephone 724-6675.



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ZONING ENFORCEMENT DIVISION 201 N. Stone Avenue, 1st Floor Tucson, Arizona 85701-1207 (520) 724-6675

APPLICATION FOR CONDITIONAL USE PERMIT

OWNER: _Tucson Power and Electric CoDorina Vega-Res	source Mgmnt-Telecommunications PHONE:520-918-8360
ADDRESS: _4350. E. Irvington Rd. Mailstop OH204 CITY:	Tucson, AZ 85714
APPLICANT (if not owner)_Reliant Land Services-David Ul	llrich, Zoning SpecialistPHONE:_480-266-8753_
APPLICANT EMAIL ADDRESS:_DAVID.ULLRICH@RL	SUSA.COM
ADDRESS:_7201_ECamelback_Road_#310CITY:_Scott	tsdale,_AZ_ZIP:_85251
PROPERTY ADDRESS: _8951 N. La Canada, Tucson AZ	ZONE: _CR-1
TAX CODE(S):	
	TOWNSHIP, RANGE SEC.: _T12S, R 13E Sec 22
LOT DIMENSIONS:16' x 16' lease area	LOT AREA:8.08 Acres
additional height to provide a T-Mobile array.	
STATE THE REASONS WHY THE USE IS PROPOSED A THE SURROUNDING AREA:	AND WHY YOU THINK IT WOULD BE COMPATIBLE WITH
No new pole is proposed. The extension of the existing pole disruption. Two existing arrays are on the property currently	will provide the area with additional service with a minimal view y.

ESTIMATED STARTING DATE: _August 2015___ ESTIMATED COMPLETION DATE: _ September 2015____

THE FOLLOWING DOCUMENTS ARE REQUIRED:

- 1. Preliminary Development Plan
 - a. 5 copies are needed for Type I (In accordance with Pima County Fee Schedule)
 - b. 10 copies are needed for Type II (In accordance with Pima County Fee Schedule)
 - c. 10 copies are needed for Type III (In accordance with Pima County Fee Schedule)

(Make check payable to Pima County Treasurer)

- 2. Assessor's Map showing location and boundaries of the property.
- 3. Assessor's Property Information showing ownership of the property.
- 4. Letter of Authorization if applicant is not the owner
- 5. Floor Plan that pertains to interior access or use if required
- Biological Impact Report ** For Type 2 or 3 permit requests 6.

I, the undersigned, represent that all the facts in this application are true to the best of my knowledge.

h_____

Signature of Applicant

- PAVID D. HURICH Print Name

<u>3/30/15</u> 480.266-8753 Applicant Phone Number

Applicant agrees to provide staff with written proof of notice to the United States Fish and Wildlife Service of this conditional use request at least 15 days prior to the date of the public hearing. Failure to do so may result in cancellation of the public hearing. In addition, the applicant or authorized representative must appear in person at the public hearing to present the request, otherwise the case may be dismissed.

Please initial here:

OFFICE USE ONLY	Case Title: UNISOURCE Evergy Conformation
Case #: $1 \sim 1 (7 000)$	Case Title: UNUT CON CONTROL C
Type: Fee:	Receipt Number: Hearing Date: <u>4/2/15</u>
Notification Area:	Sections:
Zoning Approval:	300 toot Notio
Special Conditions:	

A request for continuance of an advertised application or a change in original request by applicant, must be accompanied by an additional fee.

** Applicant should consult with Pima County Planning staff to determine the extent to which this requirement applies to the subject property. The Biological Impact Report pertains to expected impacts on endangered and threatened species as identified in the Sonoran Desert Conservation Plan.

Revised 08-25-14

^{5 - 24&}quot; X 36" and 5 - 11" X 17"

APPLICATION FOR CONDITIONAL USE PERMIT

SUPPLEMENTAL INFORMATION REQUIRED FOR COMMUNICATION TOWER REQUESTS

The Federal Telecommunications Act of 1996 requires local governments to address certain issues relating to the placement, construction and modification of wireless communication facilities, including cell towers, when reviewing conditional use permit requests. Hence, applicants must provide information on each of the following items as a part of their conditional use permit application.

1. Height & color of tower. Existing height 70', proposed 85', gray color. Additional pole height will be painted to match.

2. Certification that tower will comply with all FAA, FCC and other applicable regulations. <u>Will comply</u> with all FAA, FCC, etc...all clearances with regulatory will be completed, and provided to Pima County if <u>desired</u>.

3. Possibilities of camouflage. Existing site is not camouflaged.

4. Service coverage. (Is there an existing gap in coverage that presently impedes regular or emergency telephone service? If so, how will that gap be improved by the proposed tower or utility pole replacement? Provide propagation maps showing coverage gap before and after tower placement.) <u>Propagation maps included in package.</u>

5. Alternative sites explored. (Describe the alternate sites considered, including utility pole replacements, and explain in detail the reasons for their rejection. Be specific and thorough.) <u>Other sites were</u> <u>researched. A church (La Aldea Spiritual Community) at the northeast corner of Overton/Hardy and La</u> <u>Canada was researched, but only one acre in size, no height to help conceal as it has a small one story</u> <u>building and parking area. Another small church site to west (Desert Springs Presbyterian) of the same</u> <u>intersection, but that also has small one story buildings, and no height to help conceal. It also would have</u> <u>made the tower closer to residential.</u>

6. Possibilities for co-location on an existing tower or utility pole replacement. (Provide information, including a map, on the existing towers in the coverage area and list the reasons why each co-location or pole replacement is not feasible. Include distance to nearest existing communication towers and utility poles that were considered. In detail describe why co-location was not possible. Provide coverage maps of alternate co-location or utility replacement options. Be specific and thorough.) We propose Collocation with the requested site.

7. Possibilities for more, shorter towers. <u>This area is very heavily residential</u>, with very few nonresidential properties. If more and shorter towers were proposed, we would have the same, if not more, difficulty finding available properties to locate towers.

8. Provisions for tower removal. This tower is owned by TEP, and T-Mobile will be subject to TEP rights.

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9. Possibilities of tower serving as a co-location site for other wireless providers. <u>This is a collocation</u> <u>project.</u>

10. Government contracts with the wireless provider. <u>T-Mobile does have some contracts with</u> municipalities, none are known to exist with Pima County.

USE PERMIT NARRATIVE

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T-Mobile Site – PH30840A TEP-La Canada Property

8951 N. La Canada, Tucson, AZ

March 4, 2015



Applicant:

Reliant Land Services, Inc., representing T-Mobile

7201 E. Camelback Rd. #310,

Scottsdale, AZ 85251

PUROSE OF REQUEST

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Chapter 18.97, in accordance with Section 18.07.030.H.2 Pima County Zoning Ordinance permits a collocation of a Wireless Communications Facility with approval of a Type I Use Permit in an AG District. T-Mobile Wireless Communications is proposing to collocate on an existing 70' tall Wireless Communications Facility monopole within the property by extending the height an additional 15'. The property address is 8951 N. La Canada Drive, in Tucson, AZ, and owned by Tucson Electric and Power. The purpose of this application is to request a Use Permit and site plan approval of the increase height of the communications tower. The Pima County Parcel number is 225-06-049C.

DESCRIPTION OF PROPOSAL

T-Mobile respectfully requests approval to collocate on an existing 70' tall Wireless Communication Facility. Six panel antennas with two antennas each, facing three sectors in one array, along with remote radio heads attached and mounted on the tower at the 81' RAD center, with a height of 85' to the top. As depicted on the Site Plan and Elevations, the collocated tower is in the southeast portion of the property. This collocation is proposed to extend the pole from the current 70' height to an ultimate 85' height. The extension will be painted to match the existing condition.

All new ground equipment is interior to the existing Tucson Electric & Power utility compound and therefore no additional screening is necessary for security. A 12' tall slump block wall currently surrounds the utility complex.

FEASIBLITIY STUDY

The area is somewhat devoid of other opportunities to collocate, or provide a new site within the desired geographic area to accommodate the needs of the RF Engineer. There is one unregistered tower that is located just over one mile to the northeast from the proposed site. Another tower is collocated on a Power Line pole onsite, but it is already at full height and structural capabilities. All other towers are further away, and therefore, not viable candidates for this area. The entire area is essentially residential homes, with one small church property on Overton Road. Another church is located at the northeast corner of Overton/Hardy and La Canada, but that site is about one acre, and has no space available for ground equipment. Each of those sites are small, and do not provide suitable distances from other residential properties that this proposal provides.

RELATIONSHIP TO SURROUNDING PROPERTIES, SAFEGUARDS

The land use and zoning Classifications surrounding the parcel are as follows:

North: CR-1 Utility complex and then residential South: CR-1 One single family home

West: CR-5 Single Family residential East: CR-1 single family residential subdivision

The subject site is a utility substation on a much larger property than what is currently walled and used. (Approximately 1/3 of the site is developed and enclosed.) This provides the site a significant buffer space surrounding the substation with vacant land surrounding the compound. The existing tower location provides over 235' from the nearest residence to the southwest or south, and approximately 280' to the east across La Canada Dr. This provides a reasonable protection for the residences. As this is an unmanned facility, existing parking provided by the site is sufficient.

LOCATION AND ACCESSIBILITY

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The 8.085 acre site is located to on the west side of La Canada, a publicly maintained road, and has direct access. Therefore, no additional County road network or will be necessary. Current access easement locations and roads are sufficient and would be updated to include an additional user. The proposed WCF is located in the southeastern portion of the property, with a dustproofed access via the gravel access drive. This site only requires about one maintenance trip per month, therefore not putting any significant burden on the area traffic, parking, or overall use.

CIRCULATION SYSTEM

The existing site has vehicular access throughout the site. No changes are requested or required for this addition to an existing utility complex. The WCF is an unmanned facility and will generate only the occasional technician trips, typically, once per month.

DEVELOPMENT SCHEDULE

The WCF Tower will be scheduled for completion as soon as all necessary approvals are obtained, and construction is expected to take approximately 60 days.

COMMUNITY FACILITIES AND SERVICES

This site is located in the Tucson Unified School District, but as this is an uninhabited facility, no school impact is created. Installation of this collocation will fill a current gap in service in this area and will help provide better customer call completion, emergency communications, and 911 First Responders service calls.

PUBLIC UTILITIES AND SERVICES

Water – N/A, Sewer – N/A Fire Protection – , Police Protection – Pima County Sherriff Electric – TEP, Natural Gas – N/A Refuse Collection – N/A, Technician to remove any generated trash. Telephone – Qwest, Cable Television – Cox Communications Public Schools – Tucson Unified Schools – No effect.

USE PERMIT CRITERIA

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The proposed WCF will not significantly increase vehicular traffic or pedestrian traffic, nor emit odor, dust, gas, noise, vibration, smoke, heat, glare, or lower property values in the immediate area. As described above, this proposal has been designed to have the lowest impact on the surrounding area, while meeting the technology requirements of the digital age. While this site will operate 24/7/365, we do not feel it will cause the area harm in the above conditions. Technicians typically visit once per month, or when emergency situations arise. The capability of wireless technology is expanding and requires new equipment to meet emergency first responder and customer demand. The proposed design is compatible with the existing utility substation, and the neighborhood, and will not unduly affect the citizens in the surrounding area or the general public, without constructing another tower.

SUMMARY

The construction of this collocation facility will help all types of wireless communication in the region, filling a gap in service. We respectfully request approval of the site plan for T-Mobile.

Submitted by:

David D. Ullrich, Zoning Specialist on behalf of T-Mobile Wireless Communications Reliant Land Services, Inc., 7201 E. Camelback Rd. #310 Scottsdale, AZ 85251 DAVID.ULLRICH@RLSUSA.COM 480-266-8753 Antr Cearch - Search for Cell Towers, Cell Reception, Hidden

nnas and more.



Tower Structures - (8951 N La Canada Dr, Tucson, AZ 85737)



T-Mobile Phoenix		~	Search Ring cut sheet	-		2014 Design
Ring ID Ring Name City	PH30840 Overton Tucson, AZ		Latitude Longitude	32.36666666 -110.999361	Date	4/15/2014
Main Intersection	N La Cañada I	Dr &W Overton Rd	TMO Engr	Dee Santoro	Design Engr	Sigrid Haubrich
				with a waterta churc exhaus ring ar	substation tower, 2 nks and a h. If that its, use red ea as guide	
Coverage Objective	East Tucson -	Overton rd				
		proved NSB Infill Coverage indoor residential coverage				
RF Design	Rad Center Technology Design ID	65' above GSM,UMTS,LTE NSN_1A	AMSL Sector # Candidate	2500 A-B-C	Azimuths	

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T-Mobile Phoenix

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Ring ID	PH30840	
Ring Name	Overton	

Coverage Plot





Accuracy of photo simulation based upon information provided by project applicant. The proposed installation is an artisticepresentation, and not intended to be an exact reproduction. The final installation will have cables, cable ports, an various attachments, such as antennas, nuts, and boits. Every effort will be made to dispuise these components and they will not be readily apparent to the casual observer or passerby. However, upon close scrutiny, the true nature of the installation will be apparent.



Accuracy of photo simulation based upon information provided by project applicant. The proposed installation is an artisticepresentation, and not intended to be an exact reproduction. The final installation will have cables, cable post, and various attachments, such as antennas, nucs, and bolts. Every effort will be made to disguise these components and they will not be readily apparent to the casual observer or passerby. However, upon close scrutiny, the true nature of the installation will be apparent.





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