



MEMORANDUM

PUBLIC WORKS - DEVELOPMENT SERVICES

PUBLIC HEARING – May 1, 2014

DATE: April 30, 2014

TO: Jim Portner, AICP, Hearing Administrator

FROM: Tom Drzazgowski, Deputy Chief Zoning Inspector

SUBJECT: **P21-14-002 – HUNT – E. GILA MONSTER WY.**
Type I Conditional Use – Communication Tower

LOCATION:

The subject property is located near the end of Gila Monster Rd in far eastern Pima County. The property is approximately 5.07 acres and is zoned RH (Rural Homestead).

SURROUNDING LAND USE OR CONTEXT:

All of the surrounding properties are also zoned RH. The area surrounding the property can be classified as low density rural zoning. Roads in the area are not paved and all properties appear to be 5 acres or more in size.

PUBLIC COMMENT:

To date staff has received a couple of calls on the case. One of callers came to the office to receive a copy of the plans. In addition, one letter of protest was received on the case. The protest came from a property owner who is located approximately 1800 feet to the west of the subject property and outside the notice area.

PREVIOUS CASES ON PROPERTY:

There is an active code violation on the property. A complaint was received for numerous violations occurring on the property. A Code Enforcement Officer visited the site and determined the only outstanding violation is the communication tower. The applicant has applied for this conditional use permit to remedy the outstanding violation.

BACKGROUND INFORMATION

This request is to permit an 18 foot communication tower. This is different than most communication tower requests before the Hearing Administrator. Most requests before the Hearing Administrator are for communication towers for voice and data for cell tower companies such as AT&T and Verizon. The current request is to provide internet service in

the area. Since the area is rural in nature there are limited service options for high speed internet. Staff believes that satellite and dial up are the most common options used by residents in the area. This service provided by Simply Bits LLC will provide high speed internet access to property owners in the area.

DEPARTMENT OF TRANSPORTATION AND FLOOD CONTROL

The Department of Transportation and the Flood Control District will review this project as needed during the permit process.

CULTURAL RESOURCES

Please be aware that Pima County cultural resources requirements could apply to Pima County Conditional Use Permits. If cultural or historic sites will be impacted by the proposed use, mitigation of impacts on sites eligible to the National Register of Historic Places could be required before the County issues the building permit. A first step in identifying the cultural resources status of your property is to request an archaeological records review from the Arizona State Museum (ASM), at 621-2096, and submit it with the permit application. The County Office of Cultural Resources and Historic Preservation will review the ASM report and determine whether additional cultural resources actions are necessary.

DEVELOPMENT SERVICES COMMENTS/RECOMMENDATION:

Staff recommends **APPROVAL** of the conditional use request. The tower is camouflaged by being painted green. In addition, the tower is located on an existing disturbed area where little to no new grading or disturbance will occur. Staff believes the Hearing Administrator should consider conditions that can assist in mitigating neighbor concerns. Two suggested conditions would be to limit the height no more than 18 feet in height. Should an increased height be needed in the future a new conditional use permit would be required. Potential screening of the tower with trees and scrubs should be considered should there be neighbor concerns raised at the hearing. Due to the height of the tower there are screening options to mitigate impacts. In addition, this structure appears to be at the end of Gila Monster Wy. There does not appear to be much traffic that would drive by the site since there are few properties further to the east. Lastly, there are other vertical structures in the area. Staff observed a row of utility lines in the area that are approximately the same height located to the west of the site.

- c: Carmine DeBonis, Development Services Director
Simply Bits LLC, Applicant