



MESA COUNTY DEPARTMENT OF PUBLIC WORKS
 Administration - Building - Engineering – Road and Bridge
 Traffic - **Planning** - Solid Waste Management

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PROJECT REVIEW
October 6, 2016

I. PROJECT: 2016-0161 CUP COLLBRAN WIRELESS COMMUNICATION SITE TOWER CONDITIONAL USE PERMIT

Property Owner(s): Thomas and Carol Schindler
Representative(s): Lowell Nelson and , Commnet Four Corners, LLC
Location: 16563 Kimball Creek Road, Collbran 81624
Parcel #: 2667-263-00-034
Zoning: AFT
Planner: Randy Price, (970)244-1759, randy.price@mesacounty.us
Request: Approval for a cell phone tower 199’ in height, self-supporting lattice design, with a grey galvanized finish.

Staff Recommendation Approval of the proposed Conditional Use Permit with conditions and adoption of the resolution.

II. PROJECT DESCRIPTION:

Lowell Nelson of Commnet Four Corners, LLC is seeking approval for a conditional use permit to construct a 199’ foot tall lattice tower in the AFT zoning district. The tower will be a self-supported steel lattice structure with a grey galvanized finish.

Telecommunication facilities and support structures are allowed in the AFT District as conditional uses subject to Section 5.2.17 of the Mesa County Land Development Code. The land owner will lease the property to Commnet.

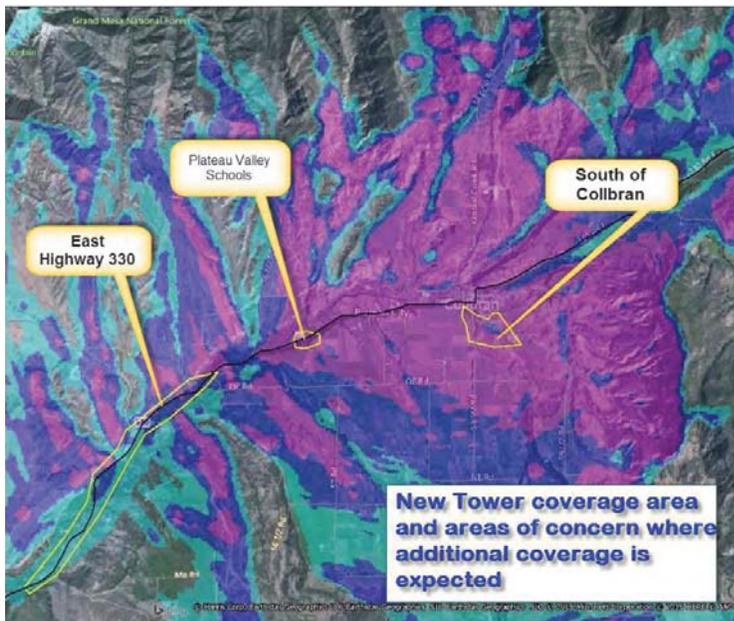


II. SURROUNDING LAND USES AND ZONING:

The site is located ½ mile north of the town of Collbran on property owned by Thomas and Carol Schindler. The tower will be located on the northwest corner of the Schindler property on a hillside covered in Pinion Juniper trees. The property is located north of the town of Collbran in the AFT zoning district. Land uses are residential, agricultural, ranching and oil and gas exploration and production.

The applicant proposes to access the site from the private drive that the Schindlers use to access their home. The drive is shared by another homeowner who lives on the parcel to the west. This private drive accesses Kimball Creek Road 1,200 feet to the east.

The nearest cell phone tower is at the Mesa County Road and Bridge shop located at 15620 57 1/2 Road that is 1 mile to the southwest of the proposed tower. This location is in the bottom of the valley and signals cannot reach into Kimball Creek, up into Buzzard Creek, along Highway 330 east of town, to the Plateau Valley schools and portions of the town of Collbran near Grove Creek. The proposed tower will increase the areas that are covered by wireless service and will allow up to three carriers to locate antennas on the tower. Each carrier will have an electronics enclosure at the base of the tower that is 3x3 feet and 6 feet tall.



V. COMPLIANCE WITH MESA COUNTY CODE REQUIREMENTS:

Section 3.1, Section 3.8.7 and Section 5.2.17 of the Mesa County Land Development Code were used to review this Conditional Use Permit request.

Section 3.8.7 of the Land Development Code (2000, as amended) states that a Conditional Use Permit may be approved by the Board of County Commissioners after considering the following:

A. The proposed use is not significantly different from adjacent uses in terms of appearance, site design, operating characteristics (hours of operation, traffic generation, noise, odor, dust, and other external impacts) or, if the use is different, that any adverse impacts resulting from the use will be mitigated to the maximum extent practical and reclamation of the site will be adequate for appropriate future uses of the site where applicable.

The tower site is located on moderate slopes too steep for agriculture and rangeland. The existing Pinyon and Juniper trees provide excellent cover for the lower portion of the tower and will mitigate visual impacts of the pad, fence and electrical cabinets. The upper tower will be light grey galvanized steel lattice. Because it is located on a hillside, the tower will most likely be viewed from below as a silhouette against the sky. The light grey color will blend best against the sky as opposed to a darker color that would be better if the tower were viewed against the Pinyon- Juniper.

As a condition of Approval, the applicant shall provide a reclamation plan prior to discontinuance of the use to include removal of all structures and fencing, removal of gravel and reseeding with a native seed mix. The applicant shall work with the owner to ensure that the land will be returned to a use acceptable to the landowner. Reclamation shall be complete no less than 6 months from the date the use is discontinued.

This criterion can be met if conditions are met.

B. Facilities and services (including sewage and waste disposal, recycling, domestic and irrigation water [where available], gas, electricity, security measures, police and fire protection, and roads and transportation, special fencing, and signage, as applicable) shall be available upon completion of the project to serve the subject property while maintaining adequate levels of service to proposed and existing development during regular, periodic, and peak usages.

This facility will be unmanned and not require water or OWTS. The Mesa County QWTS will allow the use of a portable chemical toilet during the construction phase only. Power will be provided by Grand Valley Rural Power. Once construction is completed, the site will be visited regularly for inspection and maintenance.

This criterion can be met if conditions are met

C. Access will be provided as necessary to prevent traffic hazards and to minimize traffic congestion in public streets and alleys.

Access to the site will be from Kimball Creek Road. A Mesa County Preliminary Access Location has been approved for the driveway. Some vegetation near the entrance of the driveway was cleared to provide clear sight distance.

This criterion can be met if conditions are met.

D. Adequate assurances of on-going maintenance have been provided.

Commnet Four Corners, LLC or its successor will perform any necessary maintenance to maintain the private access road and eliminate any weeds that grow inside the lease area. No ongoing maintenance problems are anticipated because of this project.

This criterion has been met.

E. The site will not have adverse impact to the natural environment have been mitigated to the extent practical .

Commnet has not proposed to store any hazardous materials at this facility and no hazardous materials are to be generated at this facility. The tower is proposed to be constructed at a maximum height of 199 feet.

Visibility impacts will be from the valley bottom in Collbran when the tower is not obscured by trees. The tower is on a hillside ½ mile north of the center of town. The light grey of the tower will be less visible than a darker color. The lattice may be less visible than a monopole. No night lighting has been proposed. No effect on drainage and no hazardous areas.

This criterion can be met if conditions are met.

F. There is a need for the use on a community wide basis.

The area is currently underserved by cellular service because of the topography around Collbran. The site will provide telecommunications coverage and improve service quality and capacity in the Hwy 330E corridor west of town.

This criterion has been met.

Section 5.2.17 Telecommunications Facilities

C. Rural Planning Area

1. Attached Telecommunications Facilities

Attached telecommunications facilities shall be allowed by right in the districts referenced in the Use Table, as "C" provided that they comply with all applicable standards of the underlying zoning district, including any maximum height standards. If visible from Urban Residential or Rural Zoning Districts, attached telecommunications facilities shall be screened or painted to minimize their visibility from such areas.

This criterion has been met.

2. Telecommunications Facility Support Structures

Telecommunications facility support structures shall not be subject to the maximum height standards of the underlying zoning district, but shall be subject to any height restriction imposed at the time of approval of the applicable Conditional Use Permit. In no case shall the maximum height of a telecommunications facility support structure exceed the height necessary to ensure effective telecommunications service within the relevant market area. All telecommunications facility support structures shall be screened or painted to minimize their visibility.

The tower will be visible from the town of Collbran. The location of the tower on a hill above the valley will make the tower visible as a silhouette against the sky for most of the town below. A lighter color of grey galvanized steel would be less obtrusive than painting the tower a color to match the trees or soils. The Pinon Juniper trees covering the hillside will effectively screen the equipment cabinets.

This criterion can be met if conditions are met.

Section 3.1.17 General Approval Criteria must also be considered for Conditional Use Permit requests:

A. complies with all applicable standards, provisions, and purposes of this Land Development Code;

This proposal demonstrates substantial compliance or the ability to comply with all applicable standards, provisions, and purposes of the Code.

This criterion can be met with the conditions of approval.

B. is consistent with review agency comments;

This proposal appears to comply or has the ability to comply with all review agency comments received.

This criterion can be met if all conditions of approval and review agency comments are addressed.

C. is consistent with applicable intergovernmental agreements (IGAs) between the County and other entities.

This project is subject to intergovernmental agreements MCA 97-18 between the Bureau of Land Management and Mesa County. No conflicts with intergovernmental agreements have been identified.

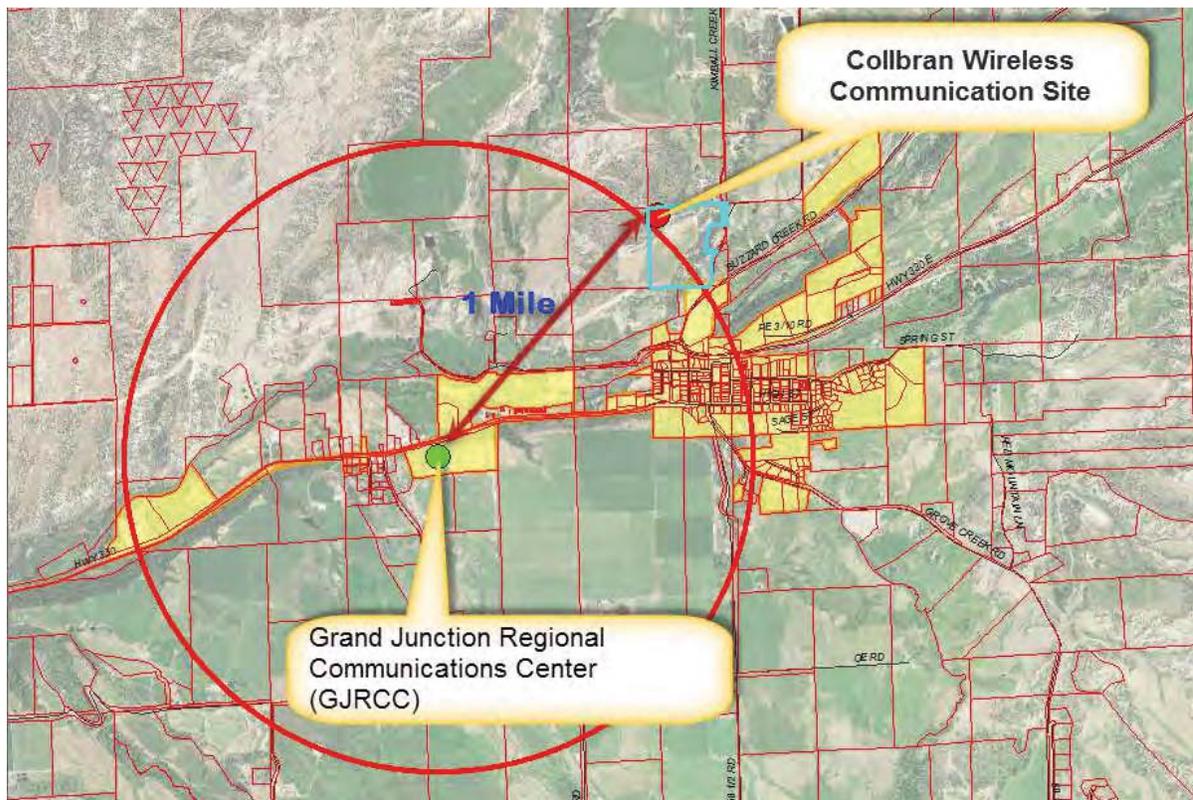
This criterion has been met.

V. REVIEW AGENCY COMMENTS:

All review agency comments received are attached to this report. The town of Collbran expressed concerns that the proposed tower is too close to the Grand Junction Regional Communications Center (GJRCC) tower that was constructed on the Mesa County Road and Bridge Shop property and that this would be a duplication of services. Other concerns were visual impacts on the town. The town staff does not recommend approval of the proposed tower but if Mesa County precedes with the approval Collbran staff, recommends at a minimum that three conditions applied to the approval of the first tower be applied to this approval. Those conditions are;

1. The tower and attached antennas shall have a non-specular dulled dark finish that will minimize or eliminate reflection.
2. Exterior lighting on the associated 192 square foot building shall utilize motion activated lighting to minimize lighting impacts while still allowing adequate lighting for security and support staff.
3. The owners and operators shall make reasonable accommodations for co-location of other communications antennas/equipment, including private sector equipment, to improve other communications in the Plateau Valley and reduce the need for construction of separate tall antennas.

These three conditions with minor changes have been included as conditions of approval for the Collbran Wireless Communication Site CUP. The location of the proposed tower and its 199' height will provide wireless coverage in those areas not served by the GJRCC tower.



VI. PUBLIC COMMENTS:

As of the date of this review, one written comment was received in favor of the CUP. The comment from Dr. Scott Rollins, MD is strongly in favor of the approval of the CUP because he is on call 50% of the time and the proposed tower would increase his wireless coverage in more parts of the valley. Patients would benefit in having emergency contact in more areas. His email is part of the Board hearing packet. Several telephone call were in favor of the proposed tower. One of the calls was from a resident inside the town of Collbran who lives on Glenarm Avenue and doesn't have cell phone because he is in a shadow caused by topography.

VII. PROJECT RECOMMENDATIONS:

The Mesa County Planning Division recommends approval of this request subject to the following conditions:

1. All review agency comments not in conflict with the conditions of approval must be met by the applicant. The applicant shall consistently comply with all applicable provisions of the Mesa County Land Development Code.
2. Night lighting of the tower and support buildings shall be prohibited unless required by state and/or federal agencies. Full cutoff light shall be utilized for any outdoor lighting of the facility fixtures (7.6.7 | Nighttime Light Pollution). Strobe lighting shall be prohibited.
3. Prior to construction of the tower, the applicant shall submit to the Mesa County Planning Division a lease agreement for use of the site.
4. The applicant shall provide a list of all equipment with installation costs for all facilities associated with this project to the Mesa County Assessor's Office copied to the Mesa County Planning Division prior to construction.
5. The applicant shall provide a reclamation plan prior to discontinuance of the use to include removal of all structures and fencing, removal of gravel and reseeding with a native seed mix. The applicant shall work with the owner to ensure that the land will be returned to a use acceptable to the land owner. Reclamation shall be complete no less than 6 months from the date the use is discontinued.
6. Construction shall comply with all Federal Communication Commission and Federal Aviation Administration requirements.
7. The tower and attached antennas shall have a non-specular dulled finish that will minimize or eliminate reflection.
8. Equipment shelters that need lighting shall utilize motion activated lighting to minimize lighting impacts while still allowing adequate lighting for security and support staff.

9. The owners and operators shall make reasonable accommodations for co-location of other communications antennas/equipment, including private sector equipment, to improve other communications in the Plateau Valley and reduce the need for construction of separate tall antennas.

Basis for recommendation:

This request has demonstrated compliance or the ability to comply with Section 3.8.7.A thru F (Conditional Use Approval Criteria), Section 5.2.18 (Telecommunications Facilities), and Section 3.1.17.A-C (General Approval Criteria) of the Mesa County Land Development Code.

Approval Criteria Summary

<u>Conditional Use Permit Criteria</u>		<u>Condition#</u>
3.8.7.A	The proposed use is not significantly different from adjacent uses	Can Be Met 2,5
3.8.7.B	Facilities and services are available	Has Been Met
3.8.7.C	Access is provided to prevent traffic hazards and minimize traffic congestion	Can Be Met 1, 4
3.8.7.D	Adequate assurances of on-going maintenance are provided	Has Been Met
3.8.7.E	Significant adverse impacts on the natural environment have been mitigated to the extent practical	Can Be Met 1,2,5-9
3.8.7.F	A need for the use on a community-wide basis has been established	Has Been Met

Telecommunications Facility Criteria

5.2.18.C.1	Attached Facilities	Can Be Met	2,5-9
5.2.18.C.2	Facility Support Structures	Can Be Met	2,5-9

General Approval Criteria:

3.1.17. A	(compliance with Code)	Can Be Met	1-6
3.1.17. B	(consistency with review agency comments)	Can Be Met	1
3.1.17. C	(consistency with IGAs)	Has Been Met	

IX. **MCPC RECOMMENDATION:** Hearing Scheduled for October 20, 2016

X. **MCC ACTION: August 9, 2016:** Hearing Scheduled for November 1, 2016