1. **PLEDGE OF ALLEGIANCE - DONE**

2. **PRESENT WERE** - Dan Rosales, Chris Richardson, Bob Lewis, Paula Wilderman, Bob Ware, Ron Turner, Mike Kellison, Dan Michalak, Brian Hans.

3. **STAFF REPORT ON BOARD OF COUNTY COMMISSIONERS ACTION(S)** -
   The BOCC approved the contract with Baseline for Planning and Engineering services.

4. **INTRODUCTION OF BASELINE STAFF/PLANNERS** - Vince Harris and Ethan Watel introduced themselves at the Baseline Planners contract by Elbert County.

5. **CONSENT CALENDAR: None**

6. **COMMUNITY INPUT**
   
   A. No public comment related to the application.

7. **PUBLIC HEARINGS:**
   
   A. **Centerline Solutions Bridger Wireless Special Use Staff**
      
      Presenter: Ethan Watel/Baseline Planner.

      Ethan Watel/Baseline Solutions, Inc. provided a power point presentation for the Board. The original presentation is included with these minutes.

   B. Darrin Hunter, applicant representative introduced himself.
      a. Stated that the fenced area would be 100’ x 100’ maximum size.
      b. Stated that his client would have no problem working with ECCA.
      c. Before they could say yes to ECCA they need more detail of their structure/additions to ensure the tower can carry it. They are asking for 7.5 to 8% of the
structure. The applicant stated that they do need to have room for large carriers.

Post presentation Comments:

Planning Commissioner Paula Wilderman asked them to clean up their exhibit and pointed out some errors on it.

Asked what is the purpose of the propane tank? 
Answer: back up power for carriers.

Wilderman pointed out that it is near high tension wires and will be compatible with the existing structures.

Question: How many properties were notified?
Answer: 8 – it is surrounded by large parcels.

Question: What is the service area of this tower?
Answer: It depends on the carriers who use it. We would like to link with the towers to the North and the East.

Mike Kellison: How are you going to minimize the appearance? How are you handling the guide wires?
Answer: The tower is less than 200 feet so no lighting or strobe. The tower is only 18-24” wide and there will be fencing around guide wires

Question: Which carriers are going to be on it?
Answer: We are not at liberty to discuss client negotiations.

Jim White/ECCA: They are in support of the application. Ideally suited for the HWY 24 corridor and first responders need it.

White asked the PC to approve and to require the conditions included in the original presentation. The conditions that White refers to are:

4. The applicant shall comply with the following requests of the Elbert County Communications Authority:
   a. 10' of vertical space at about the 100' level on the tower for a 3' dish pointed generally north along with up to 4 small 700/800 MHz band antennas and two small VHF omni antennas
   b. Space on the ground near the base of the tower for either an outdoor cabinet to house equipment or a communications hut up to 6' x 10'
   c. Unrestricted access for technicians installing and supporting this equipment
   d. a through c above at no cost to ECCA or Elbert County, and
Planning Commission Discussion:

Kellison: Would each carrier need a small structure like the ECCA structure?
Answer: Yes

Dan Michalak: I applaud you for being willing to work with the community (ECCA). “We don’t need safety (1st responders) until we need it.”

Ron Turner: Discussed the idea of being required to provide to a government entity. Prefers less mandatory language with regard to requiring free space to ECCA. Use “shall work with”.

General group discussion was had about condition “e”.

White was asked by the Planning Commission what of these conditions they needed right away and what was planned for future needs.

White said that they need the elements of the 100’ level right away. He said that the elements that were discussed at the 160’ level were for future hopes and not needed right away, if ever. They were part of a dream plan.

The applicant was asked if they were okay with items a through d of condition #4. The applicant said that they were. The planning commission suggested new wording for item “e” as it was a future item and might never be needed.

It was decided to amend the conditions of approval to read as follows:

The applicant shall comply with the following requests of the Elbert County Communications Authority:

a. 10' of vertical space at about the 100' level on the tower for a 3' dish pointed generally north along with up to 4 small 700/800 MHz band antennas and two small VHF omni antennas.

b. Space on the ground near the base of the tower for either an outdoor cabinet to house equipment or a communications hut up to 6' x 10'.

c. Unrestricted access for technicians installing and supporting this equipment,

d. a through c above at no cost to ECCA or Elbert County, and
The applicant will negotiate in good faith with the Elbert County Communications Authority on the following requests:

e.  6' of vertical space at or above the 160' level on the tower for a 3' dish pointed generally north.

A motion was made by Ron Turner to approve SU-16002 as amended by the planning commission.

Bob Ware 2nd the motion.

All planning commissioner voted in favor of approving the application. Motion carried 9 to 0.

8. ANNOUNCEMENTS: none

9. ADJOURNMENT: 9:30 PM.
SUR-16-0002 BRIDGER
WIRELESS TELECOMMUNICATIONS SITE

USE BY SPECIAL REVIEW FOR ONE CELLULAR COMMUNICATION FACILITY TOWER LOCATED IN A PORTION OF THE EAST ½ OF THE SOUTHWEST ¼ OF SECTION 35, TOWNSHIP 10 SOUTH, RANGE 60 WEST OF THE 6TH P.M. IN ELBERT COUNTY.
APPLICANT: BRIDGER WIRELESS  
o/b/o Tad and Cherri Eurich (landowners)

REPRESENTATIVE: DARREN HUNTER, CENTERLINE SOLUTIONS

SUMMARY OF REQUEST:
The applicant, Centerline Solutions, on behalf of Bridger Wireless, is requesting a Special Use Review permit for the construction and operation of a telecommunication facility consisting of one telecommunication radio tower 195 feet in height. The tower is to be located on land owned by Tad and Cherri Eurich who have entered into a lease with Bridger Wireless.

The SUR is only for the structural tower and not any antennas or accessory structures. Those antennas and structures shown on the site plan, besides the tower, are examples. The tower is designed to accommodate up to four carriers.
PERTINENT DATA

Site Description – The site is comprised of a lease of 10,000 square feet (100 feet x 100 feet) on an approximately 68 acre parcel. It is located in a the Southwest ¼ of section 35, Township 10 South, Range 60 West, 6th P.M.

Topography – The site is mostly flat with some slope to the east.

Floodplain – There are no designated flood hazard areas on the parcel. Approximately 0.75 miles to the east there is a FEMA floodplain in an unnamed tributary of Big Sandy Creek.

Existing Zoning – A (Agriculture)

Proposed Zoning – No change, but will add a Special Use on the property if approved.

Surrounding Land Use and Zoning – North: R-A and Town of Simla       South: El Paso County
East: A - Agriculture / rangeland  West: A - Agriculture / rangeland
SPECIAL USE REVIEW
195° COMMUNICATION TOWER
E1/2 SW1/4 S35 T10S R60W 6PM,
EXCEPT THE EAST 1230 FEET OF THE NORTH
420 FEET THEREOF, COUNTY OF ELBERT,
STATE OF COLORADO
BACKGROUND

The application for this proposal was received November 2015. Application review began in February 2016. Once the application was deemed complete, referral packets were ordered and submitted to appropriate agencies.

Public hearing dates were then set:

Planning Commission date: May 3, 2016

Board of County Commissioners date: May 25, 2016
Part II, Section 17, C, 3 of Elbert County Zoning Regulations requires that Community & Development Services receive comments from the appropriate referral agencies to evaluate requests for a Special Use. Failure of a referral agency to submit comments in writing shall constitute approval by that agency. Following is a summary of comments received.
REFERRAL COMMENTS

- Elbert County Assessor’s Office: No response.
- Elbert County Mapper: Comments on addressing.
- Elbert County Public Works: No objection.
- Elbert County Engineering: No comment.
- Elbert County Environmental Health: No waste/septic systems involved.
- Elbert County OEM: No response.
- Elbert County Sheriff: No response.
- Simla Volunteer Fire Dept: No Response.
- ECCA: Suggested conditions
- Double El Conservation District: No response.
- Mountain View Electric Association, Inc: No objection.
- Big Sandy School District: No objections.
- Town of Simla: No response.
- Colorado Parks & Wildlife: No response.
- Colorado Div. of Water Resources: Responded with Comments
- FAA: Responded with general comments.
REFERRAL COMMENTS
ELBERT COUNTY COMMUNICATIONS AUTHORITY

1) ECCA exists for the purpose of providing communications infrastructure and facilities for first responders in Elbert County including 7 fire departments, three town police departments and the Sheriff’s Office.

2) ECCA requests that as a matter of policy the county always require space on towers and in buildings for ECCA/emergency responder use on all proposed communications facilities in the county.

3) For this application ECCA requests the following be included as a condition of approval. We have corresponded with the applicant and do not believe this will be a problem for them.
   • a) 6' of vertical space at or above the 160' level on the tower for a 3' dish pointed generally north
   • b) 10' of vertical space at about the 100' level on the tower for a 3’ dish pointed generally north along with up to 4 small 700/800 MHz band antennas and two small VHF omni antennas.
   • c) Space on the ground near the base of the tower for either an outdoor cabinet to house equipment or a communications hut up to 6’ x 10’.
   • d) Unrestricted access for technicians installing and supporting this equipment
   • e) a through d above at no cost to ECCA or the county

ECCA tentatively plans to move equipment currently at the Simla Fire Department building in Simla to this new tower when it becomes available. That equipment would require the cabinet on the ground and the space in b) above for small antennas. The two dishes and the hut would be for potential future use.

ECCA would establish our own connection and metering with the power company. We would also establish our own internet connection either via wireline DSL or wireless internet.
Elbert County Community & Development Services: Elbert County Zoning Regulations, Part II, Section 17, A, 5, f.- Antenna Support Structures Higher than 120.1 feet:

Applications for antenna support structures whose height exceeds 120.1 feet shall be subject to the regular applicable “Special Use Review” procedures.

This application is being processed according to those “Special Use Review” procedures.
If applicable, evidence must be presented indicating that the proposed structure meets the requirements of the Federal Communications Commission and the Federal Aviation Administration.

Project Referral information was submitted to the Federal Aviation Administration. Mr. Doug Felix of the Federal Aviation Administration responded with information pertaining to the FAA’s Notice Criteria Tool and that the FAA process for conducting aeronautical studies is not a land use process and is not used for land use issues or applications.

The applicant has stated that the FAA does not require registration of towers that are less than 200’ in height unless it is located near an airport. The proposed tower is not located near an airport.

The Federal Communication Commission was not sent a referral. The applicant is only proposing a tower at this time.

The applicant has stated the Bridger Wireless will comply with any and all FCC and FAA rules and regulations.
Elbert County Zoning Regulations, Part II, Section 17, A, 10. Cellular Communications Facilities Special Use Review Approval Standards.

Subsections a through f apply to this application.
Part II, Section 17, B., 7.
ECZR SUR APPROVAL STANDARDS:
a. Whether the proposed Special Use complies with the requirements of the Elbert County

There are three parts an SUR application must comply with or not be in conflict with:

Master Plan – The Master Plan does not include discussion about Special Uses. According to Master Plan policies, any new development will be required to meet all County development standards and regulations.

Zoning Regulations - This proposal is located within an Agriculture zoning Designation (A), and is subject to Uses Permitted by Special Review which is the basis of this application. This includes an evaluation of the proposal’s compliance with the standards of approval, Antenna Support Structures and Cellular Communications Facilities. See below for more information.

Subdivision Regulations – This proposal is not subject to subdivision regulations.
Part II, Section 17, B., 7.

ECZR SUR APPROVAL STANDARDS:

\[b. \text{ Whether the proposed Special Use is in harmony and compatible with the surrounding area and neighborhood} – \text{This proposed Special Use is located in an Agriculture zoned area. The Special Use is deemed to be in harmony and compatible with the surrounding area as long it meets all the zoning criteria of Uses Permitted by Special Review.}\]

\[c. \text{ Whether the proposed Special Use will adversely impact the provision of public services} – \text{The proposed tower is not anticipated to adversely impact the provision of public services. There will be no need for daily employment onsite. Upon completion of construction, continuing impact on adjoining roadways is anticipated to be very minimal.}\]
d. Whether the proposed Special Use will adversely impact the environment — The environmental impact is anticipated to be minimal. The applicant does not anticipate erosion, sedimentation, runoff or loss of ground cover will be impacted. If they are, necessary erosion protection and/or revegetation will be used.

e. Whether the proposed Special Use will increase traffic congestion or burden the existing road system — Following construction, use of roadways is anticipated only for periodic use necessary for maintenance. There will be no daily employees at the site.
f. Whether the proposed Special Use will be adequately landscaped, buffered and screened - Landscaping and screening are not applicable for towers of this height.

g. Whether the proposed Special Use will not otherwise be detrimental to the health, safety or welfare of the present or future inhabitants of Elbert County – No concerns about health, safety, or welfare of present or future inhabitants of Elbert County were expressed by any referral agencies.
1) The facility is architecturally and visually (color, bulk, size, etc.) compatible with the surrounding land uses, buildings, structures and vegetation in the area or those likely to exist under the terms of the underlying zone district. – The facility is relatively not bulky given its height of 195 feet. A tower is visually compatible with uses and buildings found in the A zone district, provided this tower does not block any view corridors.

2) The highway corridor viewshed, defined as the area 1/2 mile on either side of SH 86, SH 24 or I-70 or surrounding residential view corridors or special landforms have been preserved. – The tower is not located within 1/2 mile of Highway 24. There are no special landforms nearby and residential view corridors will not be obstructed by the tower.
3) The facility is designed to be compatible with the surrounding uses and does not dominate the landscape. – The facility will not dominate the landscape. The tower is compatible with the agricultural field within which it is located.

4) The facility is not a dominant silhouette on a ridgeline. – The facility is not located on a ridgeline.
5) The existing vegetation has been preserved or improved and disturbance of the site has been minimized unless such disturbance to vegetation and topography results in less visual impact to the surrounding area. – The tower will be located in the agricultural field of the lessees’ property. The area surrounding the tower will remain agricultural.

6) The applicant has demonstrated the proposed site fits into the overall network of service that is provided by the applicant. – Bridger Wireless identified this site as an ideal location for servicing the community’s wireless needs as necessary for cellular/mobile providers in the future.
7) The facility meets the definition of utility service facility-cell site and other applicable standards of the zone district of which it is located.— The facility meets the definition of a utility service facility and meets the standards of the Agriculture zone district.

8) A landscaping plan and/or solid wood fence may be required to screen or buffer a structural tower. – Given the tower’s location in an agricultural field and the tower’s height, a landscaping plan and/or solid fence is not required. The tower will be surrounded by a 60’x60’ chain link fence.
Part II, Section 17, A. 10. f.
ECZR CELLULAR COMMUNICATIONS FACILITIES APPROVAL STANDARDS IN THE A, A-1, A-2 AND AR ZONE DISTRICTS

1) Support Structures (A, A-1, A-2 & AR) – Support structures will be allowed when:
   a) Located outside the Highway Corridor Viewshed, defined as 1/2-mile on either side of SH 86, SH 24 or I-70. – The tower is not located within 1/2 mile of Highway 24 therefore it is not within the Highway Corridor Viewshed.

   b) The facility is designed to be compatible with the surrounding uses and does not dominate the landscape. Landscaping and/or a solid wood fence may be required. The facility will not dominate the landscape. The tower is compatible with the agricultural field within which it is located. Landscaping and/or solid wood fencing may be necessary when providers come through the Elbert County SUR required process in the future to add antennae or panels, etc.
c) The structure is not a dominant silhouette on a ridgeline. – The structure is not located on a ridgeline.

d) Surrounding residential view corridors or special landforms have been preserved. – There are no special landforms nearby and residential view corridors will not be obstructed by the tower.

e) The existing topography and vegetation provide the greatest amount of screening/backdrop possible to the site. – There are no trees in the area of the proposed tower to provide any natural screening. The topography is very flat. Please see the site photos in the application materials.
Part II, Section 17, A. 10. f.

ECZR CELLULAR COMMUNICATIONS FACILITIES APPROVAL STANDARDS IN THE A, A-1, A-2 AND AR ZONE DISTRICTS

f) The existing vegetation has been preserved or improved and disturbance of the site has been minimized unless such disturbance to vegetation and topography results in less visual impact to the surrounding area. – The lessee desires to continue using the site for agricultural purposes. As such, the applicant will minimize disturbance on the property.

g) The structure is located at least fifty feet (50’) from the property line, or the base of the structure is no closer to the property boundary that the height of the structure, whichever is greater. – The 195’ tall tower is located 213’ from the western property line and 200’ from the southern property line.
Part II, Section 17, A. 10. f.
ECZR CELLULAR COMMUNICATIONS FACILITIES APPROVAL STANDARDS IN THE A, A-1, A-2 AND AR ZONE DISTRICTS

2) *Antennas – Panels, Arrays, Dishes (A, A-1, A-2, AR)* - This section does not apply as the applicant is not proposing any antenna at this time.

3) *Antennas – Whip (A, A-1, A-2, AR)* – This section does not apply as the applicant is not proposing any antenna at this time.
4) Accessory Equipment – All accessory equipment shall be concealed within a structure or screened by vegetation, fencing, or another manner approved by Community and Development Services. Setbacks and height limitations of the zone district shall apply. The applicant is proposing a propane tank next to the tower. Future uses indicated are a carrier equipment shelter and carrier equipment pad. All of these items will be located within the fenced area of the site if this SUR is approved. The locations indicated on the site plan meet the A zone district side and rear setbacks (50 feet).
SUMMARY

• The application is in compliance with the Elbert County Master Plan.

• The application is in compliance with the zoning regulations
  • Part II, Section 17, A. 10. *Cellular Communications Facilities Special Use Review Approval Standards* and
  • Part II, Section 17, B. *General Requirements*
The Elbert County Planning Commission reviewed case number SUR16-0002 at its May 3, 2016 meeting.

The Planning Commission unanimously recommended approval of SUR16-0002 with the conditions as specified below.
Because this application has met the criteria set forth in the Elbert County Zoning Regulations and because there are no objections from other governing bodies, the recommendation of Community & Development Services is to approve **SUR 16-0002 BRIDGER WIRELESS TELECOMMUNICATIONS SITE. USE BY SPECIAL REVIEW FOR (Only) ONE CELLULAR COMMUNICATION FACILITY TOWER LOCATED IN A PORTION OF THE EAST ½ OF THE SOUTHWEST ¼ OF SECTION 35, TOWNSHIP 10 SOUTH, RANGE 60 WEST OF THE 6TH P.M.** subject to the following conditions:
CONDITIONS OF APPROVAL

1. The applicant will be required to remove the Public Hearing sign within seven (7) days of approval by the Board of County Commissioners. A letter to that effect will be placed in the Community & Development Services project file, prior to recording of the Special Use; and

2. The Special Use will not become effective until all fees are paid, conditions of approval are met, and documents recorded; and

3. Record action of all appropriate documentation to occur within 180 days of Board of County Commissioners’ approval; and
4. The applicant shall comply with the following requests of the Elbert County Communications Authority:
   a. 10' of vertical space at about the 100' level on the tower for a 3' dish pointed generally north along with up to 4 small 700/800 MHz band antennas and two small VHF omni antennas
   b. Space on the ground near the base of the tower for either an outdoor cabinet to house equipment or a communications hut up to 6' x 10'
   c. Unrestricted access for technicians installing and supporting this equipment
   d. a through c above at no cost to ECCA or Elbert County, and
   e. 6' of vertical space at or above the 160' level on the tower for a 3' dish pointed generally north.
5. Prior to any carrier installing antennas, panels, arrays, or dishes, and/or associated equipment on the tower and/or pad, a separate additional individual Special Use Review permit shall be processed in accordance with the Elbert County Zoning regulations and needs to gain an approval in advance of any applicable building permits that are required;

6. In the event that within eighteen months of the approval of this Special Use Review Permit, no carrier has installed antenna (permitted in accordance with Condition 5 above) and the tower is not used for the purposes of a cellular telecommunications facility, the Special Use shall be revoked and the tower shall be decommissioned within 60 days after official notice is provided by Elbert County;

7. The Findings enumerated in the Staff Report shall be incorporated in this Approval of case number SUR 16-0002.
QUESTIONS?

COMMENTS?