

MINUTES OF THE REGULAR MEETING OF THE SHOW LOW PLANNING AND ZONING COMMISSION HELD ON TUESDAY, JANUARY 14, 2025, AT 7:00 PM IN THE CITY COUNCIL CHAMBERS, 181 NORTH 9TH STREET, SHOW LOW, NAVAJO COUNTY, ARIZONA

1. Call to Order.

Chairman Barlow called the meeting to order at 7:00 p.m.

2. Roll Call.

COMISSION MEMBERS PRESENT: Chairman Barlow, Vice Chairman Roberts, Commissioner Schnepf, Commissioner Hatch, Commissioner Wilson, Commissioner Adams, Commissioner Whipple

STAFF MEMBERS PRESENT: Planning and Zoning Director; Justen Tregaskes, Planner; Katie Fechtelkotter, Planner; Moriah Saline, and City Attorney; Anna Atencio.

GUESTS: Linda Grice, Keith Johnson, Ellesse Kempton, Zac Jackson, and others.

3. Invocation.

Commissioner Whipple gave the invocation.

4. Pledge of Allegiance.

Vice Chairman Roberts led the Commission and audience in the pledge of allegiance.

5. **NEW BUSINESS:**

- A. Consideration of Conditional Use Permit 602-04-268 submitted by Linda Grice of Young Design Group, on behalf of Verizon Wireless, to allow for a 110-foot mono-pine cell tower located at 1850 S. White Mountain Rd., that being A.P.N. 210-32-032. (Moriah Saline)

Ms. Saline said Linda Grice of Young Design Group, on behalf of Verizon Wireless, has submitted a Conditional Use Permit (CUP) to allow for a 110-foot mono-pine cell tower located at 1850 S. White Mountain Rd., that being A.P.N. 210-32-032.

Currently, the site proposed is utilized by White Mountain Theater and falls under C-2 zoning (General Commercial). It spans approximately 94,089 square feet, with dimensions of about 295 feet deep and 275 feet wide. At the rear of the property lies a steep hillside, also designated for C-2, and the southern boundary abuts C-2 zoning.

Section 19.115.040(N), Visual Corridor Protection, of the City Code states, "Except for placement on existing structures or towers, no new tower shall be permitted within 200 feet of the edge of the right-of-way for any arterial or collector roadways as identified in the City of Show Low's Transportation Plan." Based on this requirement for setbacks, the proposed mono-pine will be

positioned 265 feet away from the White Mountain roadway and 205 feet from Woolford Road.

In addition, City Code section 19.115.070(B)(5)(a) states; "Separation from all residentially zoned properties' shall be a minimum of 100 feet, or the fall zone as certified by an engineer, whichever is greater." This condition is met as the fall zone reaches 65 feet. The closest residential zoning boundary line to the proposed mono-pine sits approximately 150 feet away, from the proposed cell tower location. The Pine Oaks subdivision boundary line is approximately 375 feet from it from the proposed location.

To comply with City Code 19.115.070(B)(5)(b) Separation Distances Between Towers, it is important to note that the nearest existing tower is located at 1350 S White Mountain Rd and stands at a distance of 1,800 feet from the proposed mono-pine.

The applicant stated that the installation of the tower is necessary at this location because of connectivity needs, equipment specifications, and to address coverage gaps. Alternative sites nearby were evaluated but deemed impractical by the applicant.

City Code Section 19.15.040(C)(1) states that "towers shall be painted, subject to any applicable FAA standards, a neutral color so as to reduce visual obtrusiveness. At a tower site, the design of the buildings and related structures shall, to the extent possible, utilize materials, colors, textures, screening, and landscaping that will blend them into the natural setting and surrounding buildings." The elevation renderings supplied by the applicant illustrates how the mono-pine tower relates to its environment. For context, the theater stands approximately 23 feet tall based on the latest plans available, with a base elevation of 6,390 feet. The proposed mono-pine will also have this same base elevation. At the western property line, the elevation is measured at 6,430 feet, while the closest residential home is situated at an elevation of 6,450 feet. The mono-pine tower will be painted a natural, pine bark color with faux branches approximately 12 to 13 feet in length tapering up to maintain the same shape of the surrounding pines.

According to the plans submitted by the applicant, there will be no lighting on the tower and compound area. Additionally, all FAA and FCC regulations will be adhered to prior to construction, thereby fulfilling the essential requirements specified in our City Code under sections 19.115.040(D) and (E).

FINDINGS OF FACT

1. Linda Grice of Young Design Group, on behalf of Verizon Wireless, has submitted a Conditional Use Permit (CUP) to allow for a 110-foot mono-pine cell tower located at 1850 S. White Mountain Rd., that being A.P.N. 210-32-032.
2. The subject property is utilized by the White Mountain Theater and is

classified as C-2 zoning (General Commercial). It covers an area of 94,089 square feet, measuring roughly 295 feet in depth and 275 feet in width.

3. In accordance with the setback requirements, the proposed mono-pine will be located at a distance of 265 feet from the White Mountain roadway and 205 feet from Woolford Road.
4. The fall zone is 65 feet, and the nearest residential property line is approximately 150 feet away, with the Pine Oaks subdivision about 375 feet from the proposed mono-pine.
5. The nearest existing tower is located at 1350 S White Mountain Rd, 1,800 feet from the proposed mono-pine.
6. Other locations in the vicinity were considered, however they were determined to be unfeasible by the applicant.
7. Elevation renderings show the mono-pine tower's relation to its surroundings. The theater is about 23 feet tall, with a base elevation of 6390 feet, the same as the proposed mono-pine. The western property line's elevation is 6430 feet, while the nearest residential home is at 6450 feet.
8. The mono-pine tower will be painted a natural, pine bark color with faux branches approximately 12 to 13 feet in length tapering up to maintain the same shape of the surrounding pines.
9. There will be no lighting installed on the tower and within the compound area, and before construction begins, all regulations set by the FAA and FCC will be adhered to. This ensures compliance with the critical requirements outlined in our City Code sections 19.115.040(D) and (E).
10. Current zoning of the surrounding properties include.
 - North: C-2 (General Commercial)
 - South: C-2 (General Commercial)
 - East: C-2 (General Commercial)
 - West: C-2 (General Commercial) and R1-7 (Single Family Residential 7,000 square feet.)
11. The current land uses of the surrounding properties include.
 - North: Speedway
 - South: Furniture Row
 - East: National Bank of Arizona
 - West: Commercial / Residential

12. Transmittal memos were sent to all affected agencies. No application comments have been received.
13. One phone call from a neighboring property owner has been received regarding the proposed development indicating they were opposed to project.

STAFF RECOMMENDATIONS

After reviewing the Standards for Review, the Zoning Ordinance, discussions with the applicant, and because the request is consistent with the City of Show Low General Plan, staff recommends that the Planning and Zoning Commission approve Conditional Use Permit 602-04-262 submitted by Linda Grice of Young Design Group on behalf of Verizon Wireless to allow for a 110-foot mono-pine cell tower located at 1850 S. White Mountain Rd., that being A.P.N. 210-32-032, subject to the following conditions;

1. All development shall comply with all applicable federal, state and local requirements, including Federal Communications Commission (FCC), Federal Aviation Administration (FAA) and building permit requirements.
2. The tower shall be in conformance with the submitted site plan. No further height extensions are allowed unless approved through future Conditional Use Permits.

Commissioner Adams asked if the cell tower falls within the City Code requirements and no variances are required for this request.

Director Tregaskes said that a previous request for a mono-pine near Fairway Park asked for several allowances to City Code from the Planning & Zoning Commission. Those included reducing required setbacks and setbacks to residential property lines. He said recent revisions to City Code removed the ability for the Commission to allow those types of reductions. Now the question is if it meets the minimum number required by City Code, if it does not the Commission is no longer allowed to make those reductions. He said that the submitted application meets all the requirements of City Code.

Chairman Barlow said he understood that the 1,800 feet from the nearest tower meets City Code and asked what the minimum separation distance from other towers is.

Director Tregaskes said the minimum separation from other towers is 1,500 feet.

Chairman Barlow clarified that the separation distance could not be changed by the commission anymore.

Director Tregaskes said that was correct, the ability to reduce the distance

between towers would need to go through the variance process through the Board of Adjustment.

Chairman Barlow asked why a CUP is required for cell towers, was it because of the height of the tower or because it is a communication tower.

Director Tregaskes said it is based on the height of the towers. Cell towers are restricted to commercial and industrial zoned property per City Code. With a few exceptions they are not allowed on residentially zoned property. Most of the City's commercial property is parallel to the major highways. He clarified that a tower or antenna less than 50 feet in height is an administratively approved use, it does not need to go through the CUP process unless the director felt it needs to be reviewed by the Commission. Any towers over 50 feet requires a CUP. The proposed tower is a total 110 feet, with approximately 105 feet to the top of the antennas and five (5) feet of fake pine tree topper. This the same height as the previously approved tower on Clark Road between the Circle K and Dollar General.

The applicant Linda Grice of 245 E Via Linda, Suite 211, Scottsdale, AZ came forward.

Chairman Barlow said he was looking through the submitted plans and he understood that the tower is placed at the base of the hill, near the movie theater parking lot.

Ms. Grice said that is correct and referred to the submitted photo simulation on the screen, that shows where the tower will be located on the subject property.

Vice Chairman Roberts said he understood that the applicant contracts with Verizon in order to find locations for cell towers. He then asked how the company finds locations for cell tower locations.

Ms. Grice said each carrier has an area that they cover, there is a process of fitting sites for coverage. She referenced the submitted coverage map for the area and stated that the coverage in this area is not very good. She said they use computer modeling to identify locations for proposed cell towers.

Vice Chairman Roberts said he is familiar with the area where calls are dropped and asked if this would also help with communications for first responders.

Ms. Grice that she wasn't sure if this would improve communications for first responders.

Vice Chairman Roberts said he felt there are areas in the City where coverage is needed and asked how there could be better cell coverage in the City.

Attorney Atencio said that would need to be addressed in a different meeting.

Commissioner Adams asked what the security fencing would look like since the area is popular with teenagers.

Ms. Grice said that the equipment area for the tower would have a fence, but they were not planning on fencing the area around the base of the tower because about five (5) parking spots would need to be removed. She explained that the branches start at 15 feet high, but they could be moved to up to 20 feet high. She also said the branches will pull down and they are very difficult to climb. She said most jurisdictions don't require fencing around the base of the tower and actually feels like it would make the tower easier to climb.

Commissioner Adams asked if the applicant was concerned with vehicles hitting the tower since it is located in a parking lot.

Ms. Grice said that they are proposing to place bollards around the base, which they feel is sufficient to prevent any vehicles from hitting the tower.

Chairman Barlow invited members of the public to come forward with any comments.

Keith Johnson of 1130 East Pine Oaks Drive, Show Low, AZ said he is the Town Manager for Pinetop-Lakeside. He said has worked with Verizon and said his opposition is because he's right in the line of sight of the tower due to the elevation of his property. He referenced an Federal Communications Commission (FCC) document that states the health hazards from cell towers are much less the further away you are from it. He feels there is a hazard to being so close to the antenna. He said that it would be looking down the barrel of a gun right outside his window. He said there are several homes that are at the similar altitude as he is. He said there is a pole 1,800 feet away and wanted to know why Verizon couldn't use that pole. Mr. Johnson said the County recently voted to deny a tower and said that the Commission doesn't need to approve the request. He feels that being at eye level at a few hundred feet away is a danger to his health. He said there are other locations and that this isn't the only site that would work.

Ellesse Kempton of 1291 East Woolford Road, Show Low, AZ said she is almost directly behind the tower, and she said her neighbor is even closer. She said she wasn't sure exactly how close her property was to the tower, but feels it is quite close. She also said that her children also play down on the hill which concerns her. She feels that the proposed placement doesn't comply with the zoning requirements and the emphasized the residential character of the neighborhood. She said looking at the picture she feels there is a hazard to the tower potentially falling on the movie theater. She does not want to see the security fencing, she said she isn't sure how landscaping works on a hill or on concrete. She also said the life span of a cell tower is about 10 to 30 years wanted to know what will happen to the tower at the end of its life span. She also referenced wildlife concerns. She said prolonged exposure to EMFS can

cause cancers especially in children and elderly. She did not feel there was adequate information provided to the residents about the proposed tower. She also said that the notice was not made a minimum of 15 days prior to the hearing as required by City Code. Ms. Kempton also read a statement from her 95 year old neighbor, Lorraine Harmon that said she has concerns about health effects, aesthetics and public safety and is opposed to the proposed tower.

Zac Jackson of 1010 East Pine Oaks Drive, Show Low, AZ said he shares the same concerns of the other neighbors, his property is about 10 feet higher than Mr. Johnson's he also has two little girls that he has concerns for their health and cancer due to over exposure from cell towers. He referenced the Cancer Society and FCC. He said it was true that several years ago there was a dead zone in his neighborhood, but it is better now, so he does not feel that is a reason for the tower and asked the Commission to scrutinize the location based on the concerns of himself and his neighbors.

Chairman Barlow closed the public comment portion of the meeting.

Director Tregaskes referenced the aerial of the property on the screens. He noted the theater property is outlined in red and the red star is the approximate location of the tower. He said the measurements from aerial photos to Ms. Harmon's home to the west who provided the letter in opposition is located approximately 300 feet from the proposed tower, Ms. Kempton's home is 450 feet away, and the distance to the Pine Oaks subdivision boundary is 375 feet. He also said City Code requires that all cell towers are to be setback a distance equal to at least 125 percent of the fall zone as certified by a licensed engineer from any adjoining lot line. In this case the fall zone as certified by the engineer is 65 feet, so the minimum setback is 81 feet, the tower is setback 116 feet, which exceeds the minimum setback required. Director Tregaskes said that the landscaping and submitted plans are conceptual, assuming the CUP is approved the applicant would need to show landscaping around the equipment enclosure of four (4) feet wide as required by City Code and would need to be submitted with the building plans. He also addressed the question about notice requirements by Ms. Kempton. He said the City Code section she referenced is for the variance process that goes to the Board of Adjustment which is different from the CUP process. He said CUPs require a minimum notice of 10 days prior to the meeting. The property was also posted and letters were sent to all property owners within 300 feet. He said it appeared the public notice sign was knocked over by a vehicle, staff went out and put the sign back up. So the City did meet the minimum notice requirements for this item. He referred questions about health concerns and the reason for the site to the applicant.

Commissioner Adams was wondering why there isn't a fence around the tower and asked about the code requirement for security fencing around cell towers.

Director Tregaskes said typically you'll see a fence, but in this case they are

requesting not to. With the recent changes to City Code some options to reduce requirements such as fall zone, setback distances were removed by Commission, however the fencing around the tower can be required. Staff does not feel fencing is necessary due to bollards, but would support fencing if the Commission felt it is necessary.

Commissioner Adams asked if there are other cell towers that don't have fencing around them in the City.

Director Tregaskes said most do have fences but there are two (2) that don't have fences. Such as the one at Cellular One and off of East Cooley.

Vice Chairman Roberts said that because the site is a movie theater it would be more of a nuisance than another site due to teenagers going to the movie theater. He asked if an additional fence, in addition to the bollards be an effective deterrent and do they feel it adds to the security of the tower.

Ms. Grice stated in her opinion that a fence allows easier access to climb the tower, it's not a deterrent. Ms. Grice provided a picture of a tower at a Church with a playground that is nearby with no fence and there have been no issues. She said that type of tower is rarely fenced.

Commissioner Whipple said along the back side of the tower is closer to the steep slope the and asked if that would make it easier to grab a branch and climb the tower.

Ms. Grice it's not as close to the slope as you would think and it would be quite difficult to jump onto.

Vice Chairman Roberts understood that with the equipment for the cell tower would be landscaped to camouflage the site, but he asked how much would the houses that are above be able to see.

Ms. Grice said she doesn't believe you would see it at all.

Commissioner Hatch said the main concern of the neighbor is property value, but more so health concerns. He asked the applicant to speak to the concern of health effects and cancer.

Ms. Grice said a jurisdiction is prohibited from using health effects as a justification to deny an application. She said it is a cell tower transmitter that transmits a signal to a cell phone.

Commissioner Hatch asked what is the health effects from a cell phone to a cell tower.

Ms. Grice said a cell phone is 1,000 times more dangerous than a tower.

Commissioner Hatch asked if that could be proven.

Ms. Grice said yes.

Commissioner Wilson said she agreed that the resident who mentioned issues with dropped calls previously, and that she has experienced that calls along the area haven't dropped in a while. She asked why this site was selected.

Ms. Grice referenced the map and said they looked at the existing Cellular One site and with the location of the building there was no location for their equipment. Also, the height of the antennas would only be at 45 feet, which would only cover the meadow and not the residences on the hills. She said the commercial properties to the south of that location are not wide enough to fit a tower and meet the required setbacks. She also said most of the meadow is located in a flood plain, Verizon will not place a tower in the flood plain. The property with the new hotel is not wide enough to meet the setbacks. They spoke with Hampton Inn about that location the tower would need to be a 140 foot tall tower, that also would not be able to be a mono-pine and would be extremely expensive. Further south there were too many trees would need to be removed to place the tower. She said the FCC requires that carriers provide radiating estimates, and it is monitored and kept below the required limits.

Commissioner Hatch asked why there is so much concern with health effects from cell towers and why hasn't her company provided more information to counteract those concerns.

Ms. Grice wasn't sure.

Mr. Johnson came forward and re-read his statements from the FCC and American Cancer Society about exposure levels for the health effects from cell towers. He said the documents state access to those areas should be limited. He said based on those documents he feels that a cell tower is worse than your cell phone.

Commissioner Hatch asked Mr. Johnson if the documents indicate a minimum distance that is recommended to reduce health effects.

Mr. Johnson said they didn't, but he feels close proximity to antennas should be limited, but he said they don't have that statement for cell phones.

Commissioner Wilson said she doesn't understand why this area needs a tower, but she understands there is a need throughout the community for additional towers.

COMMISSIONER HATCH MOVED TO APPROVE CUP 602-04-268 SUBMITTED BY LINDA GRICE OF YOUNG DESIGN GROUP, ON BEHALF OF VERIZON WIRELESS, TO ALLOW FOR A 110-FOOT MONOPINE CELL TOWER LOCATED AT 1850 S. WHITE MOUNTAIN RD., THAT BEING

A.P.N. 210-32-032, SUBJECT TO STAFF RECOMMENDATIONS.; SECONDED BY VICE CHAIRMAN ROBERTS; PASSED 7 TO 0 WITH CHAIRMAN BARLOW, VICE CHAIRMAN ROBERTS, COMMISSIONER SCHNEPF, COMMISSIONER HATCH, COMMISSIONER WILSON, COMMISSIONER ADAMS, COMMISSIONER WHIPPLE VOTING IN FAVOR

Director Tregaskes said that unless an appeal is received by the City Clerk within seven (7) days this CUP will become effective.

6. CALL TO THE PUBLIC:

Any citizen desiring to speak on a matter that is within the jurisdiction of the Planning and Zoning Commission may do so at this time. Comments may be limited to three minutes per person and shall be addressed to the Planning and Zoning Commission as a whole, and not to any individual member. Issues raised shall be limited to those within the jurisdiction of the Planning and Zoning Commission. Pursuant to the Arizona Open Meeting Law, the Planning and Zoning Commission cannot discuss or act on items presented at this time. At the conclusion of the call to the public, individual Planning and Zoning Commission members may (1) respond to criticism made by those who have spoken, (2) ask staff to review a matter, and (3) ask that a matter be put on a future agenda.

None.

7. APPROVAL OF MINUTES:

A. Planning and Zoning Commission Regular Meeting of October 22, 2024.

VICE CHAIRMAN ROBERTS MOVED TO APPROVE THE PLANNING AND ZONING COMMISSION REGULAR MEETING MINUTES OF OCTOBER 22, 2024; SECONDED BY COMMISSIONER WILSON; PASSED 7 TO 0 WITH CHAIRMAN BARLOW, VICE CHAIRMAN ROBERTS, COMMISSIONER SCHNEPF, COMMISSIONER HATCH, COMMISSIONER WILSON, COMMISSIONER ADAMS, COMMISSIONER WHIPPLE VOTING IN FAVOR.

8. SUMMARY OF CURRENT EVENTS:

A. Commission Members

Commissioner Hatch said it's a great day in Show Low.

Commissioners Wilson, Schnepf, and Whipple had no report.

Commissioner Adams said to be careful and aware of fires due to the lack of moisture.

Vice Chairman Roberts agreed with Commissioner Adams, and encouraged everyone to be prepared for the possibility to evacuate in a short amount of time, be Firewise and clear your property of debris around your home especially in the light of the recent fires in Los Angeles. He said the City has been in similar situations in the past and especially now in light of the

extremely dry conditions.

Chairman Barlow had no report.

B. Planning and Zoning Director

Director Tregaskes said that fire dangers cannot be mentioned enough. He said a few fire fighters from Show Low got a mention on news helping with the fires in California. He said simple things make a difference, like trimming trees, and picking up pine needles, he reminded residents that the City of Show Low offers free bulky item pick up every other month on the odd numbered months and that includes bundled branches and bags of pine needles. Also, he reminded everyone to watch their pets and pipes due to very cold weather. Make sure to bring pets inside and make sure pipes are insulated so they don't freeze.

9. **ADJOURNMENT:**

There being no further business to be brought before the Commission, **CHAIRMAN BARLOW ADJOURNED THE REGULAR MEETING OF THE SHOW LOW PLANNING & ZONING COMMISSION MEETING OF JANUARY 14, 2025, AT 8:14 P.M.**

ATTEST:


Zach Barlow

APPROVED:


Planning and Zoning Director

CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular Meeting of the Planning and Zoning Commission of Show Low held on January 14, 2025. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 25 day of February, 2025.


Katie Fechtelkott