



STAFF REPORT

MEETING DATE: November 9, 2023

ITEM TITLE, PRESENTER: Consideration and Determination of a Permitted Use in the Highway Commercial (HC) District for a Telecommunications Tower to be located at 4326 East Sunny Acres Lane, Tower Development..

RECOMMENDATION: Make a motion determining that this is a Permitted use in the Spanish Valley Highway Commercial (HC) District after finding substantial evidence described in the Document created by Staff

Make a motion denying the Conditional Use based on findings of fact described Make a motion denying the Conditional Use Permit due to the following reasons: (Statement of Findings for Substantial Evidence)

SUMMARY

The County has received a request from Tierney Rowe, Vice President Tower Development to consider a 125-foot Telecommunications Tower to be placed in Spanish Valley located in the Highway Commercial Zone close to Highway 191 and Sunny Acres on Parcel 26S22E3454126 behind an existing residential use property within this zone.

The proposed tower is in the Spanish Valley Highway Commercial (HC) District.

The Spanish Valley Development Ordinances (adopted 19 November 2019) established the Highway Commercial (HC) District where the proposed tower is located. Chapter 6: Spanish Valley Highway Commercial (HC) District governs land uses in the HC District. Chapter 6 includes a list of “typical permitted uses.” A telecommunications tower is not listed among the HC District typical permitted uses. However, Chapter 6 states: “The list is not exclusive. Any use not specifically listed but determined by the Planning Commission to be similar in purpose, intent or use shall be permitted.”

Staff has worked with our Attorneys and established a permitted use report for this project which includes possible Findings to discuss. See the attached “Permitted Use in Spanish Valley Highway Commercial (HC) District for Telecommunications Tower at 4326 East Sunny Acres Lane, Spanish Valley” for review.