

Planning Commission Minutes

November 15, 2022

Member Present and seated as Board: Chair Cary Aloia, Leonard Brown, Travis Cross, Charles Stillings, Jerry Gallegos, Russell Pratt. Andrew Atchley and Martha Williamson were present as alternates. Dixie Diltz – Secretary and Randy Kern - Advisory.

Members Absent: Mike Mitchell

Others Present: Loren Howard and Isaiah Abeyta. Summer Santisteven, Dolly Santisteven and Rosine Santisteven arrived late.

Chair Cary Aloia called the meeting to order at 1:32pm and roll call is completed.

Leonard Brown moves to accept the agenda as presented; Travis Cross seconds motion passes unanimously.

Jerry Gallegos moves to approve the August 16th meeting minutes as presented, Charles Stillings seconds and the motion passes unanimously.

Under new business, Chair Aloia calls up San Luis Valley Rural Electric Cooperatives conditional use application for a 180' communication tower. Secretary Diltz introduces Loren Howard and Isaiah Abeyta from SLVREC and presents the staff report to the Board. The tower is to be located directly behind the main SLVREC building on Highway 160. The parcel is currently zoned commercial and approximately 38 acres and contains a private well and OWTS to support the office building. The area is a mixed zoning use including commercial, residential, and agricultural. No comments were received from neighboring properties as of today, the site is currently fenced and large enough to provide for the required fall protection area. Request for comment was sent to CPW, CFW, RGC Attorney, RGC Road & Bridge, RCG Sheriff, Habitat Conservation District, Colorado State Forest Service, RGC Emergency Manager, CDOT, Army Corps, BLM and the City of Monte Vista. Responses received are included in packet, no negative comments were received.

Charles Stillings commends the applicant on the thoroughness of the application.

The only concern of staff was section 2.08.C.4.b which states: "any new tower shall not be approved unless the Board of County Commissioners determines that the telecommunication facility for the proposed antenna cannot be accommodated by an existing or approved tower or antenna support structure." The applicant was requested to address this in the application as well as in discussions with staff. Upon review of applicant's response, staff referred to Section 2.08.C.4.c.(3) states "Other unforeseen reasons make it unfeasible to locate the planned telecommunications equipment upon an existing or approved tower or building." The ability of SLV REC being able to secure the tower from access by unauthorized personal justified the request to erect a new tower on the secured site. Secretary Diltz tells the P&Z this is a decision they should make.

Charles Stillings asked where the current tower is that REC is located on? Loren Howard responds they are currently located on the tower over by Monte Vista Machine and Tool. Russell Pratt questions the old airstrip at the Kelloff hotel and states that a 180' tower could be detrimental if the airstrip is a registered strip with FAA. Loren Howard states he has documentation stating that there are no concerns with the FAA. Secretary Diltz states she had spoken with Errol from the RGC Airport, and he stated that the Kelloff air strip was no longer registered as an active strip with the FAA. Jerry Gallegos questions if there will be lighting. Loren Howard states they do not have to have lighting on it as it is under the 200' requirement. They are not

opposed to putting lighting if the county requires. The thought is “how much attention do you want to draw to it?”. Loren states again the security issues are the main reason for requesting the tower. “Our principal reasons are cyber security is a big issue, but also physical security.” REC has no control of who has access to the tower and equipment at the current location as others also co-locate there and have access. The radio system is REC’s principal communication for all operations, and securing that is a main concern. Leonard Brown questions if this tower request is for radio communications only or if it will include wireless internet. Loren Howard states it is for radio communication, they may add an antenna for the wireless Ceillo, however this would only increase services for about a 5 mile area. Cary Aloia asks what the tower looks like and if there are any mirrored disks on it? Loren Howard says it will not have mirrored surfaces and is a tripod type tower engineered by ROHN. Jerry Gallegos asks about the fencing and it is explained that the fencing will increase the physical security for the entire business.

Charles Stillings makes a motion to recommend approval of the application for a 180’ communication tower, Russell Pratt seconds and the motion passes unanimously. Next meeting will be in front of the County Commissioners for final decision.

Chair Aloia begins “old business” discussion. Review of the RV Parks draft regulations. A grammatical correction is made. Travis Cross brings up the reoccurring question regarding the 10 acres minimum size. Cary Aloia states that one of the reasons they had settled on the 10 acres was to protect the circle corners from being turned into RV Parks and protecting the agricultural nature of the County. After much discussion it is decided to leave it a the 10 acres minimum.

Summer Santisteven, Dolly Santisteven, Rosine Santisteven come into the meeting at 2:00pm. They are here for the SLV REC hearing. Chair Aloia tells them they have missed that portion of the meeting, Secretary Diltz suggests they send there comments to her email and then come to the Dec 7 public hearing with the BOC. Dolly Santisteven states their concerns to be regarding health issues for persons living near cell towers as well as property depreciation.

Discussion of the amendments to the draft RV Park regulations continued, previous recommendations for changes were approved, no more changes were proposed.

Discussion of the Vacation Rentals draft included the only changes as the addition of the requirement of the applicant to provide a copy of their homeowners insurance declaration page and the addition of requiring an escape/egress ladder for second floor or higher floors. Discussion of the suggested fee change was held as well. Russell Pratt states he feels the fees should be increased. Travis Cross agrees, the difference between commercial tax rates and residential tax rates was discussed as well as a desire to “level the playing field” for the commercial business. Jerry Gallegos questioned if an increased fee would encourage more non-compliant vacation rentals and if the County would be able/willing to enforce regulations upon those who did not willingly comply. Cary Suggested that the increased fees be used to finance a code enforcement position within the department. Leonard Brown states that a code enforcement person may help with the enforcement of all the codes not only the vacation rentals.

Leonard Brown suggests that the P&Z suggest that the fee be changed to \$1500,00 for new applications and \$1,000.00 annually and see what the BoC does with it. The fees would be to help with the salary for a Code Enforcement person.

With no further business the meeting the adjourned at 3:10PM.