



***Rio Arriba County  
Planning & Zoning Department***

Thomas M. Aragon  
Director

**P&Z Committee**  
Benny Roybal  
Benny Martinez  
JR Trujillo  
Manuel Trujillo  
Miguel A. Trujillo  
Chris Lovato  
Christina Archuleta  
Mares

**PLANNING AND ZONING COMMITTEE  
Regular Meeting Minutes  
June 6, 2018 10:00 a.m.  
Tierra Amarilla County Complex**

**I. Meeting Called to Order**

Chairman Benny Roybal called the meeting to order at 10:05 a.m.

**II. Roll Call**

**Present:**

Benny Roybal *Chairman*  
JR Trujillo  
Miguel A. Trujillo  
Manuel Trujillo  
Chris Lovato

**Absent:**

Benny Martinez  
Christina Archuleta Mares

Planner, Michael Garcia declared a quorum was present.

**III. Approval of Minutes February 7, 2018 P&Z Committee Meetings**

Benny Roybal, *Chairman* asked if all had reviewed the minutes?

Manuel Trujillo moved to approve the minutes as presented

JR Trujillo seconded.

All in favor, motion approved by consensus

**IV. Presentation of Staff Report**

Michael Garcia, Assistant Planner presented the Staff Report.

**BACKGROUND**

**Case No: Special Use Permit (SUP)-2018-S005 (Class III Large Scale Service)**: This application has been made pursuant to the requirements of the Rio Arriba County Design and Development Regulation System, Ordinance 2012-001, Article IX, Section 9.02 (Special Use Permit). Representative, Joel K. Bladow and Tri-State Generation and Transmission Association, Inc. has submitted a Special Use Permit application for a 190' Utility Microwave Telecommunication Tower to be constructed within Northern Rio Arriba Electric Cooperative's (NORA) existing Spills Switching Station located on private property approximately 5 mile South of Tierra Amarilla, NM and about 0.3 miles West of US Highway 84. Approval of a Special Use Permit is required to establish the proper zoning and variance for this project.

## FINDING OF FACT

1. A Legal notice for this Public Hearing has been made pursuant to Ordinance 2012-001 by posting meeting notice placard at the subject property on 5-22-2018; by mailing Notice of Public Hearing letters with proof of mailing receipt to 31 property owners within a ½ mile radius; by posting a public notice at the Tierra Amarilla Post Office; and by posting notice on the County website home page.
2. The subject property is identified by Assessor's UPC# 1-020-163-138-254. The property is zoned County Rural Agricultural District (CRAD) as are all the surrounding properties. The physical address of the Spills Switching Station is 25007 US Highway 84 Nutrias, New Mexico.
3. The property owners have been identified as Spill Family Trust, C/O Cristie Spill whose address is 4564 Aguila Rd SE Rio Rancho, New Mexico 87124. The Spill Family Trust Tract consists of 2216.26 acres.
4. This tower will be located on Northern Rio Arriba Electric Cooperative's (NORA) existing Spills Switching Station located on private property approximately 5 mile South of Tierra Amarilla, NM and about 0.3 miles West of US Highway 84 in Section 30 and 31, T28N, R4E, NMPM. The proposed tower and existing Spills Switching Station will utilize the access road and 0.999-acre easement and foot print for the Spills Switching Station that was granted to NORA in 1984.
5. The Tower is necessary for both Tri-State and NORA's internal utility communication needs. The Tower will enable Tri-State to reliably send and receive data critical to the safe operation of the Spills Switching Station, as well as the greater electric system. Additionally, the tower will improve its communication link between the El Vado and Abiquiu Hydroelectric Power Plants.
6. The proposed tower will be designed as a free standing (non-guyed) triangular steel lattice structure in three concrete foundations. A detailed site plan and tower view drawings are provided in Exhibit B. A fall radius engineering evaluation is provided in Exhibit C. Construction of the Tower will take approximately 2 months and is scheduled to begin in August, 2018. Prior to construction, and upon receipt of all required permits, Tri-State will file for an FCC license for the tower. Tri-State request that a copy of the license be provided to the County as a condition of approval.
7. Rio Arriba County Tower Ordinance 2007-02 Section II. Development Standards allows for a 70' maximum height. The Special Use Permit process and approval shall provide the variance needed for construction of the proposed 190' tower height requested by Tri-State.
8. Tri-State does not intend to allow commercial or other entities to co-locate facilities on the proposed Tower. The Tower will be within the Spills Switching Station security fencing, non-utility personal are not permitted to access the site. The Tower will not significantly change the character of the landscape in the area. Additionally, visual impacts to existing neighborhoods is not expected as the facility is located in a rural area with the nearest residence approximately 1.5 miles away.
9. The proposed telecommunication tower is consistent with the following goals and strategies of the County's Comprehensive Plan:

**Land Use: Goal 1:** Encourage compact, compatible and sustainable node development that reflects traditional settlement patterns.

**Strategy 1:** Encourage small commercial, mixed use and light industrial uses in communities and nodes. Encourage development in these compact nodes areas, particularly dry land development.

**Economic Development: Goal 8:** Promote environmentally friendly industry and manufacturing uses. **Goal 7:** Improve and expand the telecommunications system to provide and support business growth.

**Hazard Mitigation - Goal 5:** Upgrade and enhance the County's emergency response system to ensure that all areas have adequate police, fire and emergency services and promote clustering of communication tower sites.

Michael Garcia concluded the presentation of the Staff Report. No questions were asked.

**V. Applicant Presentation:**

The applicant's representatives spoke on behalf of Tri-State Generation and Transmission Association, Mr. Curtis Miller, Transmission Siting & Environmental Planner, and Mr. Darrell Spitzer, Telecommunication Engineer IV. They began their presentation by explaining the purpose of the 190' Communication Tower. The tower will be used as a utility communication tower for Tri-State Generation and Transmission Association and Northern Rio Arriba Electric Cooperative (NORA) to better improve communications between the two entities. The reason for the 190' tower height is the existing towers work on line of sight and requires that height to communicate with each tower in the area. Mr. Spitzer also mentioned that cellular communication companies will not be allowed to collocate on the tower for possible frequency disturbance with their communications. Mr. Miller agreed with the staff report information presented by Mr. Garcia. Mr. Miller questioned the information on the staff report concerning the Property owner of the building site, he stated the Spill Family Trust are the legal property owners not Sultemeier Revocable Trust who own the adjacent property. Mr. Garcia stated that he will research and change the information if necessary.

Committee Member, Manuel Trujillo suggested Rio Arriba County be allowed to collocate an emergency repeater on the tower for first responders and emergency use. Mr. Spitzer said he would relay the message to Tri-State and NORA for their comment and get back with the staff.

Committee Member, Mick Trujillo suggested local contractors and material be used as much as possible. Mr. Spitzer stated that concrete will be utilized from the area and will make all efforts to do so.

Committee Member, JR. Trujillo asked if lighting will be required for the tower at 190' height. Mr. Spitzer responded that lighting is not be required under 200 feet, lighting is required at heights of 200 feet or more.

No other questions or concerns were asked by the committee members. Chairman Roybal asked if anyone wished to speak for or against the proposal from the general public. No one was present for discussion to speak.

Chairman Roybal asked Mr. Garcia to present the Staff Recommendations, they went as follows:

## **VI. STAFF RECOMMENDATION - Special Use Permit No: 2018-S005**

Based on the Findings of Fact, together with the proposed conditions of approval; the Planning & Zoning Department has concluded that Special Use Permit Case 2018-S005, is a compatible land use within the County Rural Agricultural District and recommends Approval with the following Conditions.

1. Construction shall commence within one-year of the approval date of the Development Permit or it will expire and be subject to reapplication.
2. The proposed tower and related appurtenances shall be constructed in substantial accordance with plans and specifications submitted with this application. An approved SUP application will allow the variance required from the 70' height regulation by County ordinance to the proposed 190' tower height specifications as requested.
3. The access gate lock code and/or key shall be provided to the Canjilon Fire Chief, Tierra Amarilla Fire Chief and the Rio Arriba County Fire Marshall to be used for emergency access purposes only.
4. Applicant shall coordinate with Rio Arriba County Emergency Management staff for determination of a co-locatable repeater for County emergency use. (Contact Emergency Manager at 505-753-1941) for more information.
5. Tri-State will provide a copy of the FCC license for the tower once SUP application has been approved for construction.

## **VII. Discussion and Motion:**

Chairman Roybal asked the Committee Members, having heard Case # **(SUP)-2018-S005**, what is your pleasure? Motion was made by Manuel Trujillo to approve with staff recommended conditions, Seconded by JR. Trujillo, all in favor, no one opposed, motion was carried unanimously.

Planning and Zoning Committee Members decision will be brought forth to the Board of County Commission Meeting on June 28, 2018 for final decision.

## **VIII. Old Business**

There was no old business to conduct.

## **IX. ADJOURNMENT**

Chairman Roybal closed public hearing and motion was made to adjourn.

**Case No: Special Use Permit (SUP)-2018-S005 (Class III Large Scale Service):**

MINUTES SUBMITTED BY: Michael Garcia, Assistant Planner

\_\_\_\_\_  
Michael Garcia, Assistant Planner

\_\_\_\_\_  
Date

MINUTES APPROVED BY:

\_\_\_\_\_  
Chairman, Benny Roybal,

\_\_\_\_\_  
Date