

Standards for Height Exception Approval

In considering a Height Exception application, the Board of Adjustment shall review the particular circumstances of the Height Exception request under consideration in terms of the following standards, and shall recommend a Height Exception only upon a finding of compliance with each of the following standards, as well as applicable standards established elsewhere in this Ordinance:

- (a) The structure and development, if applicable, complies with all other standards not specifically waived by the city;

The structure and development of the proposed bell tower complies with all other standards not specifically waived by the City. Concealed wireless telecommunications facilities are permitted as an administrative approval so long as it meets the six criteria for approval as spelled out in Section 12-5605 (1) through (6).

- (1) Dimensions – The proposed bell tower does reasonably approximate the dimensions of a typical church bell tower.**
- (2) Design and Location – The proposed bell tower is compatible with the property on which it is located. The property is an existing church property and the bell tower is designed to blend with the use of the property.**
- (3) Height and Setback – The proposed bell tower meets with all the bulk standards for the property the facility will be located on. The proposed zoning for the site is C-3, Regional Commercial District. The proposed installation is in compliance with all bulk standards listed in Table IV-11. C-3 District Standards.**
- (4) Distance from Residential – The proposed bell tower is in excess of 100’ from the south and west property lines and significantly further from the north and east property lines.**
- (5) Co-Location – The proposed bell tower is being designed to accommodate three users which will reduce the number of sites within the City.**
- (6) Accessory Equipment – The proposed ground equipment will be located within an opaque 7’-0” stucco fence which will be painted to match the existing church. The design has been done to maximize the degree of concealment of the telecommunications facility.**

- (b) The exception would have minimal effect upon adjacent properties with respect to solar access, visual access, and rights of privacy, light, and air;

The height exception will have minimal effect upon adjacent properties with respect to solar access, visual access, and rights of privacy, light, and air. The proposed bell tower is going to be located in excess of 100’ from the nearest property line. Due to the fact the proposed bell tower is only 65’ in height, it will not have a negative impact on any other property in the area.

- (c) The exception will not interfere with the city's ability to provide public services to the site at the level currently enjoyed by the area, or at adequate levels per existing city policies and regulations;

A wireless telecommunications facility is unstaffed and entirely self-monitored. The only public utilities needed are power and teleco/fiber which are readily available to the site. Because the facility is unstaffed, there will be no impact to the existing traffic patterns nor will there be any need for additional access roads. No drainage, sanitation, refuse removal, parks, library, or school services will be necessary for this facility. Existing police and fire protection are more than adequate to provide security for the facility. The wireless telecommunications facility is connected to a central switch facility to ensure no unauthorized persons enter the lease parcel. In the unlikely event that this occurs, the switch facility will notify police and fire if services are needed. Therefore, there will be no additional requirements at public cost for public facilities and services.

- (d) There is no evidence to suggest that the exception would interfere with or complicate emergency services or otherwise impair public safety; and

The proposed bell tower will not interfere or complicate emergency services or otherwise impair public safety. To the contrary, wireless telephone technology provides many benefits to the communities it serves. These services include, but are not limited to, the following:

- **E-911 program allowing motorists to summon aid and report dangerous situations.**
- **Support for emergency services by providing wireless communications to paramedics, firefighters, and law enforcement agencies.**
- **A backup or alternative system to the landline system in the event of a natural or man-made disaster.**
- **Communication capabilities in remote areas, enhancing the safety of travelers by allowing immediate access to emergency assistance.**
- **Support for the busy lives of people in the area reducing stress and increasing productivity.**

In addition, one of the following is met:

- (a) The exception provides a demonstrated benefit to the city; or

The height exception, if approved, will provide a significant benefit to the City. As stated above, enhanced wireless services provides many benefits to the City, including, but not limited to, better voice and data services; safer and more reliable e-911 system and an alternative form of communication when landlines are not available or no longer used.

- (b) The architecture and character of the proposed building or structure that will exceed the height standards are compatible with existing development on surrounding or adjacent parcels.

The architecture and character of the proposed bell tower will be compatible with existing development on surrounding and adjacent parcels. Currently, the church is in an area of development with a community commercial center and an RTD park and ride lot, in proximity. The proposed bell tower will be consistent with the church grounds which help it remain compatible with the surrounding parcels.