

Bullet Points Relating to Verizon Cell Tower Application

To check the status of Verizon's application for a cell tower with the County, this website can be used:

<https://aca-oregon.accela.com/oregon/Default.aspx>

- Click on "Planning" near the top
- Enter this number in the box for Parcel # :1514140000100
- Click "Search"
- Scroll down toward the bottom where Permits/Applications are listed and the Verizon application should show up within a couple of days of being submitted to the County. It will have a recent "Opened" date.
- You can also call the Planning Department and ask if the Application has been filed. Phone number is 541-447-321.

Various Crook County Code (CCC) Sections Relating To A Cell Tower

- Cell towers are defined as a "Transmission tower". [Crook County Code 18.08.200] And they are considered "Utility facilities". [CCC 18.08.210]
- Utility facilities like cell towers can be built on Exclusive Farm Use land (EFU) **only** if they are necessary for public service. Verizon needs to show that it is **necessary** for the tower to be on **EFU land** in order to provide the service they want to provide. Verizon basically must demonstrate that they have considered reasonable alternatives for non-EFU land or that technical reasons require the tower on EFU land. [CCC 18.16.015(15)] Therefore, a strong objection should be made that **there are non-EFU sites that can be used for the tower**.
 - Here are some places where there is non-EFU land that we can check if Verizon has looked into:
 1. Twin Lakes land, zoned R5 (Rural Residential 5 acres). Twin Lakes is approximately 4.8 miles of land. There are numerous parcels that look to have no buildings on them.
 2. The Post Office area, zoned RSC (Rural Service Center). The owner of the property leased by the Post Office owns 1.24 acres of land. A cell tower is permitted by the Code outright on RSC-zoned land. The altitude of the Post Office property is about 3076'. The Alexander Ranch property is about 3012', so the coverage would presumably be better at the Post Office.
 3. There is 261-acre property zoned R10 on the northeast side of Powell Butte (the Butte, not the town). It is more than 4000' in altitude.
 4. There are 6 more properties near in that area, near McDonald Dr and Riggs Road that are zoned R10. Some of those parcels seem to have no development on them. These properties are around 3500' in altitude.

5. The area around Valley View Road is zoned R5. There seem to be some parcels without structures. This area is about 3200' and higher.
6. The Powell Butte Church land is RSC (Rural Service Center) and may have options on the back of the property. Sites on the Church land are about 1,000 feet from the school.
7. Powell Butte Country Store seems to have land that could be an option. That site would be about 350 feet to the school.

- **Verizon appears to already have two towers on top of Powell Butte.**
- It is important to find out what area Verizon is trying to get service to. That may help in arguing where the tower should be and how tall it needs to be. This could be a key point if Verizon is trying to get better coverage to the Twin Lakes area.
- A factor in Verizon not wanting to use R5 or R10 land for the tower is that a conditional use permit would be required for towers more than 30 feet high in those zones. [CCC 18.88.020, 18.92.020]
- For a tower under 200 feet on **EFU land**, a conditional use permit is NOT required. Verizon will only have to go through a **site plan review**. That means if Verizon meets the conditions and follows the processes, the County will grant the permit for the tower. [CCC 18.124.110]
- Here are the processes Verizon must follow to comply with the approval process, according to **18.124.110**:

(2)(a) *Preapplication Conference* with the County Planning Department. Verizon has done this.

(b) *Neighborhood Meeting*. Prior to submitting their application, Verizon must have had a meeting with nearby interested owners of property. The notice had to be mailed no less than 10 days prior the meeting. **The notice had to go to all property owners of record of property within 2,000 feet of the boundary of the Alexander Ranch LLC property Verizon has leased AND contiguous lots held by Alexander Ranch LLC. Alexander Ranch LLC owns an adjacent property to the north of the parcel with the Verizon lease.** So, it looks like there are 31 properties that are within 2000 feet of the contiguous Alexander Ranch LLC properties. [Map attached]. **It is important to try to find out if all 31 properties owners got notice in the mail of the May 4 Verizon neighborhood meeting.**

(c) *Balloon or Crane Test*. **After** the neighborhood meeting, Verizon had to conduct a test with a balloon or a crane to provide an estimate of the ultimate height of the tower. Verizon had to notify **all** persons attending the neighborhood meeting of the date, the time, and the location of the test. Verizon had to schedule the balloon test so that was no later than two business days after the neighborhood meeting or at a time agreeable to the neighbors at the meeting. But the test cannot be more than 30 days following the date of the neighborhood meeting. Notice of this test has to be provided to the planning staff. **It has been reported that the balloon test was before the neighborhood meeting. We need to gather facts about this, such as pictures of the balloon test with dates.**

(d) The preapplication conference has to be before the neighborhood meeting is scheduled and before the balloon/crane test is conducted. We need to check with the County about the timing of the balloon test and preapplication conference.

(3) Verizon must submit as part of its Application the following things. We will be able to get access to all these documents when the Application is filed:

(a) A copy of the lease with Alexander Ranch LLC;

(c) **A map showing Verizon's search area for the proposed site and the properties within the search ring**, including locations of existing telecommunications towers;

(d) A copy of the written notice of the required neighborhood meeting and a certificate of mailing showing that the notice was mailed to the required list of property owners;

(e) A transcript of the neighborhood meeting or copies of the audiotape recordings of the meeting, with a list of attendees;

(f) A site plan showing the location of the tower and its components, and location of the existing and proposed landscaping, any equipment shelters, utility connections, and fencing proposed to enclose the facility, and **lighting if any is proposed**. Describe primary and emergency energy sources proposed for the cell tower;

(g) A copy of the design specifications, including photographs or manufacturer's graphic representations of proposed colors, and an elevation of an antenna array proposed with the facility, **and lighting**, if any, for the facility;

(h) **An elevation drawing of the facility and a photographic simulation of the facility showing how it would fit into the landscape**. The elevation drawing shall be drawn to scale and show the existing trees adjacent to the proposed facility and show the height of such trees from existing grade to the highest portion of each tree...; **[The mock-up photos that Verizon has shown to date are ridiculous, and we will object to them as completely inaccurate.]**

(i) A copy of a letter of determination from the Federal Aviation Administration or the Oregon Department of Transportation – Aeronautics Division as to whether any requirements, including but not limited to **aviation lighting**, would be required for the proposed facility;...

(k) **Proof that Verizon is not able to use any existing tower it has; ...**

(l) If Verizon plans to develop more than one tower in Crook County, it has to submit in the application a tentative plan for future tower site development in the county.

- There will be a **hearing** on Verizon's application. We can all speak at the hearing and submit written objections. Notice of the hearing will only be sent by mail to property owners within **750** feet of the property where the tower will be. The notice will be mailed at least 20 days before the hearing and posted at the Court House. **[Owners who get the notice of hearing need to let the community know.]**
 - We can speak at the hearing and/or file written comments. We will be asked to direct our comments to standards and criteria that apply in Crook County.
 - We can ask that the County leave the record open after the hearing, so we have additional time to submit evidence and objections after we hear what Verizon has said. Usually, the record is left open **for 14 days after the hearing**.

Map Of 31 Properties Whose Owners Were Required To Get Notice Of Verizon's May 4 Neighborhood Meeting

