

STAFF MEMO

Land Use Planning Division



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Date: June 18, 2026

To: Hearing Officer

RE: Staff Memo for Case #T2-2025-0023

Dear Hearing Officer:

Staff heard testimony from the appellant groups regarding the suitability of the proposed Wireless Communication Facility on the western portion of the property due to its proximity to residential areas. The appellant groups raised concerns that other areas on the subject property were not adequately identified for the proposed use, and they expressed their desire to see the proposed facility established further east on the property. An overview of the environmental overlay zones are included below to provide further context to the site conditions.

Significant Wildlife Habitat (SEC-h)

The entire subject property is located within the SEC-h overlay zone. Development within the SEC-h overlay requires compliance with the development standards under MCC 39.5540(C)(1)(a) through (g). Out of these standards, the following are specific siting standards:

1. Where a parcel contains any non-forested “cleared” areas within¹ 200 feet of a public road, development shall only occur in these areas, except as necessary to provide access and to meet minimum clearance standards for fire safety. [MCC 39.5540(C)(1)(a)]
2. Development shall occur within 200 feet of a public road capable of providing reasonable practical access to the developable portion of the site. [MCC 39.5540(C)(1)(b)]
3. The access road/driveway and service corridor serving the development shall not exceed 500 feet in length. [MCC 39.5540(C)(1)(c)]
4. The development shall be within 300 feet of a side property line if adjacent property has structures and developed areas within 200 feet of that common side property line. [MCC 39.5540(C)(1)(d)]

The SEC-h overlay includes non-riparian and non-wetland natural resource sites that contain habitat values such as wooded areas and areas with rare or endangered flora and fauna, as identified by the Goal 5 Inventory. The intent of the SEC-h overlay is to limit the impacts of land use and development in these areas that are critical for sustaining wildlife populations by clustering development near roads and designing fencing to allow the passage of wildlife.

¹ The term “within” shall mean at least 75% of the entire development (building, physical improvements, landscaping yards, septic system, etc.) shall be no further than the required distance from a public road allowed in the SEC code provision. [MCC 39.5520]

Figure 1



Significant Stream (SEC-s)

The SEC-s overlay identifies the protected Stream Conservation Area that is an area extending upslope from and perpendicular to the centerline on both sides of a protected stream. Development that has to occur within the SEC-s overlay is encouraged to be located more than 100 feet from the top bank of the protected water feature, and a mitigation plan that assesses the existing condition of the Riparian Area is required. Staff encourages development outside of Stream Conservation Areas when a property is not entirely located within this overlay.

Figure 2



Slopes / Geologic Hazard

Figure 3 below identifies the slope percentages for the subject property. The areas shown in yellow indicate slopes of 0 to 10% and the orange areas show slopes of 10 to 25%.

Figure 4 shows the specific area on the property that contains hazard areas. Pursuant to MCC 39.5075, no development or ground disturbing activities can occur without a Geologic Hazard permit on hazard areas or where the development area has average slopes of 25%.

Figure 3

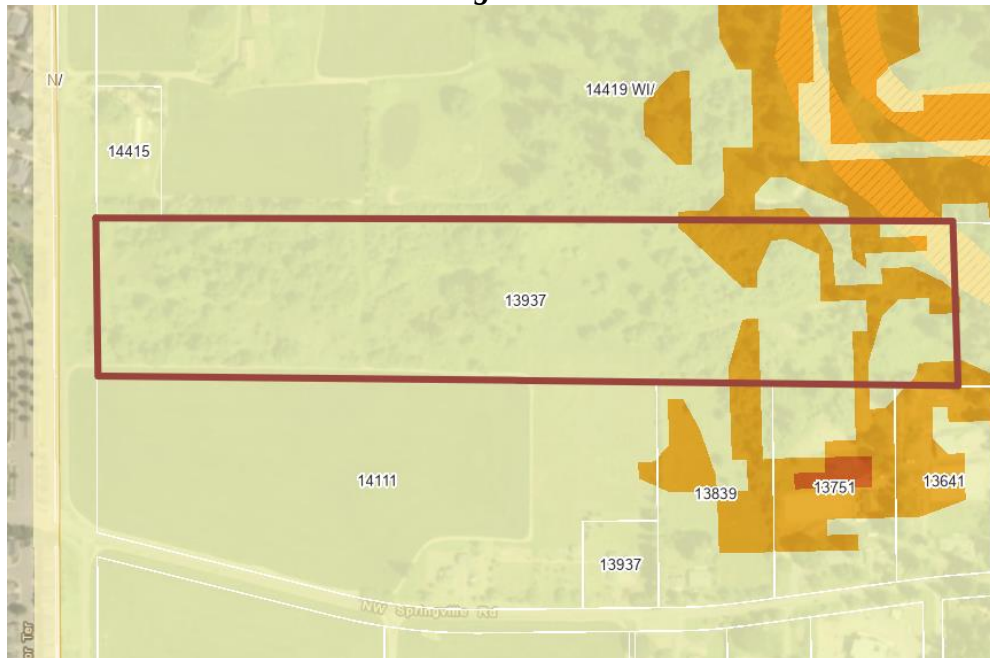


Figure 4

