



PLANNING COMMISSION STAFF REPORT

PC Hearing Date:	September 22, 2026
Scheduled BOCC Date:	October 14, 2026
Application:	Silver Buckle Ranch Tower Special Use by Review (SUR-2026-0002) A Special Use by Review (SUR) application for the construction and operation of a telecommunications facility consisting of a 110-foot-tall tower and associated telecommunications equipment on a 2,500 square-foot leased area at 44502 CR 29, Elizabeth, CO 80107, a 74-acre parcel.
Applicant:	Mark Paiz, Q3 Consulting
Facility Owner:	Anthemnet
Subject Property/Owner:	44502 County Road 29, Elizabeth, CO 80107 / Silver Buckle Ranch

Project Summary

The applicant is requesting approval of a Special Use by Review (SUR) to construct and operate a telecommunications tower and facility at 44502 County Road 29, Elizabeth, CO 80107. The SUR consists of a telecommunications tower that is 110-feet-tall within a 2,500 square-foot leased area on a larger 74-acre parcel. The tower setbacks are as follows, 909-feet from the north property line, 425-feet from the south property line, 1,047-feet from the east property line, and 1,022-feet from the west property line (the property's front setback).

The applicant states that the tower “supports the community by supplying the many businesses and residents with full wireless and E911 services. This facility is a critical component to the wireless networks and will serve the traveling public, businesses, residents, and visitors of Elbert County.” The only traffic impacts anticipated by the facility will be from required maintenance visits, approximately twice a month. The facility is designed in accordance with Elbert County Zoning Regulations Article III E. (SUR) and supplemental standards for antennas and antenna support structures (Article V.E.8.). The tower is unmanned and will not require any water or sewer facilities. The SUR area will be fenced with a six-foot-tall solid faux wood fence. The access to the site is from County Road 29. A private driveway will serve the facility.

Background & Existing Conditions

The subject property is 74-acres, zoned Agriculture (A), and with an existing residence and six accessory buildings that are to remain. There is an existing well on the property that serves the current residence. The well will not be utilized by the proposed telecommunications facility.

There is an existing septic system on the property, but it will not be utilized for the telecommunications facility. The property is adjacent and to the east of County Road 29. It is surrounded to the south and east by the Sun Country Meadows Subdivision. To the north and west of the property are Agriculture (A) zoned properties that are 320 acres and 1,680 acres respectively.

Site Characteristics

Site Description: The subject property is currently zoned Agriculture (A) with no land features presenting concerning topographical conditions or hazards. There are several outbuildings and an existing residence on the property.

Floodplain: No floodplain on property.

Wetlands: One seasonally wet freshwater pond that is outside of the SUR area.

Access: Private driveway from County Road 29.

Timeline of Project

- Pre-Application Meeting – January 21, 2026
- Community Meeting – April 28, 2026
- Application Submittal – June 8, 2026
- 1st Referral Period – June 11, 2026, to July 2, 2026
- 2nd Referral Period – August 10, 2026, to August 24, 2026
- Mailed notice sent to surrounding property owners within 2640' radius – September 9, 2026
- Public notice sign posted at subject property – September 9, 2026
- Newspaper notification published in Elbert County News – September 3, 2026
- Planning Commission Public Hearing – September 22, 2026
- Scheduled Board of County Commissioners Public Hearing – October 14, 2026

Public Notification

The applicants followed the public notification procedure as outlined in County Regulations, Article II.E., which included newspaper notice to the Elbert County News, mailed notification to surrounding property owners within a 2,640' radius, and a notification sign posted at the subject property, which were completed at least 14 days prior to the Planning Commission Public Hearing.

Community Meeting & Public Comment

At the community meeting held on April 28, 2026, there were three community members in attendance, in addition to the applicant and County Staff. There were several questions about electromagnetic emissions (EME). A community member requested information about EME and the applicant said a study would be included in the application. The applicant followed through on this request and included a radio frequency emissions analysis in the formal application. There were also questions about how the location was chosen. The applicant explained the process and reasoning behind the location choice. Other discussion included process questions about next steps in terms of public input. Staff referenced the required Planning Commission and Board of County Commissioners' public hearings. Staff advised the

notice radius for the public hearings would be larger than the notice radius for the community meeting and more community members would be notified. Finally, there was discussion about the need for service in the area.

Referral Process

This project was sent out for two referral cycles. The first referral was from June 11, 2026, to July 2, 2026, and the second was from August 10, 2026, to August 24, 2026. Below is a list of the referral agencies who reviewed and responded to the project:

- Colorado Division of Water Resources
- Elbert County Assessor's Office
- CORE Electric Cooperative
- Elbert County Public Works (Road & Bridge and Engineering)
- Elizabeth Park and Recreation District
- Elbert County Sheriff's Office
- Elbert County Treasurer
- Elbert County Community & Development Services
- Elbert County Public Health

Considerations for Decision

The following could be taken into consideration for a decision on Silver Buckle Ranch Tower (SUR-2026-0002):

- No outstanding objections from any referral agency.
- No water usage and minimal traffic impacts are expected with the proposal.
- Proposed tower greatly exceeds required setbacks.
- Sun Country Meadows residential subdivision is in close proximity.
- SUR conforms to supplemental standards for antennas and antenna support structures.

Findings & Review Criteria

Article III.E.5 of the Elbert County Zoning Regulations lists eight review criteria (a)-(h) that shall be considered by the Planning Commission, the Board of County Commissioners, and the CDS Director in reviewing all Special Use by Review applications:

(a) The use is in harmony and compatible with the surrounding area and neighborhood;

During the referral process, no concerns were presented regarding neighboring properties or existing infrastructure that would be affected. No public comments have been received on this proposal since the community meeting.

(b) The use will not have an undue burden on available infrastructure;

The Division of Water Resources reviewed the application and have no comments on this proposal. The SUR will not require any water. The access to the tower must be built to Elbert County Public Works standards.

(c) The use will not unduly increase traffic congestion or burden the existing road system;

The proposed telecommunications tower will be accessed through a private easement agreement between the tower company and the property owner. No improvements to the existing road system will be required. The applicants will be required to follow county standards for access of the tower. There are no outstanding objections or concerns from Public Works.

(d) The use will not cause significant air, odor, water, noise, or light pollution;

There is no anticipated air, odor, noise, or light pollution from the telecommunications facility or antenna support structure.

(e) All sanitation requirements will be met;

The proposed telecommunications facility will not use the existing OWTS. Elbert County Public Health reviewed the application and had no objections or concerns.

(f) The use will be adequately landscaped, buffered, and screened;

The proposed tower greatly exceeds all setbacks that are required and will feature a solid fence surrounding the SUR area.

(g) The use will not otherwise be detrimental to the health, safety, or welfare of the present or future inhabitants of Elbert County; and

The use will provide additional capacity for telecommunications demands in an area that is experiencing growth. There were no concerns about impacts to health, safety, or welfare of present or future inhabitants of Elbert County. The facility will support E911 services in the area.

(h) Supplemental Standards are met for specific uses, as applicable.

In addition to the general SUR criteria, the subject application is reviewed against the supplemental standards general policies for antenna support structures in Article V.E.8

(1) Elbert County regulations recognize, and applicants shall comply with: i. FAA Regulations regarding lamping and height; FCC Regulations regarding all radio emissions; The provisions of FCC PRB-1 and CRS §29-20-109 which control the rights of Radio Amateurs to erect and use effective towers and antennas; environmentally sensitive areas; and State of Colorado, Department of Transportation which regulates the visual impact near and along state highways.

This tower will not broadcast AM/FM radio waves. This tower is not in an environmentally sensitive area. This tower is not near or along a state highway.

(2) All antenna support structures shall meet all Elbert County setback requirements of these Regulations, and the base of the structure shall be no closer to the property boundary than the height of the structure. All guy wires shall be placed on the subject property and must be protected from livestock, vehicles and pedestrians.

The tower meets all Elbert County setback requirements, and the base of the structure is no closer to the property boundary than the height of the structure. All guy wires are placed on the subject property and will be protected with exclusionary fencing.

(3) Based on Federal Communications Memorandum, Opinion and Order PRB-1 and CRS §29-20-109, local governments are only allowed to promulgate and enforce restrictions that are needed for safety or historic preservation, but not for aesthetic conditions.

Restrictions based on safety and historic preservation have been addressed.

(4) In the interest of community safety, the Elbert County Communications Authority (ECCA) will be included in the list of referral agencies and shall be granted space on all commercial communication Antenna Support Structures, subject to agreement between ECCA and the applicant.

The ECCA was included in the list of referral agencies and contacted during both referral periods.

Potential Conditions of Approval

Should the Planning Commission decide to recommend approval for the **Silver Buckle Ranch Tower Special Use by Review (SUR-2026-0002)** the following conditions of approval may be appropriate.

1. Signs shall be removed within one (1) week of the conclusion of all notified meetings, public hearings or decisions. Signs not removed within one (1) week may be removed by Elbert County. Applicant subject to sign removal fee;
2. The SUR shall not become effective until all fees are paid, conditions of approval are met, and the SUR Exhibit is recorded;
3. Recordation of all appropriate documentation to occur within 180 days of Board of County Commissioners' approval;
4. A "cost of construction" statement shall be provided by the applicant to Community and Development Services within 45 days of Board approval or before work begins, whichever comes first;
5. Cost of construction fees shall be paid following the Board approval. Fees will be due and payable prior to any work taking place on the approved site or within 6 months of Board approval, whichever comes first.