

RESOLUTION OF INTENT

WHEREAS, County Code § 18-5.1.40, which is part of the Albemarle County Zoning Ordinance, establishes regulations pertaining to personal wireless service facilities (“Wireless Facilities”); and

WHEREAS, although some Wireless Facilities are permitted only by discretionary approval following a public hearing for which published notice and individual written notice is provided to abutting landowners, many Wireless Facilities are authorized by administrative decisions for which notice is not required by State law or current County regulations where the application satisfies the County’s reasonable performance standards; and

WHEREAS, County Code § 18-5.1.40’s performance standards are intended to, among other things, minimize potential adverse impacts from new or expanded Wireless Facilities on abutting lots, the neighborhood, and within the district; and

WHEREAS, it may be desirable to inform landowners of abutting lots, or those within the neighborhood or the district, of such pending applications by amending County Code § 18-5.1.40 to require that written notice be provided to such interested persons of pending applications for Wireless Facilities where such decisions are ministerial in nature and for which notice is not presently required by State law or by the Albemarle County Code.

NOW, THEREFORE, BE IT RESOLVED THAT for purposes of public necessity, convenience, general welfare and good zoning practices, the Albemarle County Planning Commission hereby adopts a resolution of intent to consider amending County Code § 18-5.1.40 to achieve the purposes described herein; and

BE IT FURTHER RESOLVED THAT the Planning Commission will hold a public hearing on the zoning text amendment proposed pursuant to this resolution of intent, and make its recommendations to the Board of Supervisors at the earliest possible date.

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