

STAFF PERSON: Rebecca Ragsdale, Senior Planner
BOARD OF SUPERVISORS: May 9, 2018
PROJECT: Building Permit #B201702432TWR Bucks Elbow Replacement Tower Special Exception
PROPERTY OWNER: County of Albemarle
APPLICANT: Charlottesville-UVA-Albemarle
Emergency Communications Center
LOCATION: 7045 Bucks Elbow Mountain Rd.; approx. 1.5 miles NE from its intersection with Jarmans Gap Road
TAX MAP/PARCEL: 03900-00-00-001B1

PROPOSAL:

This is a request to replace a 120' guyed tower with a 150' self-supporting lattice tower within an existing 100' x 100' fenced gravel compound. The property is owned by the County of Albemarle and managed by the Charlottesville-UVA-Albemarle Emergency Communications Center. The site provides public safety and public service radio communications for multiple regional agencies, including Albemarle County Fire Rescue, Police, and Sheriff, as well as Albemarle County Schools Pupil Transportation. It provides leased space for one commercial wireless carrier. The proposed facility is not anticipated to provide space for additional commercial carriers, but will have additional capacity for public safety or schools needs. The increased height of the tower is not expected to increase visibility of the site from adjacent properties or Crozet.

The request includes the following special exception request:

- 1) Modify County Code § 18-4.10.3.1(b) to allow a reduced setback for the proposed replacement tower. The proposal is to reduce the required setback from 150' to no closer than 5' to the property line.

CHARACTER OF THE AREA:

This property is zoned RA Rural Areas. The property is currently developed with the communications tower, three equipment shelter buildings and a back-up generator. The area on the mountaintop adjacent to the tower includes other towers and several residences. Areas beyond the mountaintop are wooded and the National Park and Skyline Drive are located to the West. (Attachment B-Location Map)

PLANNING AND ZONING HISTORY:

In 2001, as part of the regional Emergency Communications Center's ("ECC's") implementation of an 800 MHz radio system, a special use permit was approved for a 120' tower at Bucks Elbow Mountain. The special use permit was later amended in 2003 to extend the period of validity of the permit and for minor ground equipment changes (SP 2003-21). Because this is a public use, a special use permit is not required for the replacement tower.

COMMUNITY MEETING:

Pursuant to County guidelines for public facilities, a community informational meeting was held on April 18, 2018 at the Crozet Community Advisory Council (CCAC) regular meeting. Property owners within a ½ mile radius of the communication tower site were provided notice of the community meeting. Two property owners were in attendance as well as a number of Crozet community and CAC members. ECC staff presented an overview of the project and ultimately the CCAC voted unanimously in support of the replacement project. Staff presented an overview of the project. Staff received the following questions and comments from community members at the CCAC community meeting:

- Visibility- The existing site has very limited visibility from Crozet and the increase in height is not expected to increase visibility from Crozet. No additional adverse visual impacts are expected to residences near the tower either because of their location on the mountainsides and the tower location on the mountaintop.

- Construction logistics and impacts to Bucks Elbow Mountain Road during construction- Residents on Bucks Elbow Mountain were concerned about managing construction vehicles traveling to the site. ECC and the concerned resident have identified several strategies to implement during construction.
- Tenants on the tower-There is one commercial wireless carrier that leases space on the tower, and the ECC will not be actively pursuing additional wireless carriers. The additional capacity the new tower will provide will be reserved for public safety and schools needs.

ANALYSIS OF THE SPECIAL EXCEPTION REQUEST:

County Code § 18-4.10.3.1 requires that communication towers be located no closer in distance to any lot line than the height of the structure. County Code § 18-4.10.3.1(c) allows waivers or modifications to the setback to be considered. The Bucks Elbow Mountain ECC tower is currently located approximately 35 feet from the front and side property lines and approximately 60 feet from the rear property line of the 0.23 acre County-owned parcel. The replacement tower is proposed to be located closer to the rear of the parcel than the existing tower, and the base of the tower will be located no closer than 5' to the side and rear property lines. The exact location of the proposed tower will be determined pending additional geotechnical analysis within the existing compound. The location is expected to be generally located as shown on Attachment B.

Requests for modifications must be reviewed under the criteria established in County Code § 18-33.9(a), taking into consideration the factors, standards, criteria and findings for each request; however no specific finding is required in support of a decision. The public health, safety, or welfare will be equally served with the reduced setback, which is the material criterion in County Code § 18-4.10.3.1. There are no structures other than the tower, and the land is clear surrounding the tower site. The nearest residence is over 650' away from the tower site. There is only one property that surrounds the tower parcel. That owner was notified and we have not received any comments or concerns from that owner.

RECOMMENDATION: Staff recommends approval of the special exception request based upon the analysis provided herein.