



**County of Albemarle**  
**Department of Community Development**

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**Memorandum**

**To: Christopher Perez**  
**From: Bill Fritz, AICP**  
**Date: March 21, 2016**  
**Subject: SP 2016-04 Albemarle High School Communication Facility**

If this application is approved it will be impacted by the FCC's action published January 8, 2015 which includes provisions addressing State and Local Review of Applications for Wireless Service Facility Modification. The FCC rule, in part, limits the ability of the County to review additional uses and modifications to wireless facilities. The County's ability to deny additional antenna, modification of antenna and increases in the tower height is limited. The County may only deny changes to the facility if:

- The tower is increased in height by more than 20 feet; or
- Antenna or other equipment would protrude more than twenty feet from the tower; or
- More than four ground based cabinets are added; or
- Excavation occurs outside the lease area; or
- The change would defeat concealment elements.

The Zoning Ordinance defines "concealment elements of the eligible support structure" (this tower if approved would be an eligible support structure):

"Concealment elements of the eligible support structure: Any condition of approval, including any applicable requirement of section 5.1.40 in effect at the time of approval, established and imposed on the personal wireless service facility as a concealment technique and which includes conditions or regulations pertaining to antenna size, color of the structure and all equipment, antenna mounting techniques, including the requirement that antennas be flush mounted, maximum tower diameters at the base and top, limitations on tower height relative to a reference tree, screening by trees including the restrictions on removing trees that are screening the tower, siting towers so that they are not skylighted, requirements as to how cables should be located on a tower, and the size, location, design, and screening for ground based equipment."

It is recommended that staff identify for the Board what if any features of the facility may be considered "concealment elements of the eligible support structure". If the Board of Supervisors approves this request it is recommended that they identify what, if any, conditions of approval should be considered "concealment elements of the eligible support structure". Without citing any "concealment elements of the eligible support structure" the County will be required to approve any requested changes that do not violate limitations cited above.

If you would like something to be prepared as an attachment for the staff report please let me know and I will prepare something.