

ATTACHMENT A-STAFF ANALYSIS

STAFF PERSON: Rebecca Ragsdale, Principal Planner
BOARD OF SUPERVISORS: March 18, 2020
PROJECT: Building Permit B201903268ATWR Special Exception
PROPERTY OWNER: Ross, Walter B Trust & Marion W. Ross Trust
APPLICANT: New Cingular Wireless, LLC (AT&T) c/o Jacobs Telecommunications, LLC (Sharon Weddle)
LOCATION: 529 Woodchuck Lane
TAX MAP/PARCEL: 09000-00-00-014B2

PROPOSAL:

This request is to replace three (3) antennae at an existing personal wireless service facility with six (6) antennae that will not otherwise meet the zoning ordinance requirements for antenna projection. County Code § 18-5.1.40(b)(2)(c) requires:

(c) *Projection* . No antenna shall project from the facility, structure or building beyond the minimum required by the mounting equipment, and in no case shall the closest point of the back of the antenna be more than 12 inches from the facility, structure, or building, and in no case shall the farthest point of the back of the antenna be more than 18 inches from the facility, structure, or building;

The special exception request is to increase the distance of the closest point of the back of the antennae to five (5) feet from the facility. The proposed antennae will still comply with all other ordinance requirements, including the size limit of 1400 square inches.

The request is associated with the FirstNet project, which is the first nationwide wireless broadband network dedicated to public safety. FirstNet will provide dedicated lines and data for emergency public safety first responders. In order for public safety personnel or agencies to utilize FirstNet, they must subscribe. The increased projection from the monopole is needed because the frequency band assigned to FirstNet by the Federal Communications Commission (Band 14) and the frequency bands of the AT&T consumer network will interfere with each other if the antennae are not three (3) feet apart. Technical explanations are provided with the applicant's special exception request. Service is currently being provided to FirstNet subscribers on commercial bands until Band 14 is fully launched. Band 14 cannot be launched without the three (3) foot separation. (Attachments B and C)

CHARACTER OF THE AREA:

This property is zoned RA Rural Areas and is located on Woodchuck Lane, just off Scottsville Road (State Route 20). The majority of the 12.77-acre property is wooded with an existing single-family home. Surrounding properties to the sides are also very wooded and developed with single family residences. The property to the rear is wooded with a portion devoted to a vineyard. (Attachment D)

PLANNING AND ZONING HISTORY:

SP201000032 - A special use permit was approved in 2011 for a 111-foot treetop monopole constructed at a height no more than 10 feet taller than the tallest tree within 25 feet of the tower.

PERSONAL WIRELESS FACILITY POLICY:

The wireless policy encourages the construction of facilities that have limited visual impact on the community. Visibility is the primary focus in the review of personal wireless service facilities and facilities with limited visibility are encouraged. The policy encourages use of existing structures where possible.

The County's wireless service facilities policy encourages facilities with adequate wooded backdrop and facilities that do not adversely impact Avoidance Areas (including Entrance Corridors and historic resources). The existing wireless facility is a monopole treetop facility that is located in the Southern Albemarle Rural Historic District and on an Entrance Corridor (Scottsville Road). However, the facility is setback from adjoining roadways in a heavily wooded area with visibility highly mitigated from all vantage points.

ANALYSIS OF THE SPECIAL EXCEPTION REQUEST:

Requests for special exceptions must be reviewed under the criteria established in County Code § 18-33.49(B), taking into consideration the factors, standards, criteria and findings for each request; however no specific finding is required in support of a decision.

The existing wireless facility is a monopole treetop facility that is located in the Southern Albemarle Rural Historic District and on an Entrance Corridor (Scottsville Road). However, given the distance the facility is setback from adjoining roadways and its location in a heavily wooded area, the visibility is highly mitigated from all vantage points. The proposed antennae will be collocated on an existing structure, which is encouraged by the wireless policy. Although the design of the facility is inconsistent with the wireless ordinance design guidelines, the project serves a public safety purpose and is not expected to have negative visual impacts.

RECOMMENDATION: Staff recommends approval of the special exception request based upon the analysis provided herein and the following condition:

1. No antenna authorized by this special exception may project more than five (5) feet from the face of the monopole to the back of the antenna.

ATTACHMENTS:

- A. Staff Analysis
- B. Applicant's Request
- C. Proposed Plans
- D. Location Map
- E. Resolution