

## ATTACHMENT A-STAFF ANALYSIS

**STAFF PERSON:** Rebecca Ragsdale, Principal Planner  
**BOARD OF SUPERVISORS:** April 21, 2021  
**PROJECT:** SE202000027 Special Exception  
**PROPERTY OWNER:** Hutchinson, Bettie T & Charlotte D. Tomlin  
**APPLICANT:** New Cingular Wireless, LLC (AT&T) c/o Crown Castle (Joseph Stewart)  
**LOCATION:** 1066 Goodwin Farm Lane  
**TAX MAP/PARCEL:** 07500-00-00-00900

### **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 three (3) feet eight (8) inches from the facility. The proposed antennae will 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. Service is currently being provided to FirstNet subscribers on commercial bands until Band 14 is fully launched. Band 14 cannot be launched without increased antenna separation (Attachments B and C)

### **CHARACTER OF THE AREA:**

This property is zoned RA, Rural Areas, and is located on Goodwin Farm Lane, just off Monacan Trail Road (U.S. Route 29 South). The majority of the 10.33-acre property is wooded, and there are no other improvements on the property besides the tower and access road. Surrounding properties to the sides are also very wooded, and the properties immediately to the south each contain a single-family residence. Those parcels are under the same ownership as the tower site, and access to the tower parcel is through that parcel. Adjacent to the site to the north is property owned by the County of Albemarle and under conservation easement. (Attachment D)

### **PLANNING AND ZONING HISTORY:**

SP2001-00050 - A special use permit was approved in 2001 for a 105-foot treetop monopole constructed at a height no more than 10 feet taller than the tallest tree within 25 feet of the

tower.

SP2003-00040- A special use permit was approved in 2003 to amend SP2001-00050 to allow the installation of new ground equipment and replace antennas.

Since the last special use permit approval for this site, the ordinance has been amended to allow replacement of, or additional, antennas and ground equipment by-right.

**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 the 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 located on an Entrance Corridor (Monacan Trail Road). The facility is set back from the roadway approximately 600'+ in a wooded area with visibility mitigated from all vantage points. The facility is not visible traveling southbound on Monacan Trail and is visible briefly traveling northbound.

**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 located on an Entrance Corridor (Monacan Trail). However, given the distance, the facility is set back from adjoining roadways in a wooded area, and its visibility is mitigated from all vantage points. The applicant has provided photo simulations of the proposed antennas, which demonstrate antenna may be slightly more visible but will not have negative visual impacts. The proposed antennae will be collocated on an existing structure, which is encouraged by the wireless policy. Although the facility's design is inconsistent with the wireless ordinance design guidelines, the facility does serve 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 four (4) feet from the face of the monopole to the farthest point of the back of the antenna.

**ATTACHMENTS:**

- A. Staff Analysis
- B. Proposed Plans
- C. Photo Simulations
- D. Location Map
- E. Resolution