

# COUNTY OF ALBEMARLE

## EXECUTIVE SUMMARY

<b>AGENDA TITLE:</b> ZTA202300002 Personal Wireless Service Facilities	<b>AGENDA DATE:</b> February 27, 2024
<b>SUBJECT/PROPOSAL/REQUEST:</b> Proposal to amend regulations for Personal Wireless Service Facilities.	<b>ACTION:</b> x <b>INFORMATION:</b>
<b>STAFF CONTACT(S):</b> Mr. Fritz	<b>CONSENT AGENDA:</b> <b>ACTION:</b> <b>INFORMATION:</b>
<b>PRESENTER (S):</b> Chris Musso (Berkley Group), Susan Rabold (CityScape), Bill Fritz	<b>ATTACHMENTS:</b> Yes

### BACKGROUND:

The County has contracted with CityScape Consultants and the Berkley Group to perform this work. The consultant held a kickoff meeting with the public, industry representatives and interested parties on March 7, 2023. A work session was held with the Planning Commission on June 13, 2023. The consultant developed an online survey and received 735 responses. A summary of those responses is included as Attachment 1; the full responses are included as Attachment 2. As part of the responses over 200 individual comments or suggestions were received and are included as Attachment 3. An initial draft ordinance was distributed for comment. The Architectural Review Board provided comments which are included as Attachment 4. The public comments on the initial draft ordinance are included as Attachment 5. County A-Mail and a 550-address email distribution list were also maintained for public outreach.

### STRATEGIC PLAN:

Quality of Life - Encourage a vibrant community with economic and recreational opportunities that serve all community members.

### DISCUSSION:

The comments that have been received indicate that there is significant disagreement on many issues. The proposed ordinance attempts to address the concerns where there was a clear majority opinion. Below is a summary of the proposed ordinance:

1. Removes Agricultural Forestal Districts and clustered facilities from the list of avoidance areas. This allows treetop towers in these areas to be acted on administratively instead of requiring a special use permit.
2. Updates to reflect changes in industry terminology as well as Federal and State regulations.
3. Allows small cell facilities by-right in compliance with State regulations and requires providers to give notification of installation to the County.
4. Removes reference to tree height as a concealment element. This allows administratively approved treetop towers to be installed/modified so that they are 30 feet above the height of the reference tree.
5. Requires providers to supply a statement that facilities are in compliance with FCC regulations.
6. Removes the limit on the number of arrays permitted on a tower.
7. Removes the size limit on antennas.
8. Removes the limit on the diameter of monopoles.
9. Increases maximum projection of antennas from 18 inches to a maximum of 6 or 20 feet depending on the type of facility.

### BUDGET IMPACT:

No budget impacts have been identified.

### RECOMMENDATIONS:

Staff recommends that the Planning Commission recommend approval of the proposed ordinance. If the Planning Commission does not support the proposed ordinance as written, staff recommends that the Commission provide alternative language and make a recommendation of approval with the alternate language.

**ATTACHMENTS:**

Attach 1: [ZTA2023-02 PWSF – Survey Result Summary](#)

Attach 2: [ZTA2023-02 PWSF – Survey Responses](#)

Attach 3: [ZTA2023-02 PWSF – Comments and Suggestions](#)

Attach 4: [ZTA2023-02 PWSF – Architectural Review Board Comments](#)

Attach 5: [ZTA2023-02 PWSF – Public comment on initial draft ordinance](#)

Attach 6: [ZTA2023-02 PWSF – Proposed Ordinance](#)