



CHATHAM COUNTY COMMISSIONERS

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COUNTY MANAGER

Dan LaMontagne

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Established 1771

Resolution of the Chatham County Board of Commissioners

**A RESOLUTION APPROVING A CONDITIONAL USE PERMIT
REQUEST**

BY Chatham County Emergency Management

WHEREAS, Chatham County Emergency Management has applied to Chatham County for a conditional use permit on Parcel No. 81087, located at 2389 Old US 1, Cape Fear Township, for a new 350 foot communications tower, and;

WHEREAS, the Chatham County Board of Commissioners having considered all of the evidence in the whole record and based upon the competent, substantial and material evidence in the record, including, without limitation, the Applicant's written materials, all of which are incorporated herein by reference, hereby finds as follows:

1. The use/s requested are among those listed as eligible uses in the district in which the subject property is located or is to be located. The use is allowable with approval of a conditional use permit in the Ind-H Heavy Industrial zoning district. No errors are claimed.
2. The requested conditional use permit is either essential or desirable for the public convenience or welfare because, among other reasons, By allowing the new tower, emergency services communications will be enhanced to better serve the citizens of the county. The new tower is needed has part of the system upgrade for enhanced radio technology which in turn improves communications to emergency personnel. The taller towers are needed to provide adequate coverage that does not currently exist. The tower will also provide space for up to three colocations for telecommunications providers which will has the potential to enhance cell services in these areas as well.
3. The requested permit will not impair the integrity or character of the surrounding or adjoining districts, and will not be detrimental to the health, safety or welfare of the community. The Communications Tower Ordinance includes a 1.5 mile separation between communication towers unless additional justification is provided. The closest tower is 1.68 miles and is located on a water tower which can be seen on the maps provided. There will be no noise generated from the tower site. The tower is proposed to be a total of 350 feet and will require all regulated lighting as controlled by the FAA which are red blinking at night and white blinking during the day.

This project will replace outdated radio systems which no longer meet the need of public safety agencies in the county. These towers are vital and will provide coverage to all areas of the county to better serve residents.

Per the report from Pyramid Network Services, there are no historical structures or areas that require preservation. The tower will be constructed with a 0% fall zone.

4. The requested permit is consistent with the objectives of the Land Development Plan by, Page 43 Objectives encourages becoming more resilient by mitigating, responding, and adapting to emerging threats. One such way noted is to improve emergency response. These new communications towers are expected to significantly improve county-wide radio communications in order to dispatch emergency services personnel responding to various needs of its citizens. The system will also be able to better coordinate communications between different agencies.

Page 138 Utilities and Public Services, Recommendation 01, states under Utility Policy 1 to ensure adequate utilities and public services are being developed to support the desired development patterns.

5. Adequate utilities, access roads, storm drainage, recreation, open space, and other necessary facilities have been or are being provided through the proposal consistent with the County's plans, policies and regulations and confirmed through any additional conditions placed on its approval as seen below. Although there is floodable area noted on the property the tower location is over 200 feet from the closest flood mapped area.

There will be no county water or septic needed for this site. A service road will be provided on site for maintenance of the tower.

Stormwater and Erosion Control will be coordinated through county and/or state regulations. No adverse traffic will be generated from this project.

NOW, THEREFORE, BE IT RESOLVED BY THE CHATHAM COUNTY BOARD OF COMMISSIONERS, as follows:

That a Conditional Use Permit be, and it hereby is, approved for the reasons hereinabove stated subject to the additional stipulations and conditions set forth hereinafter; and

BE IT RESOLVED FURTHER, that the Chatham County Board of Commissioners hereby approves the application for the conditional use permit in accordance with the plan submitted by the Applicant, Chatham County, and incorporated herein by reference with specific conditions as listed and as shown in Attachment A below;

ATTACHMENT "A"

Site Specific Conditions

1. None

Standard Site Conditions

2. The application, standards and adopted regulations of the applicable ordinances and policies, and the approved recommendations as provided for and/or
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conditioned, are considered to be the standards as set forth and shall comply as stated. Changes or variations must be approved through the Planning Department or other approving board before any such changes can take place. These include but are not limited to landscaping, lighting, signage, parking, building construction, etc.

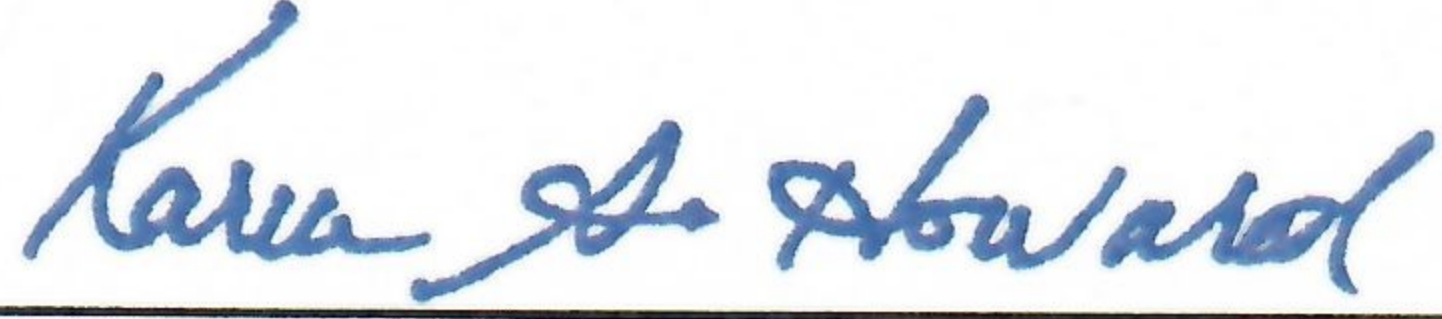
3. All required local, state, or federal permits (i.e. NCDOT commercial driveway permits, NCDWQ, Chatham County Land and Water Resources, Environmental Health Division, Building Inspections, Fire Marshal, etc.) shall be obtained, if required, and copies submitted to the Planning Department to the initiation of the operation/business.

Standard Administrative Conditions:

4. Fees - Applicant and/or landowner shall pay to the County all required fees and charges attributable to the development of its project in a timely manner, including, but not limited to, utility, subdivision, zoning, and building inspections.
 5. Continued Validity – The continued validity and effectiveness of this approval was expressly conditioned upon the continued compliance with the plans and conditional listed above.
 6. Non-Severability – If any of the above conditions is held to be invalid, this approval in it's entirety shall be void.
 7. Non-Waiver – Nothing contained herein shall be deemed to waive any discretion on the part of the County as to further development of the applicant's property and this permit shall not give the applicant any vested right to develop its property in any other manner than as set forth herein.
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BE IT FURTHER RESOLVED, that the Board of Commissioners of the County of Chatham hereby approves the application for a conditional use permit in accordance with the plans and conditions listed above.

Adopted this, the 19 day of October, 2020

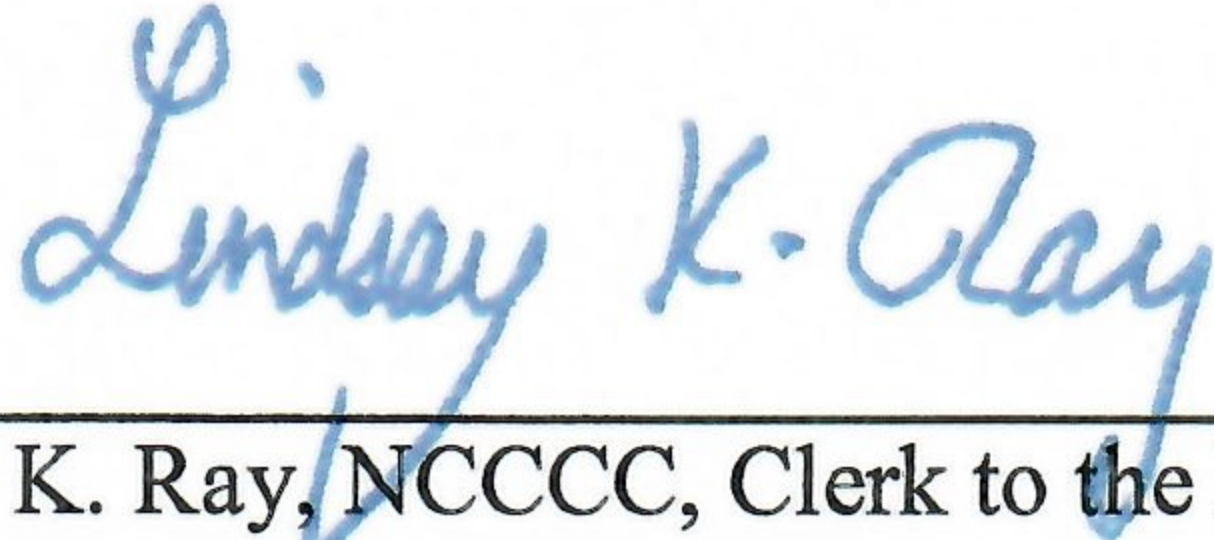


Karen Howard, Chairman
Chatham County Board of Commissioners



Responsible Representative/Applicant
(By signing this document, you agree to all findings as noted and any conditions therefore imposed above)

ATTEST:



Lindsay K. Ray, NCCCC, Clerk to the Board
Chatham County Board of Commissioners

