

STATEMENT OF COMPLIANCE WITH THE CHATHAM COUNTY WIRELESS TELECOMMUNICATION FACILITIES ORDINANCE

Cellco Partnership d/b/a Verizon Wireless Verizon Wireless is required to obtain a conditional use permit from the Board of Commissioners for a new two hundred fifty-five (255) foot (264' at highest appurtenance) self-support wireless telecommunication facility and associated equipment structures pursuant to the Chatham County Wireless Telecommunication Facilities Ordinance. The proposed tower is located on property owned by Jerry R. Justice. The proposed tower is located on NC Highway 87 North, which is zoned RA. Verizon Wireless respectfully requests that the proposed wireless telecommunications tower be approved for a conditional use permit. Verizon Wireless fully complies with the Wireless Telecommunications Requirements and Guidelines standards set forth in the Ordinance and respectfully requests that the conditional use permit be approved.

I. 2-3 Wireless Telecommunication Permit Process

1. **Wireless Telecommunication Permit Standards.** Any Wireless Facility or Wireless Support Structures not meeting the requirements of Section 2-1 (1) or (3), may be permitted in all zoning districts and unzoned areas upon the granting of a Wireless Telecommunication Permit, subject to:
 - a. The submission requirements of Section 2-3 (2) below; and
 - b. The applicable standards of Section 2-3 (2) below; and
 - c. The requirements for a Conditional Use Permit as established by Section 17 of the Chatham County Zoning Ordinance. Applications for Wireless Facilities and/or Wireless Support Structures not subject to Administrative Review and Approval that are located within the unzoned portions of the county shall be processed in the same manner as conditional use permits, inclusive of the requirements of section 2-3 (2) below.
2. **Content of Wireless Telecommunication Permit Application Package.** All Wireless Telecommunication permits, application packages for any applicable wireless facility or wireless support structures must contain the following:
 - a. Completed Wireless Telecommunication Permit Application Permit application and required fees;
 - Please see enclosed Exhibit 2 – Chatham County Wireless Telecommunication Permit Application.
 - b. Copy of lease or letter of authorization from the property owner evidencing applicant's authority to pursue zoning application. Such submissions need not disclose financial lease terms;
 - Please see enclosed Exhibit 3 – Redacted Land Lease.
 - c. Written description and scaled drawings of the proposed Wireless Support Structure or Wireless Facility, including structure height, ground and structure design, and proposed materials;
 - Please see enclosed Exhibit 4 – Site Drawings.
 - d. Number of proposed Antennas and their height above ground level, including the proposed placement of Antennas on the Wireless Support Structure;
 - Verizon Wireless proposed to install an antenna array at the 250' centerline with 3 additional co-location spaces for additional carriers. Please see sheet C13 in Exhibit 4 – Site Drawings.
 - e. Line-of-sight diagram or photo simulation, showing the proposed Wireless Support Structure set against the skyline and viewed from at least four (4) directions within the surrounding areas;
 - Please see enclosed Exhibit 5 – Photo Simulations and Line of Sight Map

- f. A statement that the proposed Wireless Support Structure will be made available for Collocation to other service providers provided space is available and consistent with Article 2 of this Ordinance.
 - Please see enclosed Exhibit 6 – Shared Use Letter.
 - g. Proposed towers may not be located closer than one and one-half (1.5) miles from an existing tower unless need can be demonstrated. The Applicant shall provide a map of all other towers located within three (3) miles of the proposed tower location, along with information as to the heights of all such other towers.
 - There are no towers located within a 3 mile radius of the currently proposed tower site. Please see enclosed Exhibit 7 – Inability to Collocate.
 - h. All requests for new towers shall identify at least one wireless tenant that intends to locate on the proposed tower at time of application for building permit. If a wireless tenant is not identified, then the building permit shall not be issued.
 - Cellco Partnership d/b/a Verizon Wireless intends to install its own antennas upon the tower once construction is completed. Please see enclosed Exhibit 4 – Site Drawings.
 - i. Notwithstanding the above, telecommunication towers may not be placed in any “Major Wildlife Areas” identified in the “Inventory of the Natural Areas and Wildlife Habitats of Chatham County, North Carolina”, 1992.
 - There are no records for rare species, important natural communities, natural areas, and/or conservation/managed areas within the proposed project boundary or within a one-mile radius of the project boundary. Please see enclosed Exhibit 8 – Report of Major Wildlife Areas.
3. **Procedure and Timing.** Within one hundred fifty (150) calendar days of the submittal deadline of an application under Section 2-3 of this Ordinance, the County will:
- a. Complete the process for reviewing the application for conformity with ordinances applicable to Conditional Use Permits.
 - b. Make a final decision to approve or disapprove the application; and
 - c. Advise the applicant in writing of the final decision. If the Board of Commissioners denies an application, it must provide written justification of the denial.
 - d. Failure to issue a written decision within one hundred fifty (150) calendar days shall constitute an approval of the application.
 - Agreed and acknowledged.

II. 2-4 General Standards and Design Requirements. Verizon Wireless fully complies with the General Standards and Design Requirements set forth in Article 2 of the Ordinance as follows:

- 1. Design.
 - a. Wireless Support Structures shall be subject to the following:
 - i. Shall be engineered and constructed to accommodate a minimum number of Collocations based upon their height:
 - a. Support structures sixty (60) to one hundred (100) feet shall support at least two (2) telecommunications providers;
 - b. Support structures greater than one hundred (100) feet but less than one hundred-fifty feet (150) shall support at least three (3) telecommunications providers;
 - c. Support structures greater than one hundred-fifty (150) feet in height shall support at least four (4) telecommunications carriers.
 - The self-support tower will be 255’ feet in height and will be designed to support a total of 4 telecommunications carriers. Please see enclosed Exhibit 4 – Site Drawings.

- iv. The Tower does not exceed four hundred (400) feet.
 - Verizon is requesting allowance of a total tower height of 264', to the highest appurtenance, for a proposed self-support tower. Verizon's antennas will be located at a height of 250' to allow for increased distance and density of the gap coverage between and among Verizon's existing wireless communication towers due to the existing topography of the property and surrounding properties. Strict application of the ordinance would result in decreased wireless coverage in some of the highlighted areas and decreased density of coverage within some of the areas shown on the attached RF propagation maps at Exhibit 10. The decreased coverage and density could result in dropped calls, which in emergency situations, could pose a hazard to public safety.

6. Lot Size

- a. The lot size required for wireless facilities should at a minimum provide the space needed for the access road, tower base, equipment and setback buffers. Lots created for the sole purpose of locating wireless facilities are not required to comply with otherwise required minimum lot size standards.
 - Agreed and acknowledged. The existing parcel will allow for the necessary lease area to accommodate the tower compound with ground space for 4 carriers as well as access and utility easements from the public right-of-way to the tower compound. NCDOT has given preliminary approval of the driveway location and a driveway permit application will be submitted to NCDOT following approval of the Wireless Tower Permit. Please see Exhibit 4 – Site Drawings and Exhibit 11 – Driveway Permit Application.

7. Aesthetics

- a. Lighting and Marking.
 - i. Wireless Facilities or Wireless Support Structures shall not be illuminated unless required by the Federal Communications Commission (FCC) or the Federal Aviation Administration (FAA).
 - The wireless self-support tower will be required by the FAA to have tower obstruction lights approximately half-way up the tower height and upon the top of the tower at approximately 255' feet. Please see Antenna and Tower Elevation Details in Exhibit 4 – Site Drawings.
 - ii. The desired tower color is gray or natural colors for concealed towers. Towers that are painted alternating patterns are not permitted unless required by the Federal Communications Commission (FCC) or the Federal Aviation Administration (FAA).
 - The wireless self-support tower will be galvanized steel-gray in color. Please see Antenna and Tower Elevation Details in Exhibit 4 – Site Drawings.
- b. All lighting, other than required by the FAA, must conform to the Chatham County Lighting Ordinance.
 - Not applicable.

8. Signage.

- a. Signs located at the Wireless Facility shall be limited to ownership and contact information, FCC antenna registration number (if required) and any other information as required by government regulation. Commercial advertising is strictly prohibited. Notwithstanding the foregoing, nothing in this Ordinance shall prohibit signage that is approved for other uses on property on which Wireless Facilities are located (e.g.,

approved signage at locations on which Concealed Facilities are located).

- The only signs located at the wireless facility will be mounted upon the security fence and will include notice signs, warning signs, and informational signs. Please see Site Signage Details page in Exhibit 4 – Site Drawings.

9. Accessory Equipment.

- a. Accessory Equipment, including any buildings, cabinets or shelters, shall be used only to house equipment and other supplies in support of the operation of the Wireless Facility or Wireless Support Structure. Any equipment not used in direct support of such operation shall not be stored on the site.
 - Acknowledged and agreed.
- b. If the site is designed for or equipped with on site generators for electric power supply, then a retention basin for liquids shall be provided that is designed according to recommendations of the County Fire Marshal and/or the County Emergency Operations Office.
 - Not applicable.

10. Fencing.

- a. Ground mounted Accessory Equipment and Wireless Support Structures shall be secured and enclosed with a fence not less than six (6) feet in height as deemed appropriate by the County.
- b. The County may waive the requirement of Section 2-4 (10) (a) if it is deemed that a fence is not appropriate or needed at the proposed location.
 - The proposed fencing around the wireless facility's tower compound will be 8' in height with 3 proposed strands of barbed wire. Please see Fence, Gate, and Compound Details sheet in Exhibit 4 – Site Drawings.

11. Landscaping.

- a. Sites in heavily wooded locations are strongly preferred. If the site is not heavily wooded, a continuous all-season opaque screen of at least six (6) feet in height and spaced to obscure the security fence within four (4) years of planting shall be placed around the boundaries of the site (excluding the access road). Vegetation shall be not less than two (2) feet in height at the time of planting. It is not the intention that the existing vegetation be removed to then be replaced by the described buffer; substantial vegetation may be supplemented to achieve the desired screening.
- b. If the tower site is in an open field with no residence within 1700 feet, where the effect of buffering would yield a ring of vegetation around the tower base in an open field, then this requirement may be reduced or eliminated. If the site is heavily wooded, and a reasonable assurance can be provided that the site will remain that way, the screening planting requirements may be reduced or eliminated. If at a later date, the site changes from a heavily wooded site, the planting screen described above may be required.
 - The tower compound will be surrounded by an all season opaque screen at least 6 feet in height within 4 years and shall not be less than 2 feet in height at the time of planting. None of the existing vegetation shall be removed to be replaced by landscaping vegetation. The site is proposed to keep the existing tree-line around 3 sides of the tower compound. Please see the Landscaping Plan sheet in Exhibit 4 – Site Drawings.

III. Article 3. Miscellaneous Provisions

3-1 Abandonment and Removal.

1. If a Wireless Support Structure is Abandoned, and it remains Abandoned for a period in excess of twelve (12) consecutive months, the County may require that

such Wireless Support Structure be removed only after first providing written notice to the owner of the Wireless Support Structure and giving the owner the opportunity to take such action(s) as may be necessary to reclaim the Wireless Support Structure within sixty (60) days of receipt of said written notice.

2. In the event the owner of the Wireless Support Structure fails to reclaim the Wireless Support Structure within the sixty (60) day period, the owner of the Wireless Support Structure shall be required to remove the same within six (6) months thereafter. The County may ensure and enforce removal by means of its existing regulatory authority, with costs of removal charged to the owner.

3-2 Multiple Uses on a Single Parcel or Lot.

1. Wireless Facilities and Wireless Support Structures may be located on a parcel containing another principal use on the same site or may be the principal use itself.
 - Acknowledged and agreed.

IV. 5-6. Variances: An application for a variance from the strict terms of this ordinance shall be submitted in writing to the Board of Adjustment prior to the issuance of a permit in the same manner as applications for variances in zoning matters. A variance may be granted in the same manner and upon the same grounds as set forth in the Chatham County Zoning Ordinance.

- Verizon respectfully requests relief from Section 2-4.6(a) of the Wireless Telecommunication Facilities Ordinance to allow for additional tower height above the 199' foot height limitation. Verizon is requesting allowance of a total tower height of 264', to the highest appurtenance. Verizon's antennas will be located at a height of 250' to allow for increased distance and density of the gap coverage between and among Verizon's existing wireless communication towers due to the existing topography of the property and surrounding properties. Strict application of the ordinance would result in decreased wireless coverage in some of the highlighted areas and decreased density of coverage within some of the areas shown on the attached RF propagation maps at Exhibit 10. The decreased coverage and density could result in dropped calls, which in emergency situations, could pose a hazard to public safety.

Respectfully submitted on October 4, 2021.



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