



# Chatham County Watershed Protection Agenda Notes

Date: June 9, 2022

Agenda Item:

Attachment #: None

- Subdivision       Special Use Permit       Rezoning Request  
 Other:

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<b>Subject:</b>	A legislative public hearing for a request by the Chatham County Manager to amend Attachment A, Permitted Uses, of the Watershed Protection Ordinance to add the following use – Wireless Telecommunication Towers.
<b>Action Requested:</b>	See Recommendation
<b>Attachments:</b>	None

### **Introduction & Background:**

The Watershed Protection Ordinance was adopted in 1993 and became effective on January 1, 1994. Watershed regulations were mandated by the Legislature in the 1990s for all local governments with surface water intakes. The state mandated watershed districts did not cover the entire county; however, the Board of Commissioners extended the state mandated districts to cover more area and created county specific districts to cover them (examples are the local, river corridor, and river corridor special area districts). Additionally, when the watershed ordinance was adopted, the county was partially zoned with more of the county being unzoned than zoned. In response, the Board of Commissioners added limitations to the allowable land uses in higher quality watershed districts in lieu of zoning the remainder of the county. The districts with land use limits are WS-II BW, WS-IV CA, WS-III CA, and River Corridor This request is adding a use to the list of allowable uses in those districts.

### **Discussion & Analysis:**

Telecommunication towers are not listed as allowable uses in attachment A of the ordinance and there is some ambiguity in the ordinance whether they are allowed in critical area watershed districts. The ordinance provides for the division of lots for minor utilities in all watershed districts and telecommunication towers fit under this definition. However, since there is a standalone Telecommunications Tower Ordinance, and towers are listed in the Zoning Ordinance as a specific use, the use needs to be included in the Watershed Protection Ordinance. The county is seeking this request so the Chatham

County Emergency Operations Department can construct a tower in Northeast Park as part of improvements to the emergency communication system. If the use is added to the ordinance, it will not automatically allow towers to be constructed by right in critical area watershed districts and they will be subject to issuance of a special use permit. Telecommunication towers over 60' in height are required to be reviewed through the Special Use Permit permitting process which includes a public hearing, review by the Planning Board, and final action by the Board of Commissioners.

A public hearing was held on this request during the June 16, 2022 Board of Commissioners. Planning staff presented the request and there was no public comment.

**Recommendation:**

Planning and Watershed staff recommends adoption of an ordinance amending the Watershed Protection Ordinance to add "Wireless Telecommunication Towers" to attachment A.