



## CHATHAM COUNTY COMMISSIONERS

Karen Howard, Chair  
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## COUNTY MANAGER

Dan LaMontagne

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## Resolution of the Chatham County Board of Commissioners

### A RESOLUTION APPROVING A SPECIAL USE PERMIT REQUEST

**BY** Chatham County Emergency Operations

**WHEREAS**, Chatham County Emergency Operations has applied to Chatham County for a special use permit on Parcel No. 19573, located at 5410 Big Woods Road, Williams Township, for a new 380 foot telecommunication 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. A wireless telecommunications tower is eligible for a special use permit in the zoning district indicated.
2. The requested special 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 as 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 have 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. There will be no noise generated from the tower site. The tower is proposed to be a total of 380 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 This project will replace outdated radio systems which no longer meet the need of public safety agencies in the county.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 serve residents.

The Communications Tower Ordinance includes a 1.5-mile separation between communication towers unless additional justification is provided. Although there is a tower located on the old water tower off Jack Bennett Road, which is a little over ½ mile as the crow flies but about 1.89 miles by vehicle, it would not support the additional needs of emergency operations.

4. The requested permit is consistent with the objectives of the Land Development Plan by, the county is among the fastest growing counties in the state and the population increase is resulting increased government services. One area of most importance is emergency services. On page 21 of the Plan, it states the county is 708 square miles and takes at least one hour to drive from the southwestern corner to the northeastern corner. This is one reason emergency radio communications is vital.

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. There will be no county water or septic needed for this use. Access to the site will be through the park and via a private road behind the ball field of at least 16 feet wide per the Chatham County Fire Marshal's office with a 75-foot extension of the existing road bed for vehicle access when needed. Stormwater and Erosion Control will be coordinated through county and/or state regulations. No adverse traffic anticipated to be generated from this project.

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

That a Special 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 special use permit in accordance with the plan submitted by the Applicant, Chatham County Emergency Operations, and incorporated herein by reference with specific conditions as listed and as shown in Attachment A below;

ATTACHMENT "A"

**Site Specific Conditions**

1. Improve the access road to a minimum of 16 feet wide gravel surface to support fire apparatus if necessary.
2. Any additional equipment or diesel storage tanks shall be permitted with the appropriate agencies in a separate regulatory permit.

**Standard Site Conditions**

3. The application, standards and adopted regulations of the applicable ordinances and policies, and the approved recommendations as provided for and/or 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.

4. 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:**

5. 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.
6. Continued Validity – The continued validity and effectiveness of this approval was expressly conditioned upon the continued compliance with the plans and conditional uses listed above.
7. Non-Severability – If any of the above conditions is held to be invalid, this approval in it's entirety shall be void.
8. 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.

**BE IT FURTHER RESOLVED** that the Board of Commissioners of the County of Chatham hereby approves the application for a special use permit in accordance with the plans and conditions listed above.

Adopted this, the 18th day of July, 2022

Karen Howard, Chair  
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

