

RESOLUTION

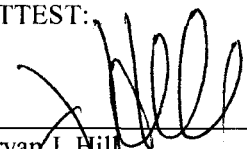
PERFORMANCE STANDARDS FOR COMMUNICATIONS FACILITIES, ANTENNAS,

TOWERS AND SUPPORT STRUCTURES THAT REQUIRE A SPECIAL USE PERMIT

- WHEREAS, the Performance Standards for Wireless Communications Facilities that require a Special Use Permit ("Policy") is designed to assist the Board of Supervisors in determining the acceptability of a proposed communication facility; and
- WHEREAS, the Policy has been renamed "Performance Standards for Communications Facilities, Antennas, Towers and Support Structures (CATS);" and
- WHEREAS, the Policy has been revised due to changes associated with the Middle Class Tax Relief and Job Creation Act of 2012; and
- WHEREAS, the Policy has been revised in order to make it applicable to additional types of communications facilities; and
- WHEREAS, the James City County Planning Commission's Policy Committee endorsed the revised policy on August 11, 2016; and
- WHEREAS, the James City County Planning Commission, after a public hearing, endorsed the revised policy on October 5, 2016, by a vote of 7-0.
- NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of James City County, Virginia, hereby approves the Performance Standards for Communications Facilities, Antennas, Towers and Support Structures (CATS) dated November 8, 2016 and attached hereto.


Michael J. Hipple
Chairman, Board of Supervisors

ATTEST:


Bryan J. Hill
Clerk to the Board

	VOTES		
	<u>AYE</u>	<u>NAY</u>	<u>ABSTAIN</u>
MCGLENNON	☒	___	___
LARSON	☒	___	___
ONIZUK	☒	___	___
SADLER	☒	___	___
HIPPLE	☒	___	___

Adopted by the Board of Supervisors of James City County, Virginia, this 8th day of November, 2016.

WCFPolicy-res

**PERFORMANCE STANDARDS FOR WIRELESS COMMUNICATIONS
FACILITIES COMMUNICATIONS FACILITIES, ANTENNAS, TOWERS AND SUPPORT
STRUCTURES (CATS) THAT REQUIRE A SPECIAL USE PERMIT**
January 10, 2012 New Date XXXX

In order to maintain the integrity of the James City County's significant historic, natural, rural and scenic resources, to preserve its existing aesthetic quality and its landscape, to maintain its quality of life and to protect its health, safety, general welfare, and property values, ~~wireless communications facilities (WCFs)~~ *communications, antennas, towers and support structures (CATS)* should be located and designed in a manner that minimizes their impacts to the maximum extent possible and minimizes their presence in areas where they would depart from existing and future patterns of development. To implement these goals, the Planning Commission and the Board of Supervisors have adopted these performance standards for use in evaluating special use permit applications for ~~WCFs~~ *CATS*. While all of the standards support these goals, some may be more critical to the County's ability to achieve these goals on a case by case basis. Therefore, some standards may be weighed more heavily in any recommendation or decision on a special use permit, and cases that meet a majority of the standards may or may not be approved. The terms used in these standards shall have the same definition as those same terms in the Zoning Ordinance. In considering an application for a special use permit, the Planning Commission and the Board of Supervisors will consider the extent to which an application meets the following performance standards: *When considering these applications, the Planning Commission and the Board of Supervisors will evaluate the proposal based on both the initial height of the proposed CATS and the maximum increase in the physical dimension of the proposed project permitted by Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012 and the FCC's implementing regulations.*

A. Collocation and Alternatives Analysis

1. Applicants should provide verifiable evidence that they have cooperated with others in co-locating additional antenna on both existing and proposed structures and replacing existing towers with ones with greater co-location capabilities. It should be demonstrated by verifiable evidence that such co-locations or existing tower replacements are not feasible, and that proposed new sites contribute to the goal of minimizing new tower sites.
2. Applicants should demonstrate the following:
 - a. That all existing ~~WCFs~~ *CATS* and potential alternative mounting structures more than 60 feet tall within a three-mile radius of the proposed site for a new ~~WCF~~ *CATS* cannot provide adequate service coverage or an antenna mounting opportunity.
 - b. That adequate service coverage cannot be provided through an increase in transmission power, replacement of an existing ~~WCF~~ *CATS* within a three mile radius of the site of the proposed ~~WCF~~ *CATS*, or through the use of a camouflaged ~~WCF~~ *CATS*, alternative mounting structure, multi-antenna system or a system that uses lower antenna heights than proposed.
 - c. The radii of these study areas may be reduced where the intended coverage of the proposed ~~WCF~~ *CATS* is less than three miles.
3. Towers should be sited in a manner that allows placement of additional ~~WCF~~ *CATS* facilities. A minimum of two tower locations, each meeting all of the requirements of the Zoning Ordinance and these standards, should be provided at all newly approved tower sites.

4. All newly permitted towers should be capable of accommodating enough antennas for at least three service providers or two service providers and one government agency. Exceptions may be made where shorter heights are used to achieve minimal intrusion of the tower as described in Section B.2. below.

B. Location and Design

1. ~~WCFs~~ **CATS** should be consistent with existing and future surrounding development and the Comprehensive Plan. While the Comprehensive Plan should be consulted to determine all applicable land use principles, goals, objectives, strategies, development standards, and other policies, certain policies in the Plan will frequently apply. Some of these include the following: (1) ~~WCFs~~ **CATS** should be compatible with the use, scale, height, size, design and character of surrounding existing and future uses, and such uses that are generally located in the land use designation in which the ~~WCF~~ **CATS** would be located; and (2) ~~WCFs~~ **CATS** should be located and designed in a manner that protects the character of the County's Community Character Corridors and historic and scenic resource areas and their view sheds.

2. ~~WCFs~~ **CATS** should be located and designed consistent with the following criteria:

<i>Proposed Location of WCF CATS</i>	<i>Impact Criteria</i>
<i>a. Within a residential zone or residential designation in the Comprehensive Plan</i>	<i>Use a camouflage design, a well buffered slickstick, Multi-Antenna system, or have a minimal intrusion on to residential areas, historic and scenic resources areas or roads in such areas, or community character corridors.</i>
<i>b. Near a historic or scenic resource area or on a Community Character Corridor</i>	<i>Use a camouflaged design or slicksticks that have minimal intrusion on to residential areas, historic and scenic resources areas or on community character corridors.</i>
<i>c. Within a rural lands designation in the Comprehensive Plan</i>	<i>For areas designated rural lands in the Comprehensive Plan that are within 1,500 feet from the tower, use a well buffered monopole, a camouflaged design, or other design that has minimal intrusion on to residential areas, or community character corridors. For rural lands more than 1,500 feet from the tower, no more than the upper 25% of the tower should be visible.</i>
<i>d. Within a commercial or in an industrial designation in the Comprehensive Plan</i>	<i>Use a camouflage design, well buffered monopole, or other design that has minimal intrusion on to residential areas, historic and scenic resources areas or roads in such areas, or community character corridors.</i>

Notes for the above table:

1. Exceptions to these criteria may be made on a case by case basis where the impact of the proposed ~~WCF~~ **CATS** is only on the following areas: (1) An area designated residential on the Comprehensive Plan or zoning map which is not a logical extension of a residential subdivision or which is a transitional area between residential and nonresidential uses, (2) a golf course or a golf course and some combination of commercial areas, industrial areas, or utility easements, provided the tower is located on the golf course property, or (3) a scenic easement.

2. A ~~WCF~~ CATS will meet the minimal intrusion criteria if it is not visible off site above the tree line. Such ~~WCF~~ CATS should only be visible off-site when viewed through surrounding trees that have shed their leaves.
3. Camouflaged towers having the design of a tree should be compatible in scale and species with surrounding natural trees or trees native to Eastern Virginia.
4. WCFs CATS should be less than 200 feet in height in order to avoid the need for lighting. Taller heights may be acceptable where views of the WCF from residential areas and public roads are very limited. At a minimum, ~~WCFs~~ CATS 200 feet or more in height should exceed the location standards listed above.
5. Towers should be freestanding and not supported with guy wires.
6. *Any modification to CATS should adopt the same camouflaging and screening measures as the original structure.*

C. Buffering

1. ~~WCFs~~ CATS should be placed on a site in a manner that takes maximum advantage of existing trees, vegetation and structures so as to screen as much of the entire ~~WCF~~ CATS as possible from view from adjacent properties and public roads. Access drives should be designed in a manner that provides no view of the ~~WCFs~~ CATS base or related facilities.

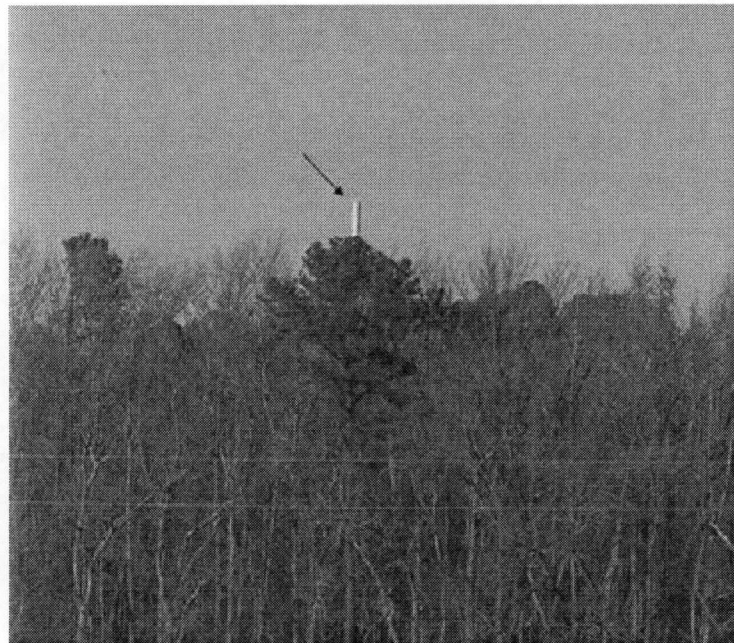


Figure 1: Example of a well buffered slickstick with minimal intrusion

2. Towers should be buffered from adjacent land uses and public roads as much as possible. Following buffer widths and standards should be met:
 - a. In or adjacent to residential or agricultural zoning districts, areas designated residential or rural lands on the Comprehensive Plan, historic or scenic resource areas, or community character

corridors, an undisturbed, completely wooded buffer consisting of existing mature trees at least 100 feet wide should be provided around the tower.

- b. In or adjacent to all other areas, at least a 50 foot wide vegetative buffer consisting of a mix of deciduous and evergreen trees native to Eastern Virginia should be provided.

PerformanceStand-ord