

Hanover County

Supplement Application and Procedures

Telecommunication Facilities



County of Hanover Department of Planning
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Phone (804) 365-6171 Fax (804) 365-6232
www.co.hanover.va.us

February 12, 2009

Hanover County Planning Department Application

Request for a Telecommunication Facility

Please type or print in **black ink**.

APPLICANT INFORMATION

Owner/Applicant: _____
Contact Name: _____
Address: _____

Telephone No. _____
Fax No. _____
Email _____

PARCEL AND TOWER INFORMATION

Deed Book _____ Page _____
Magisterial District _____
Location Description (Street Address, if applicable)

Total Area (acres/square feet) _____
Current Zoning _____

GPIN(s)(Tax ID #'s) _____

Proposed Tower Height _____
Tower Coordinates:
Latitude _____ Degrees _____ Minutes _____, _____ Seconds
Longitude _____ Degrees _____ Minutes _____, _____ Seconds

SIGNATURE OF APPLICANT

As owner or authorized agent of this property, I hereby certify that this application is complete and accurate to the best of my knowledge, and I authorize County representatives entry onto the property for purposes of reviewing this request.

Signature _____ Date _____
Print Name _____
Signature _____ Date _____
Print Name _____

PROCESS FOR SUBMITTING THIS APPLICATION

Complete the application to determine if the proposed facility is permitted by-right (administrative review), by Special Exception, or Conditional Use Permit

- If permitted by-right, complete all relevant application material and submit with required Site Plan.
- If permitted by Special Exception (SE), or Conditional Use Permit (CUP), a SE or CUP application must also be completed and supplemented with the required material specified in this application. The SE and CUP application review process is outlined in the respective application

All applicants must review page 9 of this application for requirements once a facility has been approved

This application includes relevant Hanover County Zoning Code requirements for telecommunication facilities

ALL REQUESTS MUST COMPLETE THE FOLLOWING

Is the proposed telecommunication tower(s) and related facilities located within the “**FAA Part 77 Area**” as depicted on the Public Works Facilities Plan in the Hanover County Comprehensive Plan? (refer to map on page 10 of this application)

YES _____ NO _____

Is the proposed telecommunication tower(s) and related facilities located **along a designated scenic road or waterway?** (please refer to the **Hanover County Comprehensive Plan Major Thoroughfare Plan Map**)

YES _____ NO _____

ALL REQUESTS MUST CHECK THE APPROPRIATE BOX FOR THE FACILITY PROPOSED:

This section determines if a tower is permitted by-right, Special Exception, or Conditional Use Permit

- a. Telecommunications towers and related facilities **not exceeding fifty (50) feet in height** and located within any of the following districts: **A-1, RC, AR-6, RS, R-5, R-6, MX, R-4, AR-1, AR-2, R-1, R-2, R-3, PUD, B-O, B-1, B-2, B-3, BP, M-1, M-2, M-3**
(the facility is permitted by-right, please complete Attachment A of this application)
- b. Telecommunications towers and related facilities **that exceed fifty (50) feet but do not exceed one hundred (100) feet in height** and located within any of the following: **A-1, B-O, B-1, B-2, B-3, BP, M-1, M-2, M-3**
(if the facility is not located within The “FAA Part 77 Area” and not along a designated scenic road or waterway it is permitted by-right, please complete Attachment A of this application)
- c. Telecommunications towers and related facilities that **exceed fifty (50) feet but do not exceed one hundred (100) feet in height** and located within any of the following: **RC, AR-6, RS, R-5, R-6, MX, R-4, AR-1, AR-2, R-1, R-2, R-3, and PUD Districts**
(an approved Special Exception is required for this facility; please complete Attachment A and B of this application to supplement the Special Exception application)
- d. Telecommunications towers and related facilities that **exceed one hundred (100) feet but do not exceed one hundred forty (140) feet in height** and located within any of the following districts: **A-1, MX, PUD, B-O, B-1, B-2, B-3, BP, M-1, M-2, M-3**; and, tower facilities **that exceed fifty (50) feet** located **within the “FAA Part 77 Area” or along a designated scenic road or waterway**
(an approved Special Exception is required for this facility; please complete Attachment A and B of this application to supplement the Special Exception application)
- e. Telecommunications towers and related facilities that **exceed one hundred forty (140) feet in height** and located within any of the following districts: **A-1, MX, PUD, B-O, B-1, B-2, B-3, BP, M-1, M-2, M-3**
(an approved Conditional Use Permit is required for this facility, please complete Attachment A and B of this application to supplement the Conditional Use Permit application)

ATTACHMENT A - For ALL REQUESTS you must submit the following:

Use this checklist to prepare the required sketch plan for submittal with this application. Place a mark next to each item to verify its inclusion on the sketch plan. Please make sure the information listed below is shown on the sketch plan. Failure to include all necessary information may result in the application not being accepted for processing.

- A plat of the subject property**, which accurately reflects the current property boundaries.
- A **sketch** of your proposal, showing all applicable standards for telecommunication towers and related facilities as specified in Article 7, Section 14, of the Hanover County Zoning Ordinance.
- General Information:** title of the project; north point; scale, date; existing and adjacent zoning; property lines; existing streets; existing buildings; waterways; Chesapeake Bay Resource Protection Areas (see Department of Public Works), major tree masses; proposed buildings and structures; location, height, and material for all fences, screen plantings; location(s) of any known or suspected historic resources (including cemeteries, trenches, and archeological sites as reflected in available County records); tower coordinates
- Attach a description (**narrative or pictorial**) of provisions to camouflage the telecommunications tower so as to blend in with the natural setting and the built environment as specified in Section 14.1.3. below.
- Structure: Elevations noting structure type, material, color, height, antennas**
 - 14.1. Structural Requirements*
 1. Telecommunications towers shall be constructed with a galvanized steel finish or similar material and shall, to the extent practicable, use materials, colors and textures so as to reduce visual obtrusiveness.
 2. Satellite dish and microwave dish antennas attached to telecommunications towers shall not exceed six feet in diameter and shall be of a neutral, non-reflective color with no logos.
 3. Whenever practicable, telecommunications towers shall include features that will camouflage the telecommunications tower so as to blend in with the natural setting and the built environment. Camouflaging includes, but is not limited to, design and construction so that the telecommunications tower appears to be a flag pole, silo or other agricultural building, or other landscape feature.
 4. Prior to the use of a telecommunications tower or related facility, the owner of the tower or facility shall have obtained approval of the structural integrity by a registered professional engineer licensed in the state and a copy of such report shall be filed at the time of site plan review (**certification form on application page 11**)
 5. All telecommunications towers and related facilities shall be located, designed and operated in a manner that meets all requirements of the Federal Communications Commission and the Federal Aviation Administration and does not create an adverse impact for the Hanover County Airport for existing, future or planned Airspaces.
 - Lighting: type and location if proposed**
 - 14.2. Lighting*

The following lighting requirements shall be in addition to any site lighting requirements set forth in Article 7, Section 13:

 1. Telecommunications towers and facilities that are otherwise permitted by right shall not be permitted if lighting, beacons, or other safety devices are required by the Federal Communications Commission, the Federal Aviation Administration, or any other governing agency.
 2. Telecommunications towers and related facilities that are allowed as a special exception or with a conditional use permit may be permitted if lighting beacons or other safety devices are required; however, if lighting is required, the owner of the telecommunications tower or related facility shall submit a lighting plan at the time of site plan review which shall include the available lighting alternatives. As part of site plan approval, the County shall approve the design that would cause the least disturbance to the surrounding views and have the least impact on neighboring properties.

ATTACHMENT A - For ALL REQUESTS you must submit the following:

[] Setbacks: fall radius certification, distance from tower base to all property lines and public rights-of way, distance to nearest off site dwelling, illustrations that demonstrate the specifications as provided in Section 14.3 (4), below, if applicable (examples illustrated on page 11 of this application)

[] Completed tower “fall-zone” certification (page 10 of application)

14.3. Setbacks.

Where a telecommunications tower is camouflaged as provided in Section 14.1 (3), above, the setback requirements shall be the same as those applicable to other buildings or structures in the district in which the telecommunications tower is located. In all other instances, the following additional setback requirements shall apply:

1. The minimum setback from the boundary of the property on which the telecommunications tower or facility is located shall be equal to one hundred ten (110) percent of the “fall-zone” as certified by a licensed engineer; should the “fall-zone” be equal to the height of the telecommunications tower or related facility, the minimum setback shall be equal to one hundred ten (110) percent of the height of the tower.
2. The minimum setback from existing off-site dwellings shall be as follows: (a) for telecommunications towers and related facilities that exceed fifty feet in height but do not exceed one hundred (100) feet in height, the minimum setback shall 200 feet; (b) For telecommunications towers and related facilities that exceed one hundred (100) feet in height, the minimum setback shall be 300 feet.
3. The minimum setback from public rights-of-way shall be as follows: (a) for telecommunications towers and related facilities that exceed fifty feet in height but do not exceed one hundred (100) feet in height, the minimum setback shall 50 feet; (b) For telecommunications towers and related facilities that exceed one hundred (100) feet in height, the minimum setback shall be 75 feet.
4. The minimum setback requirements set forth in subsections 2 and 3, above, may be satisfied if:
 - (1) the applicant can demonstrate that the telecommunications tower or related facility is located within an existing wooded area and the height of the tower or facility is not more than ten (10) feet above tree line (as observed from a public right-of-way or boundary of the property on which the tower or facility is to be constructed), and
 - (2) the property owner records a no-disturbance perimeter easement with a minimum of twenty-five (25) feet on all sides of the compound containing the telecommunications tower or related facility.

The no-disturbance perimeter easement shall provide that disturbance of the wooded area surrounding the proposed telecommunications tower or related facility is only permitted as necessary to meet the access requirements set forth in Article 7, Section 1.4; however, the no-disturbance perimeter easement shall permit a single means of access to a telecommunications tower or related facility, provided the means of access is located so as to minimize visibility of the tower or facility from neighboring residences and public rights-of way.

14.4. Signs prohibited.

No advertising of any type may be placed on a telecommunications tower or related facility, except that a sign shall be required displaying the name, registration number, and emergency contact number of the tower owner. The sign shall not exceed four square feet in size and shall be located on the security fence or other approved location.

[] **Attach a copy of a completed FAA Form 7460-1 “Notice of Proposed Construction or Alteration” that has, or will be, submitted to the FAA**

ATTACHMENT A - For ALL REQUESTS you must submit the following:

[] Security: means of securing the site

14.5. Security

All related facilities shall be located, fenced or otherwise secured in a manner that prevents unauthorized access. At the time of site plan review, the owner of the property or the tower shall submit specifications on the security for the telecommunications tower or related facility, which shall demonstrate measures to ensure that:

1. All antennas, towers and other supporting structures, including guy wires, are inaccessible to individuals and constructed or shielded in such a manner that they cannot be climbed or run into; and
2. Transmitters and telecommunications control points are installed such that they are readily accessible only to persons authorized to operate or service them.

[] Landscaping and screening: illustrations that demonstrate the specifications as provided Section 14.6, below

14.6. Landscaping and screening requirements

All equipment and facilities related to a telecommunications tower shall be screened in accordance with Article 7, Section 2A. Screening shall not be required if the equipment and facilities are located within an enclosed structure or are visually obstructed from the public right-of-way or from neighboring properties by existing vegetation or other structures on site. An applicant who proposes to use existing vegetation to screen the equipment and facilities shall record an easement providing that the vegetation shall remain. At the time of site plan review, the owner shall submit a landscaping plan showing existing vegetation and a screening plan for the equipment and facilities. Existing mature tree growth and natural land forms on the site shall be preserved to the maximum extent possible.

14.7. Removal of abandoned, unsafe, or unused telecommunications towers and related facilities.

1. Any telecommunications tower or related facility found to be defective or unsafe shall be repaired to meet federal, state, and local safety standards or removed within six months at the expense of the owner of the property or the telecommunications tower or related facility.
2. Any telecommunications tower or related facility that is not operated for a continuous period of 18 months shall be considered abandoned, and the owner of the telecommunications facility or related structure shall remove the tower or facility within 90 days of receipt of notice from the County that the tower or facility must be removed. Removal includes the removal of the antennas, telecommunications towers and related facilities, fence footers, underground cables and support buildings. Any buildings and foundations may remain with the approval of the owner of the property on which the telecommunications tower or related facility is located.
3. If there are two or more users of a single telecommunications tower or related facility, then this provision shall not become effective until all users cease using the telecommunications tower or related facility.

[] Access: driveways and easements to public rights-of-way

Article 7, Section 1.4, Provides that aisles or access drives serving telecommunications towers and related facilities, utility cabinets and pedestals, and facilities and structures necessary for rendering public utility and public works service shall be a minimum of twelve (12) feet wide except in situations where there exists alternative access for emergency vehicles to the telecommunications tower, utility cabinet and pedestal, facility or structure necessary for rendering public utility or public works service, in which case the aisle or access drive shall be a minimum of ten (10) feet wide.

ATTACHMENT B - Additional requirements for telecommunications facilities permitted by Special Exception or Conditional Use Permit

[]

An application for a Special Exception or Conditional Use Permit to allow the construction of a telecommunications tower or related facility shall be accompanied by a report containing the information set forth in Article 7, Section 14.8, below. The report shall be signed and certified by a licensed professional engineer registered in the Commonwealth of Virginia. The report shall include the following:

- [] 1. A statement, with supporting documentation, demonstrating that existing telecommunications facilities or alternative telecommunications structures cannot *physically* accommodate the proposed antenna or array or technical evidence that existing telecommunications facilities or alternative telecommunications structures cannot be utilized to achieve reasonable coverage objectives. Copies of written requests and responses for shared use shall be provided.

- [] 2. An inventory of the applicant's existing sites that are located within the County or within five miles of the County border, including specific information about the location, height, and design of each tower.

- [] 3. On the submitted proposed conceptual plan:
 - (a) Site topography and topography within a 400-foot radius of the proposed tower;
 - (b) a scaled elevation view, including tree line heights; and
 - (c) Supporting drawings, calculations, and other documentation showing the location and dimensions of all improvements, radio frequency coverage, tower height, setbacks, parking, security fencing, landscaping, proposed ingress and egress, and adjacent uses, including proximity to residential uses.

- [] 4. For telecommunications towers that are proposed to exceed one hundred (100) feet in height, certification that the proposed telecommunications tower and related facility are compatible for a minimum of three additional users including the primary user and information demonstrating that antennas, telecommunications towers, and telecommunications facilities for possible co-locator antennas are no higher than required to accommodate the additional users. The report shall include a statement signed by the individual applicant or a responsible officer of a corporate applicant, as appropriate, setting forth the applicant's willingness to co-locate on other company's telecommunications towers and the applicant's willingness to accept other users on its telecommunications tower or related facility.

- [] 5. Design standards for the proposed telecommunications tower and related facility, with particular reference to design characteristics that have the effect of reducing or eliminating the visual impact from neighboring properties and rights-of way.

- [] 6. Photographs from the site showing adjoining properties and other relevant views and simulated photographic image of the proposed telecommunications tower and related facility from neighboring properties and rights-of-way.

- [] 7. Documentation that demonstrates the need for the telecommunications tower or related facility to provide service primarily within the County.

- [] 8. Name, address and phone number of the person preparing the report.

ATTACHMENT B - Additional requirements for telecommunications facilities permitted by Special Exception or Conditional Use Permit

- 9. Location of the nearest *existing off-site* residential structure.
- 10. Location, size and height of all structures on the property which is the subject of the application.
- 11. Type, locations and dimensions of all proposed and existing landscaping, and fencing.
- 12. The *design of the telecommunications tower or related facility, including the specific type of support structure that will be used and the design, type, location, size, height and configuration of all existing and proposed antennas and other equipment.*
- 13. The frequency, modulation and class of service of radio or other transmitting equipment, including certification that the proposed telecommunications tower or related facility will not interfere with the County's emergency public safety communications system or existing telecommunications devices.
- 14. Transmission and maximum effective radiated power of antennas and arrays to be located on the telecommunications tower.
- 15. Direction of maximum lobes and associated radiation of the antennas and arrays to be located on the telecommunications tower.
- 16. Certification that nonionizing electromagnetic radiation (NIER) levels at the proposed site are within the threshold levels adopted by the FCC.
- 17. A copy of the FCC license applicable for the use of telecommunications towers or related facilities.
- 18. Certification that a topographic study and analysis and an environmental impact analysis have been conducted and that the site is adequate to ensure the stability of the proposed telecommunications tower or related facility. The environmental impact analysis shall identify all historic structures or sites that may be impacted by the proposed telecommunications tower or related facility and shall include an assessment of the impact that the proposed telecommunications tower or related facility will have on agricultural and forestal resources and wildlife habitats.
- 19. Propagation studies of the proposed site and all adjoining planned, proposed, in-service or existing sites.

Requirements for ALL Telecommunication facilities, once APPROVED

14.9. *Site plan required; submission of obstruction survey after construction.*

1. Prior to the construction of any telecommunications tower or related facility, a site plan shall be prepared and submitted for review and approval in accordance with the requirements of Article 7; the site plan shall provide adequate information to demonstrate that the proposed telecommunications tower or related facility complies with all requirements of this section.
2. An obstruction survey certifying the location and elevation of the telecommunications tower or related facility shall be submitted within thirty (30) days of the date when the telecommunications tower or related facility reaches its greatest height as the result of construction or alteration. The obstruction survey must be performed by a Certified Land Surveyor and meet the Accuracy Code '2C' as defined in Appendix 2 of FAA Order 8260.19C CHG 3 dated July 14, 2003, or the latest change. **Obstruction survey should be attached to FAA Form 7460-2 "Supplemental Notice" and submitted to the FAA with copies submitted to Hanover County.**

14.10. *Interference with public safety communications systems prohibited.*

Telecommunications transmissions from any telecommunications tower or related facility shall not interfere with the emergency public safety communications system operated by the County or any communications system operated by the federal, state or County government.

14.11. *Owner or operator to maintain adequate insurance.*

1. The owner of property on which a telecommunications tower or other facility or the operator of the telecommunications tower or related facility shall secure and at all times maintain public liability insurance for personal injuries, death and property damage, and umbrella insurance coverage:
2. The insurance policies shall be issued by an agent or representative of an insurance company licensed to do business in the Commonwealth.
3. The insurance policies shall contain an endorsement obligating the insurance company to furnish the County with at least 30 days prior written notice in advance of the cancellation of the insurance.
4. Renewal or replacement policies or certificates shall be delivered to the county at least 15 days before the expiration of the insurance that such policies are to renew or replace.
5. Prior to construction of a permitted telecommunications tower or related facility, the owner of the property on which the telecommunications tower or facility is located or the operator of the telecommunications tower or related facility shall deliver to the County a copy of each of the policies or certificates representing the insurance as required in subsection (1), above.



PLANNING DEPARTMENT
TOWER FALL-ZONE CERTIFICATION
(Required to be Submitted at time of Telecommunication Facilities Application)

I hereby certify that the fall zone for the proposed tower structure shown on the plan titled: _____, prepared by: _____, and dated: _____, is _____ feet from the location of the base of the proposed tower structure, is shown as such on the plan referenced above, and is contained entirely within the boundaries of the property described as GPIN _____.

I am a professional engineer licensed in the Commonwealth of Virginia and am qualified to certify that the information provided for the proposed tower is true and correct to the best of my knowledge, and that it is in compliance with the standards set forth in the Virginia Uniform Statewide Building Code. I hereby acknowledge that material misrepresentations or materially false statements may subject me to appropriate sanctions including, but not limited to, those outlined in Chapter 4 of Title 54.1 of the Code of Virginia (§54.1-400 *et seq.*) and Agency 10, Chapter 20 of Title 18 of the Virginia Administrative Code (18 VAC 10-20-10 *et seq.*).

Signature of certifying engineer: _____ Date: ____/____/____

Name of certifying engineer (please print): _____

SEAL



PLANNING DEPARTMENT
TOWER STRUCTURAL INTEGRITY CERTIFICATION
(Required to be Submitted and Approved Prior to Building Permit Issuance)

I hereby certify that the information contained in the attached report demonstrates the structural integrity of the proposed tower structure to be located on GPIN: _____ . I also certify that the report is consistent with the plans and specifications that are required to accompany the building permit application.

I am a professional engineer licensed in the Commonwealth of Virginia and am qualified to certify that the information provided for the proposed tower is true and correct to the best of my knowledge, and that it is in compliance with the standards set forth in the Virginia Uniform Statewide Building Code. I hereby acknowledge that material misrepresentations or materially false statements may subject me to appropriate sanctions including, but not limited to, those outlined in Chapter 4 of Title 54.1 of the Code of Virginia (§54.1-400 *et seq.*) and Agency 10, Chapter 20 of Title 18 of the Virginia Administrative Code (18 VAC 10-20-10 *et seq.*).

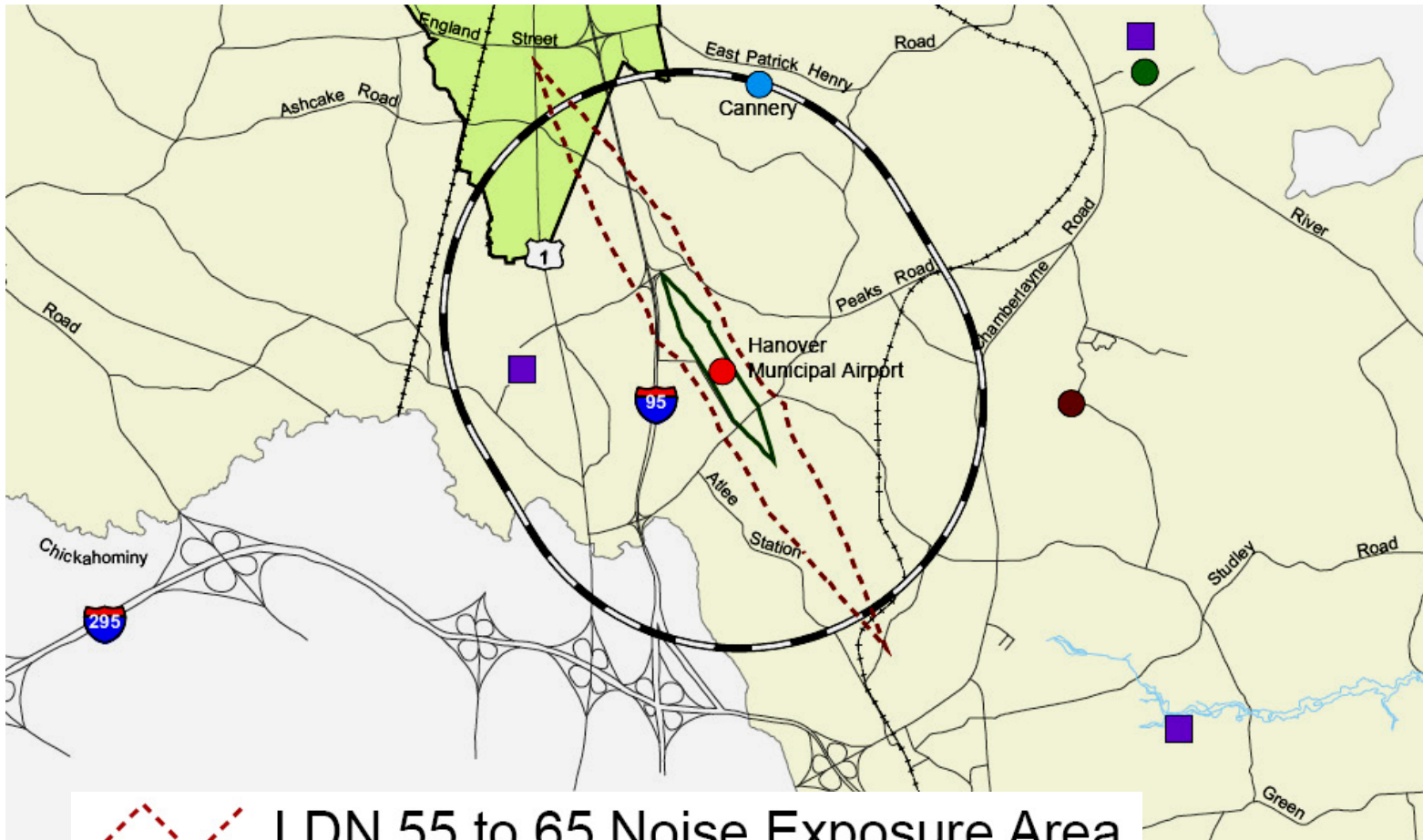
Signature of certifying engineer: _____ Date: ____ / ____ / ____

Name of certifying engineer (please print): _____

SEAL

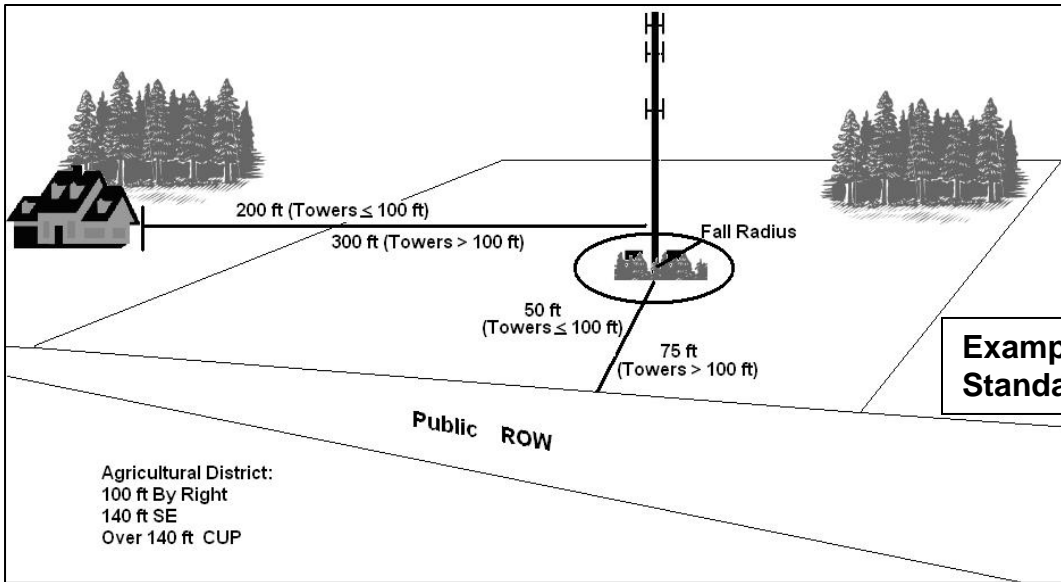
“FAA Part 77 Area”

as depicted on the Public Works Facilities Plan in the Hanover County Comprehensive Plan

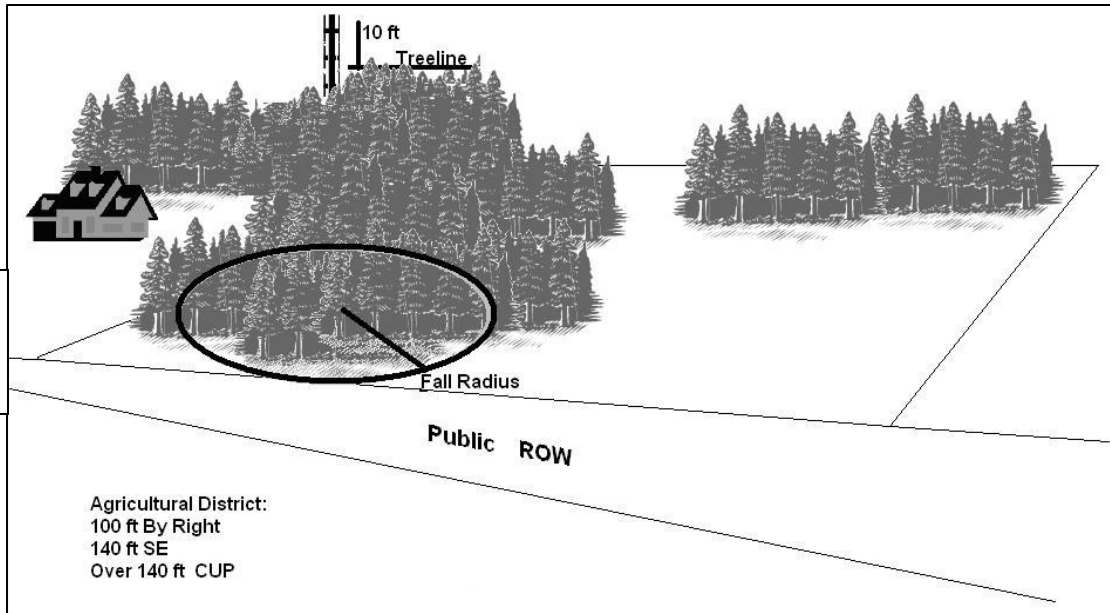


 LDN 55 to 65 Noise Exposure Area

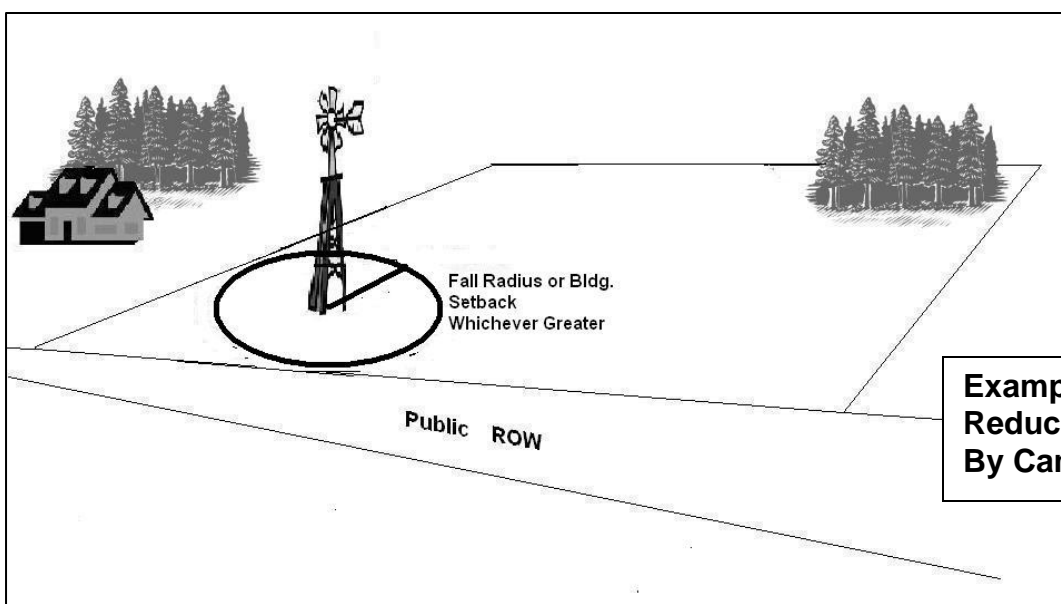
 FAA Part 77 Area



**Example:
Standard Setback**



**Example:
Reduced Setback
By Vegetation**



**Example:
Reduced Setback
By Camouflage**