

**HALL COUNTY PLANNING COMMISSION
RECOMMENDATION REPORT**

Applicant Verizon Wireless c/o Lannie Greene,
Pyramid Network Services

Request..... Use Subject to County Commission
Approval

Proposed Use..... Telecommunication tower

Size 100.37± acres

Zoning..... AR-IV

Location..... On the south side of Holly Springs Road
approximately 2,272 feet from its intersection with
Bryant Quarter Road; a.k.a. 4410 Holly Springs
Road; Tax Parcel 15002 000061

Commission District Three

Planning Commission Date December 6, 2021

Staff Recommendation **Approval, with conditions**

Planning Commission Recommendation – Approval, with conditions

Vote: 3-0

Conditions:

1. *The proposed tower shall be located as shown on the site plan and as described in the narrative that was submitted.*
2. *The applicant shall notify the county of any construction, tower, or site modifications that would be different from what is submitted for consideration. Of particular interest to the county are changes in height, structure, tower lighting, and ground facilities that would have any impact on the sites ability to support other users or affect the surrounding neighborhood.*
3. *The applicant shall provide tower and foundation design prior to the issuance of a building permit.*
4. *The height of the tower and all appurtenances, including lightning rods, shall be limited to 265 feet as shown on the proposed construction drawings.*
5. *All plans and plats created for this development shall reference the conditions of zoning approval.*

Applicant Proposal

The applicant is requesting approval to construct a 265 foot tall self-supporting communications tower on a tract measuring 100.37 acres. The tower and all associated equipment would be

located inside a 70 foot by 70 foot fenced compound. The leased area measures 100 feet by 100 feet with a 30 foot ingress-egress/fiber/utility easement that includes an existing 12 foot gravel drive.

The proposed location is zoned Agricultural-Residential-IV (AR-IV), and the surrounding properties are zoned AR-IV also. The applicant acknowledges that the proposed site is deemed a “disfavored location” due to the residential zoning classification; however, the site and tower design allows all required setbacks to be met. The application also includes a request for a variance to exceed the county’s maximum tower height of 195 feet, as well as to deviate from a monopole design to self-supporting. Per the narrative, the proposed height of 265 feet is necessary to properly fill the wireless coverage gap in eastern Hall County, as well as accommodate four additional wireless carriers. The closest existing tower to the proposed site is 3.6 miles northwest at 3177 Suggs Road in Pendergrass, and the applicant is proposing to co-locate on this tower.

Submitted information with the application includes various maps and plans, an engineering statement of need, construction drawings, notification lists, FAA Determination of No Hazard to Air Navigation, and balloon test results.

The application details the compliance and conformance with Hall County Development Codes; goals of safeguarding the public’s health, safety, and welfare; land use selection criteria; and how this project aligns with Federal Telecommunications Act objectives.

The proposed location is 530 feet from the northern property line, 959 feet from the eastern boundary, 561 feet from the southern boundary, and over 2,000 feet from the western boundary. According to the letter of intent, the closest off-site residential structure is 1,060 feet away located at 4428 Holly Springs Road. Both the required setback of 2 tower lengths from all property lines as well as the setback of four tower lengths from residential structures are met.

An objective of the Federal Telecommunications Act is to encourage community economic development. Economist and Urban Planning Studies show that access to communication services strengthens and grows communities. This factor is more evident in rural parts of the country. The proposed infrastructure provides desirable connectivity to institutions, government, industry, and other communities. This type of telecommunications development promotes community sustainability which in turn advances the public welfare with little or no negative impact to the current community resources.

The last objective listed of the Federal Telecommunications Act is to provide reliable and quality communication networks for emergency response. Citizens are dependent on wireless phones for emergency alerts. First responders rely on wireless communications to save lives and meet challenges of catastrophes.

Balloon Test

A balloon test was conducted on Saturday, November 6, 2021 between the hours of 10:00 am and 2:00 pm. Photo simulations were provided from eight locations surrounding the subject property. The simulated tower was visible only from Location #1, looking southwest from Holly Springs Road in front of the property.

History and Existing Land Uses

The subject property is 100.37± acres and is zoned Agricultural-Residential (AR-IV), which appears to be the original zoning. According to Hall County tax records, the property is agricultural in character with a pole barn and other associated outbuildings. The property is mostly open pasture. The property is located just west of the Jackson-Hall County line.

The area surrounding the subject property is also zoned AR-IV and has a mix of developed and undeveloped properties with residential and agricultural uses.

Comprehensive Plan Land Use Designation

The Comprehensive Plan's future land use designation for the subject parcel is "Rural Residential." This land use category is characterized by low-density single-family residential uses with deep setbacks from the road, agriculture, and greenways and trails.

The request is not consistent with the Comprehensive Plan.

Development Support and Constraints

Hall County Environmental Health

In an email dated November 15, 2021 Emily McGahee with Hall County Environmental Health had no comment.

Hall County Fire Services

The subject property is located approximately 9.1 miles from Hall County Fire Station #10, located at 5608 GA-52. The nearest fire hydrant is located approximately 1,070 feet away to the east at the Jackson-Hall County line.

Hall County Public Works and Utilities

A memo dated November 16, 2021 from Srikanth Yamala, Director of Hall County Public Works and Utilities, provided the following comments:

Engineering

No comments

Traffic

No comments

Utilities

No comments

Hall County Tax Assessors

No comments provided

Gainesville Water and Sewer Resources

The Hall County GIS does not show that public water is available to the subject property.

Georgia Department of Transportation

In an email dated November 17, 2021 Parker Niebauer with GDOT provided the following comments: "GDOT Coordination is required. Contact Shannon Giles for Utility D/W Access to

Zoning Analysis

- The proposed tower is located in a portion of the county that is rural with a mixture of residential and agricultural uses.
- §17.410.040.B of the Hall County Zoning Regulations states that the placement and installation of all telecommunications facilities (other than micro telecommunications facilities) shall be restricted to the AR-III, AR-IV, S-S, H-B, I-I, and I-II zoning districts and shall be subject to county commission approval.
- §17.410.040.D of the Hall County Zoning Regulations states that a site located within four tower lengths of a residentially zoned property shall be a disfavored site for the location of telecommunications facilities. Any site having a negative visual impact on historically significant structures or designated scenic views is also viewed as disfavored.
 - The nearest residential structure is approximately 1,060 feet from the proposed tower location. The proposed tower is 265 feet in height, and four tower lengths equals 1,060 feet. The proposed design **meets** the standard.
- §17.410.040.E.2 of the Hall County Zoning Regulations states that telecommunications towers in the AR-IV district shall be set back a minimum of two tower lengths from the base of the tower to any property lines.
 - The nearest residentially zoned property is approximately 530 feet from the subject property. The proposed tower is 265 feet in height, and two tower lengths equals 530 feet. The proposed design **meets** the standard.
- §17.410.040.E.3 of the Hall County Zoning Regulations states that all telecommunications towers shall be set back from any residential structure either a minimum of four tower lengths from the base of the tower or 500 feet from the base of the tower, whichever is greater.
 - The nearest residential structure is approximately 1,060 feet from the proposed tower location. The proposed tower is 265 feet in height, and four tower lengths equals 1,060 feet. The proposed design **meets** the standard.
- §17.410.040.E.5 of the Hall County Zoning Regulations states all accessory buildings and facilities to a telecommunications facility installation shall meet the minimum zoning district setback requirements for such buildings or facilities. The buildings and facilities setbacks for the subject property, zoned AR-IV, are as follows from the property line: front setback 40 feet, side setback 15 feet, and rear setback 25 feet.
 - The proposed design **meets** the standard.
- §17.410.040.F.1 of the Hall County Zoning Regulations states that the maximum tower height must be justified as the lowest possible in order to meet the intent of Chapter 17.410, and the design criteria of the chapter are met.
 - The application **requests a variance** from the maximum tower height in an effort to provide a wider coverage.
- §17.410.040.F.2 of the Hall County Zoning Regulations provides four tower design criteria:
 - (a) All new towers shall be of monopole design. The proposed tower **does not meet** this criteria as it is self-supporting.
 - (b) Tower and antenna support arms shall be of a galvanized steel finish or, subject to any applicable standards of the FAA or other applicable federal or state agency, may be painted a neutral color or color to match the visual background. The submitted preliminary design drawings indicate that exterior structural steel shall be

galvanized, and that all steel work shall be painted in accordance with the project specifications. The applicant has indicated that the design will **meet** this standard.

(c) No illumination is permitted on telecommunications facilities unless required by the FCC, FAA or other state or federal agency of competent jurisdiction, or unless necessary for air traffic safety. Illumination is required for this design; this will **meet** the standard.

(d) No advertising is permitted on telecommunications facilities. No advertising will be attached to this facility; this will **meet** the standard.

- §17.410.040.F.3 of the Hall County Zoning Regulations states that all new tower installations of over 150 feet in height shall provide antenna and support space for at least five carriers.
 - The proposed tower **meets** the five carrier support space minimum.
- §17.410.050.C.2: the application states that a landscape buffer is not necessary due to existing foliage surrounding proposed cell tower
 - The application includes a landscape plan which shows the utilization of existing vegetation to screen views from the west. All other sides shall be addressed with a planted buffer. This **meets** the standard.
- §17.410.050.C.4: findings from the State Historic Preservation Officer;
 - The applicant states that no response was provided by the Georgia Historic Preservation Division, deeming that no Historic Properties exist within the area. The proposed design **meets** the standard.
- §17.410.050.C.5: a description of anticipated maintenance needs for the facility;
 - The applicant states that only monthly maintenance visits are anticipated, barring any emergency. There will be no water or sewer services, and no waste will be generated.
- §17.410.050.C.6: an estimated cost of tower removal and site restoration;
 - The applicant estimates the cost to be \$75,000 based on this estimate.
- §17.410.050.C.7: a structural design report must be submitted with the application.
 - The applicant will order and provide tower and corresponding drawings once zoning approval is granted. The applicant has proffered a condition stating that the tower and foundation design be provided prior to the issuance of a building permit.
- §17.410.050.C.9: the narrative expresses that the intent of the proposed tower is to fill a need that is stated in the Verizon technical justification report as no existing tower, antennas or structures are located within the geographic area required to meet the engineering requirements.
 - The applicant has provided various documents and maps to support the necessity of the tower. This **meets** the standard.
- §17.410.050.C.10: the identity of a community liaison officer appointed by the applicant to resolve issues of concern to neighbors and residents relating to the construction and operation of the facility;
 - This information is provided in the application; this **meets** the standard.
- §17.410.050.C.11: the proposed location of the tower is a disfavored location. No other preferred location sites within this geographic service area were submitted for consideration.
 - The applicant provided explanations of good faith efforts and measures taken to secure other preferred location sites and why those sites were not technologically, legally, or economically feasible.

- §17.410.050.E of the Hall County Zoning Regulations states that a balloon shall be flown at the proposed tower height for a period of 4 hours during normal daylight hours on a Saturday, prior to the planning commission meeting.
 - A balloon test was conducted on Saturday, November 6, 2021 between the hours of 10:00 am and 2:00 pm. Photo simulations were provided from eight locations surrounding the subject property. The simulated tower was visible only from Location #1, looking southwest from Holly Springs Road in front of the property.
- §17.410.060.D of the Hall County Zoning Regulations states that landscaping and buffering shall be used to effectively screen the view of the equipment shelters and cabinets from adjacent public ways, public property, and residential property. Native vegetation on the site shall be preserved to the greatest practical extent. The applicant shall provide a site plan showing existing significant vegetation to be removed, and vegetation to be planted so as to, at a minimum, meet the buffer requirements for outdoor retail activities (20 feet). The county commission may waive or modify the landscaping requirement where lesser requirements are desirable for adequate visibility for security purposes, for continued operation of existing bona fide agricultural or forest uses such as farms, nurseries and tree farms, or where an antenna is placed on an existing structure. In certain locations where the visual impact of the tower would be minimal, such as remote agricultural or rural locations or developed heavy industrial areas, the landscaping requirement may be modified or waived by the county commission.
 - The application includes a landscape plan which shows the utilization of existing vegetation to screen views from the west. All other sides shall be addressed with a planted buffer. This **meets** the standard.

Staff Recommendation

Staff recommends **approval** of the applicant's request with the following conditions:

6. The proposed tower shall be located as shown on the site plan and as described in the narrative that was submitted.
7. The applicant shall notify the county of any construction, tower, or site modifications that would be different from what is submitted for consideration. Of particular interest to the county are changes in height, structure, tower lighting, and ground facilities that would have any impact on the sites ability to support other users or affect the surrounding neighborhood.
8. The applicant shall provide tower and foundation design prior to the issuance of a building permit.
9. The height of the tower and all appurtenances, including lightning rods, shall be limited to 265 feet as shown on the proposed construction drawings.
10. All plans and plats created for this development shall reference the conditions of zoning approval.

Excerpts from the minutes of the December 6, 2021 Planning Commission meeting:

Applicant's Presentation:

Beth Garmon, Principal Planner, presented a summary of the request.

Lannie Greene, 2421 Saint Martin Way, Monroe, presented the request. As a part of the application, there was shown a definite need for this tower at the location. There is a significant

gap at this location. They will be able to service a lighter area including in car, in building and better service outside. Verizon agrees with all staff recommendations. The compound will be a 70 x 70 area. The site meets all requirements other than the requested variance, due to the height and type of structure. The ground elevation is 916 feet. There will room to carry additional carriers, which would go in around 240.

Public Forum:

No one spoke in favor or opposition of the request.

Planning Commission Comments:

Mr. Braswell stated it appears they have done a great job with meeting all the criteria.

Motion: A motion was made by Mr. Varner to approve the request with a second by Ms. Pilcher. Vote 3-0.

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