

**AMENDMENT
TO THE UNIFIED DEVELOPMENT CODE OF OCONEE COUNTY, GEORGIA
AND THE ZONING MAPS OF OCONEE COUNTY, GEORGIA**

TITLE

An Ordinance amending the Unified Development Code of Oconee County, Georgia, and the Zoning Maps of Oconee County, Georgia, pursuant to Article 12, Division I et seq., to revise the conditions for a previously approved special use case #6545 zoning classification AG (Agricultural District) pursuant to an application for special use of property owned by Prime Tower Development LLC, submitted on September 18, 2023.

ENACTMENT CLAUSE

Pursuant to the authority conferred by the Constitution and Laws of the State of Georgia and after consideration of an application for zoning change submitted by Prime Tower Development LLC, on September 18, 2023, request for revision to conditions for previously approved special use case #6545 of a ±38.53-acre tract of land located at Cedar Road in Oconee County, Georgia, (tax parcel no C-06-024C), the Board of Commissioners of Oconee County does hereby ordain and enact to law the following:

SECTION 1. An Ordinance known as the "Unified Development Code of Oconee County, Georgia" as enacted and amended by the Board of Commissioners of Oconee County and the Zoning Maps described therein are hereby amended as follows:

The zoning change in conditions for the property described on the attached "Exhibit A" is hereby changed for the purpose as set forth in "Exhibit A" attached hereto.

Said rezone is subject to the following conditions: as set forth in "Exhibit A" attached hereto.

SECTION 2. Severability. It is intended that the provisions of this Ordinance be severable and should any portion be held invalid, such invalidity shall not affect any other portion of the Ordinance.

SECTION 3. Repeal of Conflicting Resolutions or Ordinances. All Resolutions or Ordinances and parts or sections of Resolutions or Ordinances in conflict with this Ordinance are hereby repealed.

SECTION 4. Effective Date. This Ordinance shall take effect this date.

Said Zoning Petition was submitted to the Oconee County Planning Commission and a Public Hearing was duly held by the same on November 13, 2023, and a Public Hearing was held by the Oconee County Board of Commissioners at its regular meeting on December 5, 2023.

ADOPTED AND APPROVED, this 5th day of December, 2023.

OCONEE COUNTY BOARD OF COMMISSIONERS

BY: _____

John Daniell, Chairman

ATTEST:

Holly Stephenson
Holly Stephenson
Clerk, Board of Commissioners

Recused Himself
Mark Thomas, Member

Chuck Horton, Member

Amrey Harden, Member

Mark Saxon, Member

EXHIBIT "A" TO REZONE NO P23-0231

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CONDITIONS

1. Design of site development and structures shall meet or exceed the standards indicated on the concept plan, narrative, representative architectural sketches, and other documents submitted with the zoning application and attached hereto. This condition shall not construe approval of any standard that is not in conformity with the Unified Development Code.
2. The communication tower shall not be taller than 199 feet in height.

EXHIBIT "A" TO REZONE NO P23-0231

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TAX MAP

Special Use # P23-0231 - Mark H. Thomas

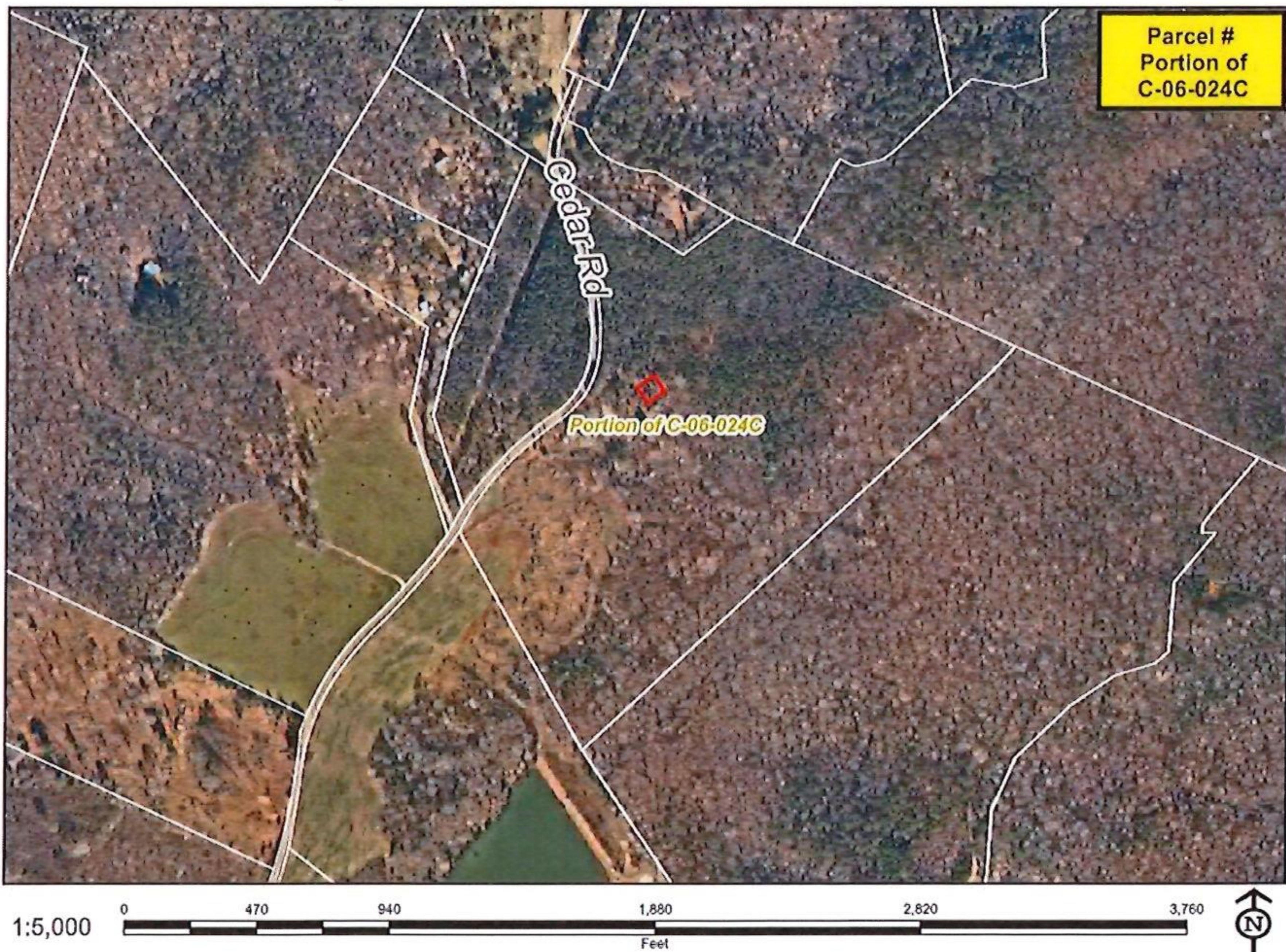


EXHIBIT "A" TO REZONE NO P23-0231

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LEGAL DESCRIPTION

**PARENT PARCEL
CONTAINING PRIME TOWER SITE PTD111GA – FLAT ROCK**

A PARCEL OF LAND, LYING AND BEING IN THE 225TH G.M. DISTRICT, OCONEE COUNTY, GEORGIA, AND BEING OWNED BY MARK H. THOMAS, AS RECORDED IN DEED BOOK 1043, PAGE 89 AND SHOWN AS TRACT 1 ON A SURVEY FOR MARK K. THOMAS, RECORDED IN PLAT BOOK 32, PAGE 125, OCONEE COUNTY RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

TO FIND THE POINT OF BEGINNING, COMMENCE AT A PK-NAIL FOUND IN A 3/4-INCH OPEN TOP PIPE, LYING ON THE NORTHWESTERN SIDE OF CEDAR ROAD, HAVING A GEORGIA GRID NORTH, NAD 83, WEST ZONE VALUE OF N: 1388745.1991 E: 2546715.9864; THENCE RUNNING ALONG A TIE LINE, NORTH 45°02'37" EAST, 585.30 FEET TO A POINT ON THE WESTERN PROPERTY LINE OF SAID LANDS, BEING THE CENTERLINE OF SAID CEDAR ROAD, HAVING A GEORGIA GRID NORTH, NAD 83, WEST ZONE VALUE OF N: 1389158.7524 E: 2547130.1706, AND BEING THE TRUE POINT OF BEGINNING;

THENCE NORTH 38°57'45" EAST, 30.69 FEET TO A POINT; THENCE NORTH 31°16'30" EAST, 39.41 FEET TO A POINT; THENCE NORTH 23°37'20" EAST, 42.10 FEET TO A POINT; THENCE NORTH 18°10'00" EAST, 51.57 FEET TO A POINT; THENCE NORTH 7°18'00" EAST, 50.26 FEET TO A POINT; THENCE NORTH 2°12'05" EAST, 54.23 FEET TO A POINT; THENCE NORTH 4°07'30" WEST, 58.41 FEET TO A POINT; THENCE NORTH 6°50'10" WEST, 53.46 FEET TO A POINT; THENCE NORTH 11°37'40" WEST, 78.44 FEET TO A POINT; THENCE NORTH 12°52'25" WEST, 77.69 FEET TO A POINT; THENCE NORTH 16°23'00" WEST, 54.14 FEET TO A POINT; THENCE NORTH 19°33'20" WEST, 73.79 FEET TO A POINT; THENCE NORTH 21°04'35" WEST, 163.65 FEET TO A POINT; THENCE (14) SOUTH 60°29'25" EAST, 37.00 FEET TO A POINT; THENCE SOUTH 60°25'45" EAST, 167.39 FEET TO A POINT; THENCE (16) SOUTH 61°27'45" EAST, 300.09 FEET TO A POINT; THENCE NORTH 49°00'05" EAST, 246.66 FEET TO A POINT; THENCE SOUTH 63°04'55" EAST, 209.97 FEET TO A POINT; THENCE SOUTH 63°02'45" EAST, 745.81 FEET TO A POINT; THENCE SOUTH 43°11'30" WEST, 1,762.67 FEET TO A POINT; THENCE SOUTH 43°11'30" WEST, 262.97 FEET TO A POINT; THENCE NORTH 29°45'21" WEST, 860.69 FEET TO A POINT; THENCE NORTH 29°45'21" WEST, 25.00 FEET TO A POINT; THENCE NORTH 30°39'24" EAST, 114.81 FEET TO A POINT; THENCE NORTH 38°33'45" EAST, 77.21 FEET TO A POINT; THENCE NORTH 43°50'45" EAST, 115.84 FEET TO A POINT; THENCE NORTH 45°59'20" EAST, 68.04 FEET TO A POINT; THENCE NORTH 51°01'50" EAST, 40.04 FEET TO A POINT; THENCE NORTH 52°12'10" EAST, 108.27 FEET TO A POINT; THENCE NORTH 47°28'10" EAST, 57.78 FEET TO A POINT; THENCE NORTH 38°57'45" EAST, 20.08 FEET TO THE POINT OF BEGINNING.

BEARINGS BASED ON GEORGIA GRID NORTH, NAD 83, WEST ZONE.

SAID TRACT CONTAINS 1,678,279.41 SQUARE FEET OR 38.60 ACRES, MORE OR LESS.

DISCLAIMER: THESE LEGAL DESCRIPTIONS ARE APPROXIMATE.

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LEGAL DESCRIPTION

**LEASE AREA
"FLAT ROCK" PTD111GA**

All that tract or parcel of land lying and being in the 225th G.M. District, Oconee County, Georgia, and being a portion of the lands of Mark H. Thomas, as recorded in Deed Book 1043, Page 89 and shown as Tract 1 on a survey for Mary K. Thomas, recorded in Plat Book 32, Page 125, Oconee County records, and being more particularly described as follows:

To find the point of beginning, COMMENCE at a pk-nail found in a ¾-inch open top pipe, lying on the Northwestern side of Cedar Road, having a Georgia Grid North, NAD 83, West Zone value of N: 1388745.1991 E: 2546715.9864; thence running along a tie line, North 45°02'37" East, 585.30 feet to a point on the Western property line of said lands, being the centerline of said Cedar Road, having a Georgia Grid North, NAD 83, West Zone value of N: 1389158.7524 E: 2547130.1706; thence running along said property line, North 38°57'45" East, 30.04 feet to a point; thence leaving said property line and running, South 54°00'44" East, 18.92 feet to a point; thence, North 82°22'59" East, 23.16 feet to a point; thence, North 42°37'24" East, 48.66 feet to a point; thence, North 51°04'17" East, 13.51 feet to a point; thence, North 36°08'17" West, 11.44 feet to a point; thence, North 53°51'43" East, 30.00 feet to a point and the true POINT OF BEGINNING; Thence, North 53°51'43" East, 50.00 feet to a point; Thence, South 36°08'17" East, 50.00 feet to a point; Thence, South 53°51'43" West, 50.00 feet to a point; Thence, North 36°08'17" West, 50.00 feet to a point and the POINT OF BEGINNING.

Bearings based on Georgia Grid North, NAD 83, West Zone.

Said tract contains 0.0574 acres (2,500 square feet), more or less, as shown in a survey prepared for Prime Tower by POINT TO POINT LAND SURVEYORS, INC. dated July 24, 2023.

EXHIBIT "A" TO REZONE NO P23-0231

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LEGAL DESCRIPTION

**30' INGRESS-EGRESS & UTILITY EASEMENT
"FLAT ROCK" PTD111GA**

Together with a 30-foot wide Ingress-Egress and Utility Easement lying and being in the 225th G.M. District, Oconee County, Georgia, and being a portion of the lands of Mark H. Thomas, as recorded in Deed Book 1043, Page 89 and shown as Tract 1 on a survey for Mary K. Thomas, recorded in Plat Book 32, Page 125, Oconee County records, and being more particularly described as follows:

To find the point of beginning, COMMENCE at a pk-nail found in a ¾-inch open top pipe, lying on the Northwestern side of Cedar Road, having a Georgia Grid North, NAD 83, West Zone value of N: 1388745.1991 E: 2546715.9864; thence running along a tie line, North 45°02'37" East, 585.30 feet to a point on the Western property line of said lands, being the centerline of said Cedar Road, having a Georgia Grid North, NAD 83, West Zone value of N: 1389158.7524 E: 2547130.1706, and being the true POINT OF BEGINNING; Thence running along said property line, North 38°57'45" East, 30.04 feet to a point; Thence leaving said property line and running, South 54°00'44" East, 18.92 feet to a point; Thence, North 82°22'59" East, 23.16 feet to a point; Thence, North 42°37'24" East, 48.66 feet to a point; Thence, North 51°04'17" East, 13.51 feet to a point; Thence, North 36°08'17" West, 11.44 feet to a point; Thence, North 53°51'43" East, 30.00 feet to a point on the Lease Area; Thence running along said Lease Area, South 36°08'17" East, 50.00 feet to a point; Thence leaving said Lease Area and running, South 53°51'43" West, 30.00 feet to a point; Thence, North 36°08'17" West, 8.52 feet to a point; Thence, South 51°04'17" West, 9.83 feet to a point; Thence, South 42°37'24" West, 57.30 feet to a point; Thence, South 82°22'59" West, 46.01 feet to a point; Thence, North 54°00'44" West, 32.48 feet to a point on said property line and the POINT OF BEGINNING.

Bearings based on Georgia Grid North, NAD 83, West Zone.

Said easement contains 0.1205 acres (5,248 square feet), more or less, as shown in a survey prepared for Prime Tower by POINT TO POINT LAND SURVEYORS, INC. dated July 24, 2023.

EXHIBIT "A" TO REZONE NO P23-0231

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NARRATIVE



PROJECT SUMMARY

Guy Herring
Director, Planning & Code Enforcement Department
Oconee County Georgia
1291 Greensboro Hwy
Watkinsville, GA 30677

September 15th, 2023

Ref: **CIC (Change in Conditions) SUA #6545** – Wireless Telecommunications Facility (WTF)

Project #PTD111GA "Flat Rock"
APN C 06024C | 0 Cedar Road

Dear Mr. Herring and members of the Planning Commission:

On behalf of Prime Tower Development LLC ("PTD") and in connection with its application for a **CIC/SUA #6545**, we submit this statement of proposed site improvements.

PTD is requesting a finding that developing a 195' self support monopole tower design with a 4' lightning rod (199' total) and a telecommunications compound at the described location meets or exceeds the policies, goals and objectives of the Oconee County GA zoning ordinance and that a **CIC/SUA #6545** should be granted.

Salient facts:

1. A Resolution granting a Special Use Approval was ordained and enacted in to law by the Board of Commissioners of Oconee County GA on July 8, 2014.
2. The Resolution granted the right to develop a 150' WTF at a site on the subject land to include a landscape plan.
3. The property is located at the center of the area needing additional cellular coverage and capacity and meets the radio frequency (RF) requirements of intended wireless carriers.
4. Based on RF measurement results in live networks, the impact of each RF issue is addressed; specifically, coverage gaps, and other root causes of problems are identified by both real-time analysis as well as post processing RF analytics tools.
5. The proposed WTF is necessary as determined by radio frequency (RF) engineers to supply essential coverage and capacity needs in this area.
6. There are no structures within the RF search area with a height that will meet the RF requirements for efficacy.
7. The underlying zoning district is AG. All surrounding and adjoining land is zoned AG.
8. The proposed site is in a predominately rural agricultural use with residential development throughout the area.
9. The tower will be 195' in height + 4' lightning rod (199' total) as determined by RF engineering
10. The tower design will be a self-support monopole with a galvanized finish color.
11. Surrounding the compound will be a 6' anti-climb chain link fence with three strand barbed wire atop.
12. There is a mature tree line at all sides of the site which will serve as an ideal landscape buffer.
13. The size of the property (38.53 acres) is adequate for a cell tower site.
14. A signed lease is in place with the landlord for a leasehold and granting all rights for the intended development.

NARRATIVE



15. The proposed access will have no impact on traffic flow.
16. No lights will be atop the tower per FAA regulations for the proposed tower height.
17. The application is consistent with development standards of the Oconee County Code of Ordinances for broadcasting towers/telecommunication facilities.
18. The Applicant's request is of a highly technical nature and a RF engineering report is provided that contains the proofs for technical review but it is also clear to the layman reader.

Certifications for Special Use Approval:

The proposed wireless telecommunications facility shall be maintained in a safe manner, and in compliance with all conditions of the permit, without exception, unless specifically granted relief by the County in writing, as well as all applicable and permissible local codes, ordinances, and regulations, including any and all applicable and permissible local codes, ordinances, and regulations, including any and all applicable County, State and federal laws, rules, and regulations.

The construction of the wireless telecommunications facility is legally permissible, including, but not limited to the fact that the applicant is authorized to do business in the State and County.

The proposed telecommunications facility will be operated in compliance with the FCC's current (Radio Frequency) RF emissions standards.

The WTF shall be structurally designed to accommodate the future demand for three additional carriers and will allow collocations of other wireless service providers.

Change in Conditions

The applicant respectfully requests:

1. The site location is moved on the subject parcel.
2. The tower height be increased to 199'
3. The landscape buffer is waived.

The site location remains on the same land, however, the new location gains elevation that is needed to meet maximum RF engineering criteria for efficacy.

The additional tower height is needed for two reasons. One, the additional tower height, along with the higher land elevation, yields the maximum coverage and capacity RF objectives for broadband service to the surrounding area as determined by sophisticated scientific RF modeling and analysis. Two, the proposed tower height looks future forward and allows for up to three additional carriers (four in total) at height centerlines that work from the top position of 195'. The site would function at 150' for a single carrier, however, the performance will be diminished for carriers that would co-locate below that. For the past decade jurisdictions across the USA have implemented regulations mandating co-location. As a result, cells have aligned so that what is acceptable for one carrier is generally acceptable for all carriers, which would be the case here. Absent the additional height increase it will unnecessarily set the stage for additional tower requests nearby.

The site is surrounded on all sides by mature trees, the ideal landscape buffer. Plantings around the compound will have no aesthetic affect and would be superfluous.

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NARRATIVE



A tower development company, PTD works with its carrier clients to continuously review and assess the tower-radio network needed to handle the quality and volume of calls or data of the areas needing broadband service.

PTD is responding to an unprecedented increase in demand for reliable wireless voice communications and wireless data services. People have now relinquished the expense of land lines and rely solely on their mobile phones. Meeting that desire requires reliable service over broader areas without gaps in signal or capacity and without dropped calls. Additionally, mobile devices are exponentially being used for transmitting and receiving wireless data. Consumer demand for predictable, far ranging wireless service will continue to increase. A robust wireless network capacity is now fundamental to commerce and the quality of everyday life and above all it is essential for the safety of the general public through Enhanced 911 technology.

Please advise me if you require any additional information to process this request.

With appreciation for your assistance, I am

Sincerely yours,



John Behnke
901.494.1559 mobile

EXHIBIT "A" TO REZONE NO P23-0231

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NARRATIVE



ADDENDUM

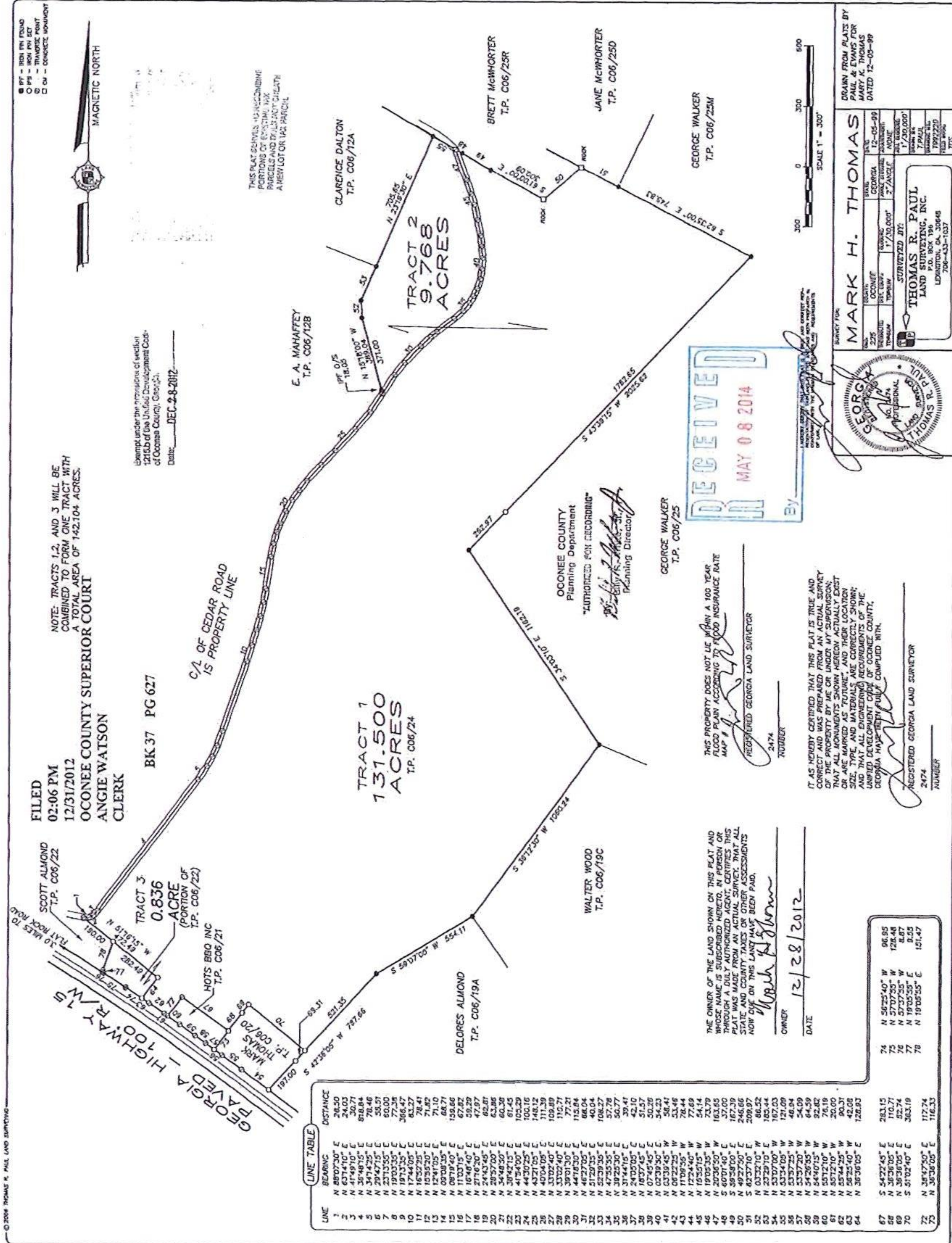
1. The project location will not have significant adverse effect on any neighborhood or area. The site is in a rural agricultural corridor with other rural agricultural uses adjoining and surrounding the proposed development.
2. There will be no impact on residential uses since the site is well within a mature forest on a large tract of land.
3. The proposed use will not result in a nuisance. The nature of a wireless telecommunications facility (WTF) means that there is no traffic, no noise, no noxious odors and virtually no activity.
4. The quiet enjoyment of surrounding property will not be adversely affected. Once constructed, a WTF stands silently with little human activity.
5. There will be no adverse affect on property values nearby. Rather the presence of the WTF will either have no affect or more likely a positive affect due to the more reliable and enhanced wireless service provided.
6. Parking and traffic considerations are moot. Once constructed activity to the site slows to, at most, one visit from technical personnel once a month.
7. The site and the intensity of the use, such as it is, is appropriate.
8. There is no residential near the site. The Planning Dept. can generally presume that the proposed use is compatible in the AG district and at this specific location.
9. The site will be operational 24/7 with 24/7 access. Except in the case of an emergency, personnel would be at the site during normal business hours.
10. There are no deliveries at a WTF.
11. Landscaping – n/a The site is surround by tall trees. Because of this the Applicant requests that it not be required to do additional landscaping in light of the strategic siting.
12. There is no health, safety, welfare or moral concerns associated with the proposed WTF that will adversely affect the surrounding area.
13. The Applicant believes it is in compliance with applicable specific requirements set forth in the Code of Ordinances.
14. To the best of the Applicant's knowledge, all relevant information has been provided to allow full consideration of all applicable factors.
15. The Applicant accepts the burden to provide the information required.
16. At this time there are no known modifications needed or requested by the Applicant beyond the basic intent of the submitted request. If there are any conditions or stipulations proposed or imposed by the Planning Department, the Planning Commission or the County Commissioners, then the Applicant will consider those.
17. If approved, the Applicant will comply with all provisions of any section of the Oconee County Code of Ordinances.

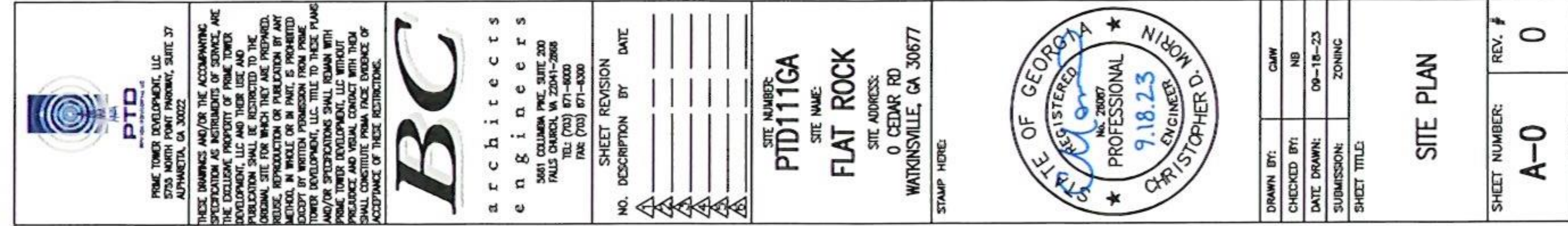
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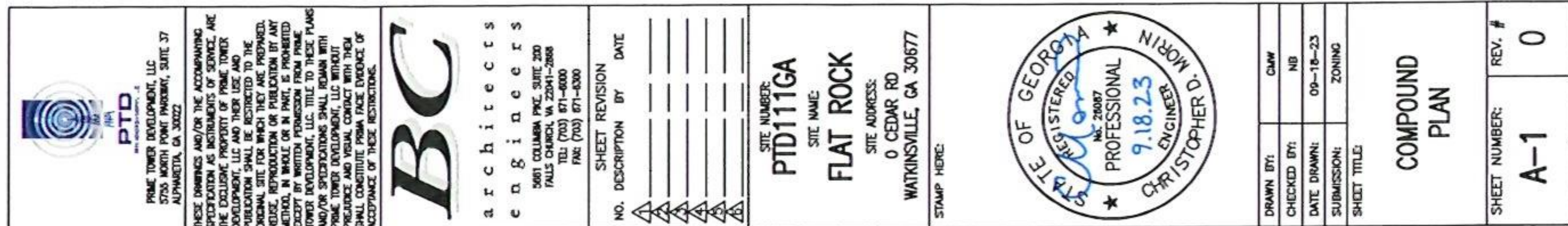
EXHIBIT "A" TO REZONE NO P23-0231


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PLAT




[illegible]





PRIME TOWER DEVELOPMENT, LLC
5750 NORTH POINT PARKWAY, SUITE 37
ALPHARETTA, GA 30022

THESE DRAWINGS AND/OR THE ACCOMPANYING SPECIFICATIONS AS INSTRUMENTS OF SERVICE, ARE THE EXCLUSIVE PROPERTY OF PRIME TOWER DEVELOPMENT, LLC AND THEIR USE AND PUBLICATION SHALL BE RESTRICTED TO THE ORIGINAL SITE FOR WHICH THEY ARE PREPARED. REUSE, REPRODUCTION OR PUBLICATION OF ANY PART OF THESE DRAWINGS OR SPECIFICATIONS WITHOUT WRITTEN PERMISSION FROM PRIME TOWER DEVELOPMENT, LLC, TITLE TO THESE PLANS AND/OR SPECIFICATIONS SHALL REMAIN WITH PRIME TOWER DEVELOPMENT, LLC WITHOUT PREJUDICE AND VISUAL CONTACT WITH THEM SHALL CONSTITUTE PRIMA FACIE EVIDENCE OF ACCEPTANCE OF THESE RESTRICTIONS.



architects
6661 COLUMBIA PIKE, SUITE 200
FALLS CHURCH, VA 22041-2868
TEL: (703) 671-4000
FAX: (703) 671-4000

SHEET REVISION BY DATE


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3		
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5		
6		
7		
8		
9		
10		

SITE NUMBER:
PTD111GA

SITE NAME:
FLAT ROCK

SITE ADDRESS:
0 CEDAR RD
WATKINSVILLE, GA 30677

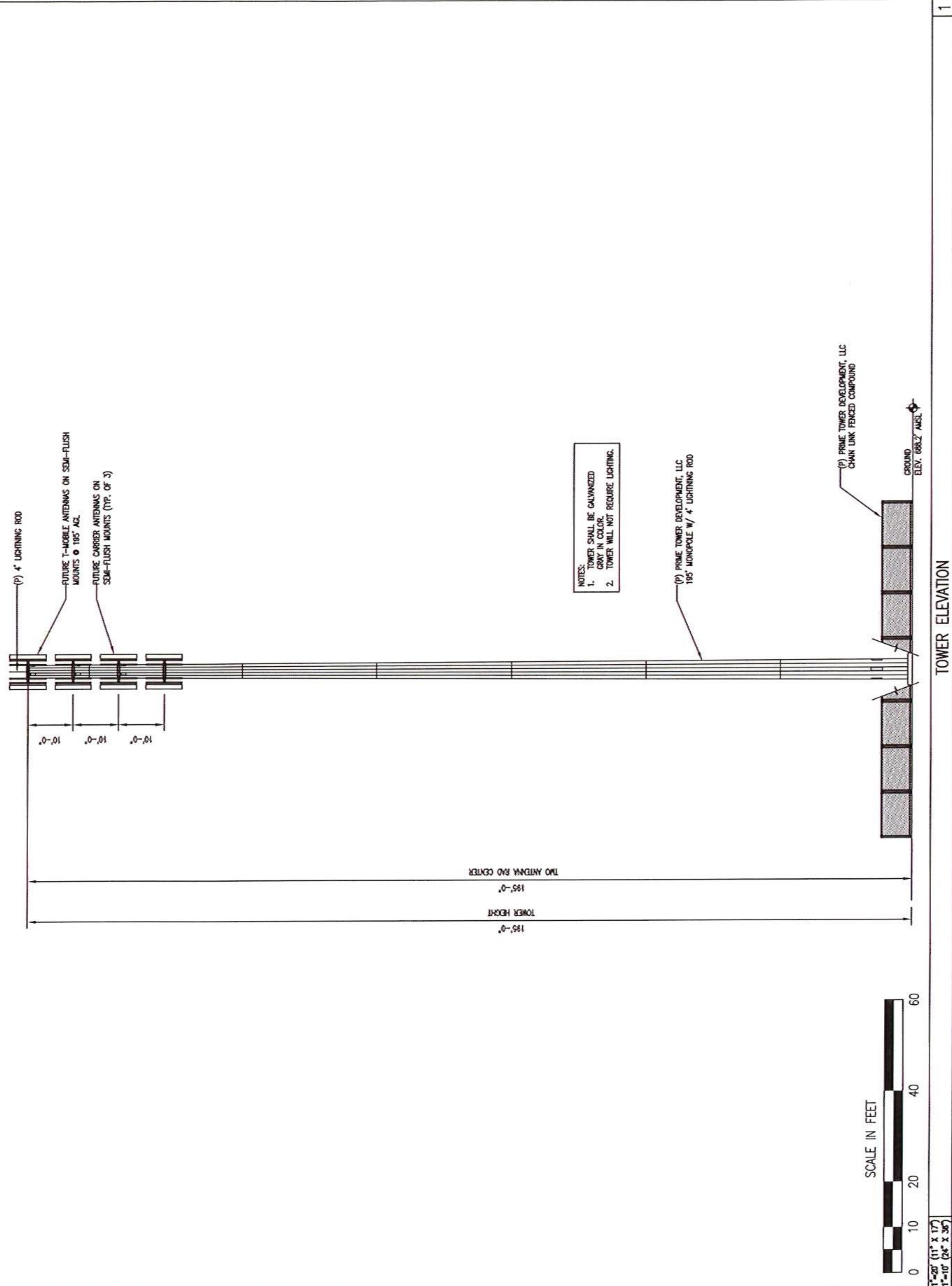
STAMP HERE



DRAWN BY:	CMW
CHECKED BY:	NB
DATE DRAWN:	09-18-23
SUBMISSION:	ZONING
SHEET TITLE:	

TOWER
ELEVATION

SHEET NUMBER:	A-2	REV. #	0
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QTY: (4) EACH SIDE OF COMPOUND

QTY: (1) MAIN COMPOUND GATE.

10"x27" ALUMINUM
NOTICE SIGN QTY: (1)
MOUNT SIGN ON CLIMBING LEG OF TOWER AT EYE LEVEL.

WHITE / YELLOW BACKGROUND W/ BLACK LETTERING
QUANTITY: (1)
(TO BE MOUNTED AT EYE LEVEL ON TOWER NEAR SAFETY CLIMB)

WHITE / GREEN BACKGROUND W/ BLACK LETTERING
QUANTITY: (1)
(TO BE MOUNTED ON COMPOUND ACCESS GATE)

QTY: (1) MAIN COMPOUND GATE

12"x12" ALUMINUM CONTACT
PERSON SIGN QTY: (1)

SIGNAGE NOTES

1. RECOMMENDED SOURCE FOR OBTAINING SIGNAGE:

CONTRACTOR SHALL PROVIDE ALL REQUIRE SIGNAGE
2. ALL SIGNS SHALL BE MOUNTED ON INSIDE OF FENCE FABRIC. UNLESS NOTED OTHERWISE.

DRAWN BY:	CMW
CHECKED BY:	NB
DATE DRAWN:	09-18-23
SUBMISSION:	ZONING
SHEET TITLE:	
SIGNAGE	
SHEET NUMBER:	REV. #
A-4	0

SIGNAGE

SHEET NUMBER:	REV. #
A-4	0



PDA
PROFESSIONAL DESIGN ASSOCIATES, P.C.

PRIME TOWER DEVELOPMENT, LLC
5705 NORTH POINT PARKWAY, SUITE 37
ALPHARETTA, GA 30022

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B+C

architects
engineers

5601 COLUMBIA PARK, SUITE 200
FALLS CHURCH, VA 22041-2888
TEL: (703) 871-8000
FAX: (703) 871-8000

SHEET REVISION	
NO.	DESCRIPTION BY DATE
1	
2	
3	
4	
5	
6	

SITE NUMBER:
PTD111GA

SITE NAME:
FLAT ROCK

SITE ADDRESS:
**0 CEDAR RD
WATKINSVILLE, GA 30677**

STATE OF GEORGIA
REGISTERED PROFESSIONAL ENGINEER
CHRISTOPHER D. MORIN
LIC. 20087
9.18.23

DRAWN BY:	GMW
CHECKED BY:	NB
DATE DRAWN:	09-18-23
SUBMISSION:	ZONING
SHEET TITLE:	

SIGNAGE	SHEET NUMBER:	A-4
	REV. #	0



**Planning Department
Oconee County, Georgia
STAFF REPORT**

SPECIAL USE CASE NO. P23-0231

DATE: November 1, 2023

STAFF REPORT BY: Guy Herring (Director of
Planning and Code
Enforcement)

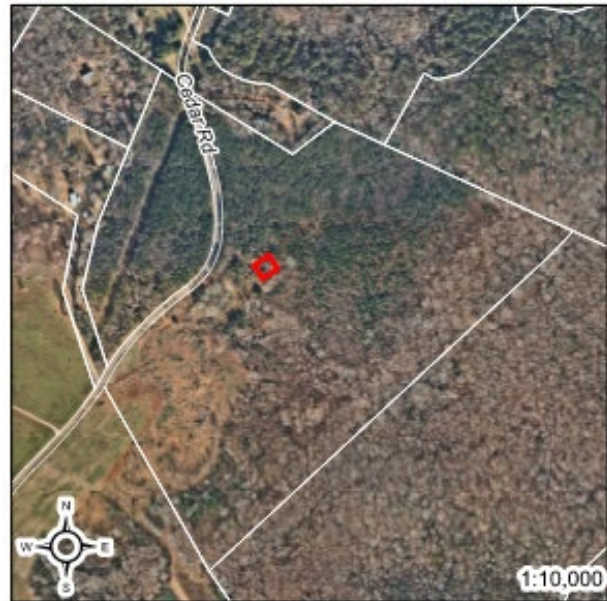
APPLICANT NAME: Prime Tower Development LLC

PROPERTY OWNER: Mark H. Thomas

LOCATION: Cedar Road, North of Greensboro
Highway and east of Kirkland Road
C 06 024C

PARCEL SIZE: ±38.53 acres

EXISTING ZONING: AR (Agricultural Residential
District)



2040 CHARACTER AREAS MAP: Agricultural Preservation

EXISTING LAND USE: Undeveloped land, agricultural, and timber uses

SPECIAL USE REQUESTED: Special Use request to modify previous Special Use Approval 6545 to allow a taller (199') tower.

REQUEST SUMMARY: Special Use Approval 6545 was granted on July 8, 2014, allowing a communications tower not taller than 150'. The applicant is requesting a special use approval to construct a tower not taller than 199'.

STAFF RECOMMENDATION: Staff recommends conditional approval of this request.

DATE OF SCHEDULED HEARINGS

PLANNING COMMISSION: November 13, 2023

BOARD OF COMMISSIONERS: December 5, 2023

ATTACHMENTS: Application
Narrative
Special Use Impact Analysis
Plats of Survey
Concept Plan

BACKGROUND INFORMATION & FINDINGS OF FACT

HISTORY

- Special Use Approval 6545 was granted on July 8, 2014, to allow a telecommunications tower. It included the following conditions:
 1. The communication tower shall not be taller than 150 feet in height.
 2. Developer shall install a minimum 10' wide landscape buffer, as illustrated on the Special Use Concept Plan and in accordance with the requirements in Section 333.05.g of the Unified Development Code.
 3. Developer shall construct the communications tower and compound in the location illustrated on the Special Use Concept Plan.

SURROUNDING LAND USE AND ZONING

	EXISTING LAND USES	EXISTING ZONING
NORTH	Undeveloped and residential	AG (Agricultural District)
SOUTH	Undeveloped and residential	AG (Agricultural District)
EAST	Undeveloped	AG (Agricultural District)
WEST	Undeveloped	AG (Agricultural District)

PROPOSED PROJECT DESCRIPTION

- The applicant is requesting Special Use approval to construct a telecommunications tower and associated telecommunications compound.
- The tower would be a 195' tall self-support monopole tower design with a 4' lightning rod for a total height of 199'.
- Construction would occur in 2024.
- The applicant's estimated value of the proposed improvements for the project is \$105,500.

PUBLIC FACILITIES

Water:

- The project would not utilize County water services.

Sewer:

- The project would not utilize County sewer services.

Roads:

- The site will be accessed from Cedar Road.

TRAFFIC PROJECTIONS

- Traffic would be less than one visit per month.

ENVIRONMENTAL

- No 100-Year Flood Plain or Jurisdictional Wetland areas are known to be located on the subject site. There is a stream on the east side of the property, but it is over 700' away from the planned construction.

COMMENTS FROM OTHER DEPARTMENTS & AGENCIES

Water Resources Department:

- No comments

Public Works Department:

- No comments

Fire Department:

- No comments

STAFF ANALYSIS

THE ANALYSIS OF THE APPLICATION IS MADE BASED UPON THE “STANDARDS FOR SPECIAL USE CONSIDERATION” AS SET FORTH IN SECTION 1207.02 OF THE *OCONEE COUNTY UNIFIED DEVELOPMENT CODE*.

A. Will the proposed special use be consistent with the stated purpose of the zoning district in which it will be located?

The purpose and intent of the AG zoning district is “comprised of land having a predominately rural character. It is the intent of the regulations of this District to preserve prime agricultural areas, allow mini farm estates where appropriate, and discourage the subdivision of land into suburban development which requires significant increases in public services such as schools, fire protection, transportation improvements or waste disposal. The permitted uses are intended to provide a range of use possibilities in keeping with the district definition and the existing and potential land uses of the area” (Unified Development Code Sec. 205.01). Freestanding Towers and Antennae require a special use approval per Sec. 205.01(e). Staff holds that the proposed tower is consistent with the stated purpose of the proposed zoning district.

B. Is the proposed special use compatible with the goals, objectives, purpose, and intent of the Comprehensive Plan?

The subject property lies within with the Agricultural Preservation character area, as shown on the Character Areas Map. The Agricultural Preservation character area is characterized in the following way: “Uses in the area may result in odors, dust, noise, or other effects that may not be compatible with residential development. This Character Area includes lands in row crops, hay fields, or in pasture; woodlands and areas under forestry management; commercial wholesale nurseries; sparsely settled homes on individual tracts; and areas of sensitive natural resources” (Comprehensive Plan, p. 37). Staff holds that the proposed telecommunication tower is compatible with the goals, objectives, purpose, and intent of the Comprehensive Plan and Future Development Map.

C. Will the establishment of the special use impede the normal and orderly development of surrounding property for uses predominate in the area?

Nearby properties are zoned AR. Primary land uses in the area are a mixture of agricultural, timber, and residential. The proposed telecommunication tower should not impede the normal and orderly development of surrounding property. Staff is of the opinion that the proposed development is suitable in view of the existing nearby development and zoning.

D. Is the location and character of the proposed special use consistent with a desirable pattern of development for the locality in general?

Based on the character area designation of Agricultural Preservation (see above), a desirable pattern of development for the area would include agricultural, timber, residential uses. The proposed development is consistent with the intent for this character area.

E. Is or will the type of street providing access to the use be adequate to serve the proposed special use?

With less than one visit per month anticipated, Cedar Road will be adequate to support the proposed special use.

F. Is or will access into and out of the property be adequate to provide for traffic and pedestrian safety, the anticipated volume of traffic flow, and access by emergency vehicles?

With less than one visit per month anticipated, the proposed access to the site should be adequate to provide for traffic/pedestrian safety, accommodate the anticipated volume of traffic, and provide access to emergency vehicles.

G. Are or will public facilities such as schools, water or sewer utilities, and police or fire protection be adequate to serve the special use?

As an unmanned utility, the tower will have no demand on public facilities.

H. Are or will refuse, service, parking and loading areas on the property be located or screened to protect other properties in the area from such adverse effects as noise, light, glare, and odor?

The applicant states that there will be no noise, light, glare, odor, refuse, service, parking or loading at the site.

I. Will the hours and manner of operation of the special use have no adverse effects on other properties in the area?

As an unmanned utility with less than one trip per month, the hours and manner of operation associated with the proposed special use are not expected to have significant adverse impacts on nearby properties.

J. Will the height, size, or location of the buildings or other structures on the property be compatible with the height, size or location of buildings or other structures on neighboring properties?

The tower height was the subject of a condition associated with previous Special Use approval in 2014 that limited height to 150 feet. The requested increase in tower height allowance to no more than 199 feet is consistent with current standards for similar towers. While the taller tower will be more easily visible from the surrounding area, the allowance of height increase to no more than 199 feet is not expected to have a detrimental impact on neighboring properties.

STAFF RECOMMENDATION & CONDITIONAL REQUIREMENTS

Based on Board of Commissioners policies, decision-making criteria, and standards outlined in the development codes of Oconee County, staff recommends conditional approval of the present special use request. Staff recommends it be subject to the following conditions to be fulfilled by the developer/owner at his/her expense:

1. Design of site development and structures shall meet or exceed the standards indicated on the concept plan, narrative, representative architectural sketches, and other documents submitted with the zoning application and attached hereto. This condition shall not construe approval of any standard that is not in conformity with the Unified Development Code.
2. The communication tower shall not be taller than 199 feet in height.