

**ARCOLA TOWERS LLC - "HORSESHOE" SITE
WIRELESS COMMUNICATION FACILITY (WCF)**

Project Description:

Arcola Towers LLC respectfully requests approval of a Conditional Use Permit pursuant to Section 86-663 et.seq. of the Louisa County Zoning Ordinance in order to allow the installation of a Wireless Communication Facility (WCF) in an A-2 Agriculture District. The proposed facility would include a steel monopole that is 197-foot tall, with an additional two feet of height for the lightning rod, for a total maximum height of 199 feet. The monopole will initially be equipped with panel antennas, radios, and associated components for Verizon Wireless's use. This project is intended to expand Verizon's network of services into an area of Louisa County that currently has low to marginal levels of wireless coverage, while also meeting the needs for increased network capacity in the surrounding areas that are being served by existing, neighboring facilities that are currently overstressed.

The proposed facility will initially include a sectored mounting array allowing space for up to twelve (12) antennas with remote radio heads and fiber optics junction boxes connected behind the antennas. Verizon's base station cabinets housing transmit / receive radios and an emergency back-up generator with other boxes for electrical and communications utilities such as power meters, fiber optic and telephone service circuits would be attached on an H-frame stand. The monopole and all base station equipment will be installed within a 50' x 50' fenced compound and 75' x 75' (5,625 square-foot) leased area that Arcola leases from the property's owners, Clarence N. and Evelyn J. Washington. In addition to allowing the deployment of the different technologies for which Verizon is licensed to provide throughout Louisa County, the monopole serving this facility will also be engineered and constructed with additional structural capacity to support the co-location of antennas and components of additional providers of wireless services.

Description of the Property and Character of the Area:

The subject property, containing 6.49 acres, is identified as Tax Map Number 56-15, which is accessed from an existing, gravel entrance on the west side of Charles Lane, and approximately 615 feet north of the intersection with Courthousue Road (State Route 208.) Access to the facility will then be provided by a new gravel drive approximately 60 feet long into a new cleared area. The proposed facility will be located approximately 315 feet southwest of the nearest off-site dwelling, which is located on the property identified as Tax Map Number 56-4-1, owned by Rebecca L. Anthony and Matthew C. Chaney.

The subject property is zoned A-2 Agricultural. All adjacent properties are zoned A-2 Agricultural with the surrounding properties being rural in character with single family dwellings dispersed among forested areas.

Network Objectives:

Verizon Wireless is licensed, by the Federal Communications Commission (FCC), to provide state-of-the-art wireless telecommunications services within Amherst County using a combination of four (4) separate bands on the frequency spectrum. These consist of the 850 MHz band for Cellular (CDMA), the 1900 MHZ frequency band for Personal Communications Services (PCS), the 4G Long Term Evolution (LTE) on 700 MHz band and Advance Wireless Services (AWS) on the 2100 MHz band. The current network offers data upload and download transmission speeds that are much faster than the previous generations of wireless technologies and Verizon has also recently added high-definition calling capabilities in the form of its Voice Over LTE (VOLTE) service.

The proposed facility will provide expanded in-building coverage and additional capacity for residents, small businesses, and other nearby establishments in this area south of Louisa Courthouse. The site will also provide service improvements at the street level and people traveling in cars on Courthouse Road, Horseshoe Farm Road, and other nearby local roads.

In addition to serving coverage needs in the immediate area, this facility will also provide improvements to overall network performance by adding more network capacity to transfer data throughout a much greater area. This objective

is important for network stability, because it reduces the total number of customers that are relying on the marginal levels of coverage currently being provided by existing, neighbor facilities at farther distances away from this site. If the proposed facility is constructed, then the users that currently receive marginal coverage will have access to stronger signals that are concentrated in closer proximity, while those closer to other existing facility sites will also experience improvements, because they will now be competing with fewer overall users for access to the services provided by the facilities in their own areas.

Louisa County's Provisions for Wireless Communication Facilities:

The Louisa County Land Development Regulations provide the following requirements for Wireless Communication Facilities in Sections 86-663 - 86-675. The applicant's responses to the code requirements follow in bold italics:

DIVISION 5. TELECOMMUNICATIONS REGULATIONS

Sec. 86-663. In general.

This division may be cited and referred to as the "Louisa County Telecommunications Ordinance." In any case in which this article conflicts with any other requirement of Chapter 86 of this Code, the more specific provision shall control, notwithstanding the provisions of section 1-6 or sec 86-23 of this Code, unless expressly so stated. Nothing herein shall be construed to relieve any person of any other requirement of local, state, or federal law.

(1) Nothing in this division shall impair any vested right.

Sec. 86-664. Applicability

(a) This division shall apply to the development activities including installation, construction, or modification of all wireless communications facilities.

(b) Wireless communication facilities (WCFs) are utility facilities subject to the provisions of article I, division VIII of this Code, and must be in substantial accord with the relevant provisions of the county comprehensive plan or applicable element thereof. Notwithstanding this provision, facilities that are by-right uses or approved by a special use permit process shall be deemed substantially in accord with the comprehensive plan.

State law reference(s)—Code of Virginia, §§ 15.2-2232, 15.2-2281.

Sec. 86-665. Permitted uses table.

WCF	Agricultural (A-1, A-2)	Residential (R-1, R-2)	Commercial (C-1, C-2)	Industrial (IND, I-1, I-2)	Resort Development	Planned Unit Development 1
Freestanding WCF's Less than Maximum Height in District	Certificate of Compliance	Certificate of Compliance	Certificate of Compliance	Certificate of Compliance	Certificate of Compliance	Master Plan
Freestanding WCFs Between Maximum District Height and 100' (Parcel <25 Acres)	Special Use Permit	Special Use Permit	Special Use Permit	Certificate of Compliance	Special Use Permit	Master Plan
Freestanding WCFs Between Maximum District Height and 100' (Parcel >25 Acres)	Certificate of Compliance	Special Use Permit	Special Use Permit	Certificate of Compliance	Special Use Permit	Master Plan

Freestanding WCFs >100' in Height	Conditional Use Permit	Conditional Use Permit	Conditional Use Permit	Conditional Use Permit	Conditional Use Permit	Master Plan
Attached, Collocated, Combined and Mitigated Un- Licensed Frequency WCFs	Certificate of Compliance	Certificate of Compliance	Certificate of Compliance	Certificate of Compliance	Certificate of Compliance	Certificate of Compliance
Attached, Collocated, Combined and Mitigated Licensed Frequency WCFs	Consultant Review	Consultant Review	Consultant Review	Consultant Review	Consultant Review	Consultant Review

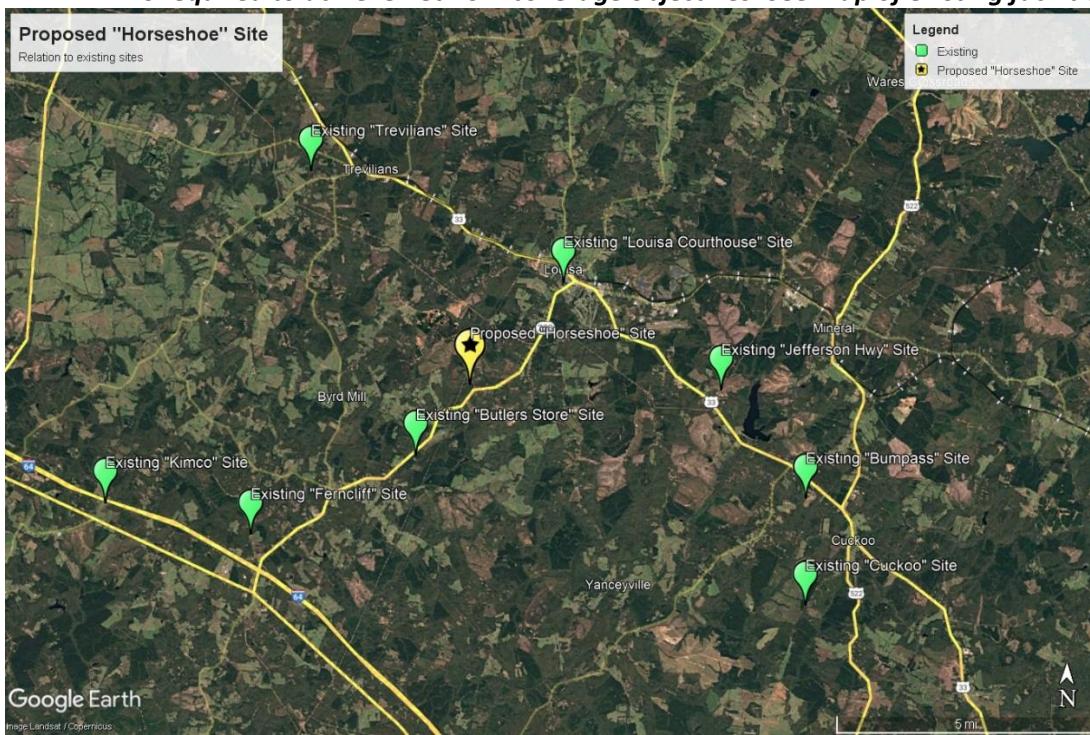
The applicant proposes a 199-foot overall height WCF in an A-2 Agricultural district. Per the table in 86-665 this request is subject to the approval of a Conditional Use Permit.

Sec. 86-666. Application requirements for WCF's for which a conditional use permit is required.

Where a use requires a conditional use permit or master plan approval pursuant to section 86-665, in addition to meeting any application requirements contained in section 86-43 of this Code, such application must include:

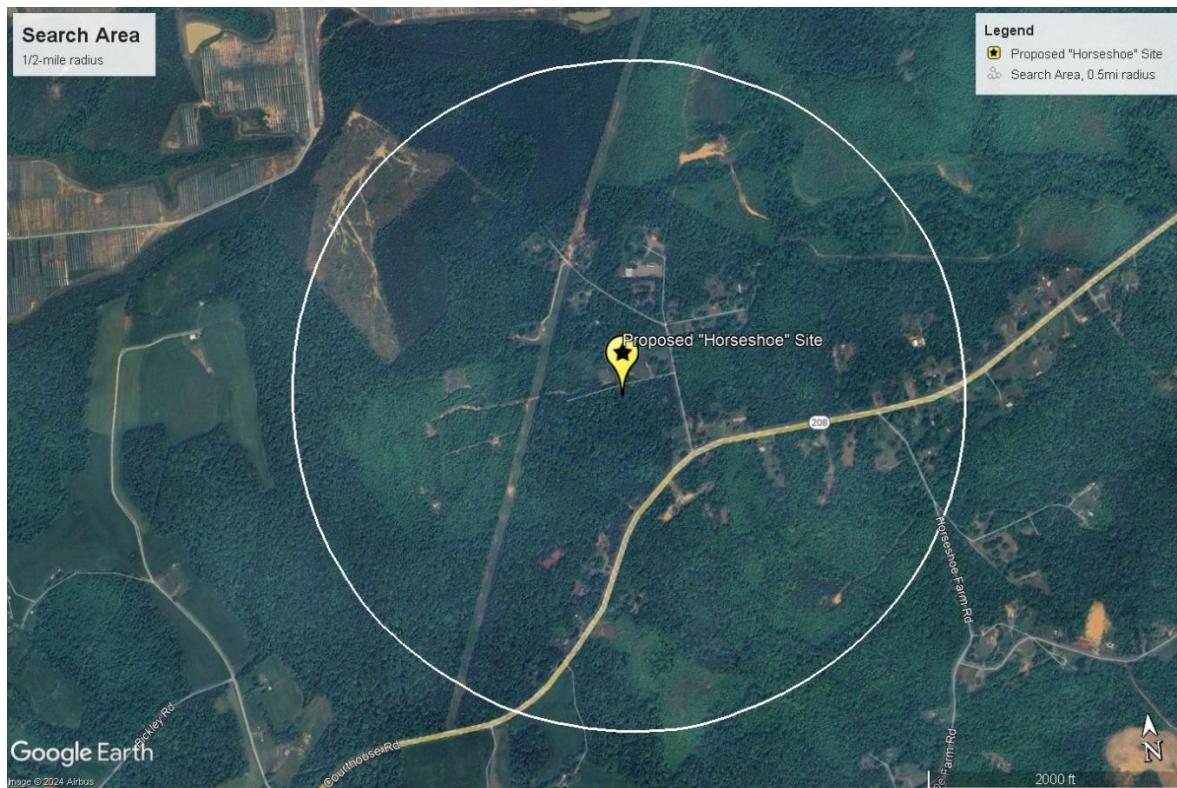
- (1) Statement of justification. No new freestanding WCF shall be permitted unless the applicant submits a statement of justification addressing the following considerations:
 - a. A justification of the geographic search area chosen.

The search area was identified by Verizon radio engineers as an area of Louisa County with low to marginal service located midway between two existing facilities. The search area is located between the "Louisa Courthouse" facility 2.65 miles to the north, and the "Butlers Store" facility 1.75 miles to the south. RF engineers determined a new facility at this location is required to achieve network coverage objectives. See map of existing facilities:



b. A report and supporting technical data demonstrating that all antenna attachments and collocations, including all potentially useable electric utility distribution towers and other elevated structures within the proposed service area and alternative antenna configurations have been examined and found unacceptable. The report should include reasons existing facilities such as utility distribution systems and other elevated structures are not acceptable alternatives to a new freestanding WCF. The report regarding the adequacy of alternative existing facilities or the mitigation of existing facilities to meet the applicant's need or the needs of service providers indicating that no existing wireless communications facility could accommodate the applicant's proposed facility.

The character of the search area is rural residential and vacant/forested land. There are no electric utility distribution towers or other elevated structures in the search area. There is a clearing or cut corridor feature visible in the area but it is a pipeline right of way and has no above-ground structures. The proposed new support structure is necessary due to the lack of existing support structures in the area. See map showing ½-mile radius search area:



c. Why no existing wireless communications facilities located within the geographic search area meet the applicant's engineering requirements.

There are no existing wireless communications facilities located within the geographic search area.

d. Technical data included in the report shall include certification by a registered professional engineer licensed in the Commonwealth of Virginia or other qualified professional, which qualifications shall be included, regarding service gaps or service expansions that are addressed by the proposed WCF, and accompanying maps and calculations demonstrating the need for the proposed WCF.

The proposed facility will provide coverage in the vicinity of Charles Lane, which currently has low to marginal wireless coverage. The applicant notes the following regarding maps, calculations, and other proprietary business information:

Va. Code § 15.2-2316.4:2 provides as follows:

"A. In its receiving, consideration, and processing of a complete application submitted under subsection A of § 15.2-2316.4:1 or for any zoning approval required for a standard process project, a locality shall not:

2. Require an applicant to provide proprietary, confidential, or other business information to justify the need for the project, including propagation maps and telecommunications traffic studies..."

- e. At least one letter of commitment from a wireless communications provider committing to locate on the new freestanding WCF.

The applicant has provided a letter of commitment signed by Verizon Wireless to locate its equipment on the proposed facility.

- (2) Location and geographic search area. A vicinity map delineating the location and classification of all major public or private streets and rights-of-way, driveways, public parking areas, pedestrian ways, trails and bikeways within 500 feet of the subject property's boundary, including zoning district boundaries and the geographic search area overlaid on the map, together with a list of property owners within 1,000 feet in agriculturally zoned (A-1 and A-2 districts) and 500 feet in all other districts of the subject property and keyed to the map. The map shall be prepared at a scale sufficient to clearly identify the required features. A list compiled from Louisa County tax assessment records shall be sufficient compliance with this requirement.

The applicant has provided a vicinity map and list of property owners within 1,000 feet of the subject property.

- (3) Visual impact. The applicant shall provide simulated photographic evidence of the proposed WCF's appearance from any and all residential dwellings or lots within 1,000 feet or vantage points approved by the community development department including the facility types the applicant has considered and the impact on adjacent properties including:

- a. Overall height.
- b. Configuration.
- c. Physical location.
- d. Mass and scale.
- e. Materials and color.
- f. Illumination.
- g. Architectural design.

The applicant conducted a balloon test on October 7th, 2024. A blue balloon, five feet in diameter, was raised to a height of 199 feet from the proposed monopole location. The balloon was then photographed from the public right of way in front of the surrounding residential lots. The applicant has provided a photo simulation package developed from the balloon test depicting the visual impact of the proposed facility on the surrounding area.

The applicant shall provide a statement as to the potential visual and aesthetic impacts of the proposed WCF on all adjacent residential zoning districts. Concealed and monopole-type structures are preferred.

The proposed facility will be 199 feet tall and therefore will be visible from some parts of the surrounding area. However, the facility will be of a monopole design that presents a slim profile; it

will be finished in a neutral, matte galvanized steel color; the FAA will not require illumination; and the equipment compound will be completely screened by existing mature trees and opaque fence. These design features along with the wooded character of the area will minimize the visual impact on the surrounding area. The visual study conducted during the balloon test on October 7, 2024 demonstrated the tower will not be visible from the surrounding area except from the closest houses along Charles Lane.

(4) Height. It is intended that all new WCFs be 199 feet or less in height. Under no circumstance shall any WCF exceed 300 feet. All new WCFs in excess of 199 feet shall be subject to the following additional requirements:

- a. Evidence that the WCF service area will be so substantially compromised that there would be a requirement of additional WCFs within a distance of two miles.
- b. The WCF shall be designed to allow for a future reduction of elevation to no more than 199 feet, or the replacement of the WCF with a monopole- type structure at such time as the wireless network had developed to the point that such heights can be justified.

The proposed WCF is 199 feet tall and is in compliance with this section.

(5) Design for collocation. All freestanding WCFs should be engineered and constructed to accommodate collocation.

The proposed WCF will be designed with structural capacity to accommodate collocation at four (4) levels of the monopole.

(6) Certificate of conformance with FAA regulations. Proof of compliance and documentation of the manner of compliance with 14 C.F.R. Part 77, subpart C, "Standards for Determining Obstructions to Air Navigation or Navigational Aids or Facilities."

The applicant has provided an FAA Determination of No Hazard to Air Navigation letter dated September 30, with this application package.

(7) Conformance with comprehensive plan. All applications must show conformance with the Louisa County Comprehensive Plan.

The Louisa County Comprehensive Plan lays out strategies for growth in Chapter 3: Land Use. The Land Use Plan identifies guiding principle 1. to preserve and protect the County's rural heritage. The proposed WCF is located in an area designated as Rural on the County's Future Land Use Map. The Plan denotes Rural Values and Character in 3.1.1 to include the importance of agriculture, forestry, hunting, and fishing, as well as having jobs that residents can work close to home.

The approval of this Conditional Use request would allow the expansion of high-quality wireless communications that would support existing and future residents, agriculture, and rural activities, all of which increasingly rely on communications infrastructure for everyday life. Wireless communications enable remote work, support advanced agricultural applications, improve processes for commercial business. In addition, the proposed WCF would provide effective access to 911 first responders: fire; EMS; police.

Current and future rural residents in the area would benefit from enhanced wireless communications, while experiencing little impact from the facility. The proposed wireless communications facility would therefore support, and not conflict with Louisa County's Comprehensive Plan.

(8) Site plan required. WCFs greater than 100 feet in height must comply with article IV, division II of this chapter.

The applicant acknowledges compliance with this section.

Sec. 86-667. Conditional use permit requirements.

Where a conditional use permit is required under the provisions of section 86-665, the following provisions shall apply. To the extent necessary to comply with the policies of the county comprehensive plan, an application pursuant to chapter 86 of this Code may be processed and acted upon simultaneously with the process set forth below. The conditional use permit approval process shall generally follow the process set forth in section 86-43 of this Code, with the following additional procedures:

(1) Pre-application meeting. Prior to submitting a conditional use permit application, the applicant shall meet with county staff to discuss the process and requirements of the County Code and the comprehensive plan. At the time of the pre-application meeting, the applicant shall demonstrate that the following notice was mailed via certified U.S. Mail, postage prepaid, to all other wireless service providers licensed to provide service within the county:

"Pursuant to the Louisa County Zoning Ordinance, article I, division V, we are hereby providing you with notice of our intent to meet with county staff in a pre-application meeting to discuss the location of a freestanding wireless communications facility that would be located at _____ (physical address, latitude and longitude, Louisa County tax map number). In general, we plan to construct a support structure _____ feet in height for the purpose of providing _____ (type of service). Please inform county staff if you have any desire to place additional wireless facilities or equipment within a two-mile radius of the proposed facility. Please provide both us and county staff with such information within 20 business days of receipt of this letter. Your cooperation is sincerely appreciated. Sincerely, _____ (name of applicant)."

The applicant met with county staff for a pre-application meeting on September 16, 2024 to discuss the proposed WCF. The applicant provided U.S. Postal Service registered mail receipts as evidence that the above statement was mailed to other wireless providers prior to the meeting. Those receipts are included in this application.

(2) Balloon test. For WCF's proposed to be greater than 100 feet in height; the applicant shall carry out a balloon test prior to submittal of a conditional use permit application. The applicant shall arrange to raise a colored balloon no less than three feet in diameter to the maximum height of the proposed WCF and within 50 horizontal feet of the proposed antenna support structure.

The applicant shall inform county staff and abutting property owners of the date and time of balloon test in writing at least 14 days in advance. The applicant shall cause the date, time, and location of the balloon test to be advertised in a newspaper of general circulation at least seven but no more than 14 days prior to the test date. The balloon shall be flown for at least four consecutive hours during daylight hours on the date chosen. The applicant shall record the weather during the balloon test.

The applicant conducted a balloon test on October 7, 2024 from 8 a.m. until 12 p.m. Written notice of the date and time of the balloon test was mailed to adjacent property owners and sent by electronic mail to county staff and officials on September 20, 2024. A legal notice of the balloon test was published in the September 24, 2024 edition of the Richmond Times-Dispatch. Copies of the notice letter and affidavit of legal notice are included in this application.

(3) Planning commission. The planning commission shall hold a public hearing following notice and advertisement as set forth in Code of Virginia, § 15.2-2204 and make a recommendation to the board of supervisors within 90 days of the date of application, unless the applicant agrees in writing to an extension of the time for a recommendation. Failure to make a recommendation will be construed to be a recommendation of approval to the board of supervisors.

(4) Board of supervisors. Following recommendation of the planning commission, the board of supervisors shall hold a public hearing following notice and advertisement as set forth in Code of Virginia, § 15.2-2204 and approve or disapprove the application.

(5) Final site plan approval.

State law reference(s)— Code of Virginia, §§ 15.2-2204, 15.2-2285(B); 47 U.S.C. § 332(c)(7)(B)(ii).

The applicant notes compliance with subsections (3), (4), and (5) above.

Sec. 86-668. Certificate of compliance or special use permit requirements.

This section is not applicable to this application.

Sec. 86-669. Uses for which no conditional use permit or special use permit is required.

This section is not applicable to this application.

Sec. 86-670. Exempt installations.

This section is not applicable to this application.

Sec. 86-671. Mitigation and replacements.

This section is not applicable to this application.

Sec. 86-672. Development standards for attached, collocated, and combined licensed frequency WCF's.

This section is not applicable to this application.

Sec. 86-673. Setbacks.

New freestanding WCFs and equipment compounds shall be subject to the setbacks prescribed in this section.

- (1) WCFs are subject to the accessory structure setbacks for side and rear yards applicable to the zoning district in which they are located, subject to the provisions contained in this section.

The proposed WCF is located in an A-2 Agricultural district. The side yard setback in this district is 20 feet and the rear yard setback is 35 feet. The closest parcel line to the proposed equipment compound is a side parcel line, 39 feet to the north. The rear parcel line is 305 feet from the proposed compound. The facility is in compliance with the district setbacks.

- (2) For freestanding antenna support structures, if the antenna support structure is to be constructed using breakpoint design technology, the minimum distance from the nearest occupied residential structure, whether or not it is located on the same parcel, must be equal to or greater than 110 percent of the distance from the top of the structure to the breakpoint level of the structure.

The nearest residential structure is 315 feet to the northeast. A breakpoint will be designed at the 159-foot level of the monopole, or 40 feet from the top of the 199-foot overall height structure. 110 percent of the 40 foot distance is 44 feet, therefore, the structure is in compliance with the setback to the nearest residential structure.

- (3) Certification by a registered professional engineer licensed by the commonwealth of the breakpoint design and the design's fall radius must be provided together with the other information required herein from an applicant. The property owner may request a waiver to this requirement as a part of the conditional use permit or special use permit process.

The applicant has provided a letter from Dewberry Engineers certifying the breakpoint design and fall radius of the proposed support structure.

- (4) For freestanding antenna support structures, if the antenna support structure has not been constructed using breakpoint design technology, the minimum distance from the nearest occupied residential structure must be equal to or greater than 110 percent of the height of the proposed antenna support structure.

This subsection is not applicable to this application due to the structure being designed with breakpoint technology.

- (5) Notwithstanding the provisions of section 86-18 of this Code, the road setback for pole-mounted wireless communication facilities in all districts shall be 25 feet from the edge of the easement or right-of-way line. All roads shall be deemed to have a minimum right-of-way width of 50 feet and setbacks should be measured accordingly from the edge of the right-of-way.

The proposed monopole will be set back 515 feet from the Charles Lane right-of-way edge and is therefore in compliance with this subsection.

(6) The setback provisions of section 86-18.1 of this Code are not affected by this subsection.

Section 86-18 of the Code is Reserved

(7) An attached, collocated, or combined WCF is subject to the setbacks of the structure to which it is attached.

If the structure has a lawfully nonconforming setback, then such lawfully nonconforming setback prevails.

This subsection is not applicable to this application.

Sec. 86-674. Development standards for freestanding antenna support structures greater than one hundred feet in height.

(a) Setbacks. New freestanding WCFs and equipment compounds shall be subject to the setbacks prescribed below:

(1) If the antenna support structure has been constructed using breakpoint design technology (section 86-13, definitions), the minimum setback distance shall be equal to 110 percent of the distance from the top of the structure to the breakpoint level of the structure, plus the minimum side or rear yard requirements.

The 199-foot overall height support structure will be designed with a breakpoint at the 159-foot level, or 40 feet from the top. 110 percent of this distance is 44 feet. The side yard requirement in the A-2 Agriculture district is 20 feet. The combined side yard and fall zone distance is 64 feet. The monopole will be located 64 feet from the closest side property line. All other property lines are greater than 300 feet away. Therefore, the proposed support structure is in compliance with this subsection.

(2) Certification by a registered professional engineer licensed by the State of Virginia of the breakpoint design and the design's fall radius must be provided together with the other information required herein from an applicant.

The applicant has provided a letter from Dewberry Engineers certifying the breakpoint design and fall radius of the proposed support structure.

(3) If the antenna support structure has not been constructed using breakpoint design technology, the minimum setback distance shall be equal to 110 percent of the height of the proposed antenna support structure.

This subsection is not applicable to this application due to the structure being designed with breakpoint technology.

(4) However, in all instances, the minimum setback distance from the setback line of any residentially zoned property, with an inhabited residence or proposed residences, shall be at least 200 percent of the height of the entire proposed structure.

All nearby parcels are similarly zoned A-2 Agriculture districts including those with inhabited residences. Therefore, the proposed WCF is in compliance with this subsection.

(b) Equipment cabinets. Cabinets shall not be visible from the path of travel on the nearest public or private road. Cabinets may be provided within the principal building, behind a screen on a rooftop, or on the ground within the fenced-in and screened equipment compound.

All equipment cabinets will be concealed behind opaque fencing on the ground within the equipment compound and will not be visible from outside the equipment compound.

(c) Fencing. All equipment compounds shall be enclosed with a fence, or wall, and gate, at least six feet in height. ***The applicant is proposing an eight (8)-foot fence, topped with an additional one (1)-foot of barbed wire strand as an anti-climbing device.***

(d) Screening buffers. A screening buffer, with a minimum buffer width of ten feet, shall be provided around all antenna support structures and equipment compounds. Screening shall meet the following standards:

(1) Landscaping consisting of one evergreen tree every ten linear feet on average, or an eight-foot tall opaque fence and gate(s), subject to the following standards:

- a. No invasive plant species may be planted.
- b. Required evergreen trees shall be planted at a minimum height of six feet.
- c. More than one species of tree shall be used when planting a landscape screen.
- d. Fences shall be constructed of wood, wrought iron, or masonry materials.
- e. Fences used to meet the screening requirements of this subsection may be counted towards meeting the requirement of subsection (b).

(2) An evergreen hedge row planted adjacent to any road, street, or private lane, subject to the following criteria:

- a. No invasive species may be planted.
- b. Required shrubs shall be planted at a minimum height of 24 inches tall or minimum container size of three gallons.
- c. More than one species of shrub shall be used.

(3) When existing site conditions restrict or significantly limit the implementation of the above design standards or substantially comply with the above standards, an alternative design may be accepted by the zoning administrator, provided that it substantially complies with this subsection.

The proposed WCF will be located on a completely wooded parcel, set back 515 feet from the public right of way (Charles Lane.) Due to the existing heavily wooded site conditions the lower portion of the facility will be completely screened from offsite views. The existing dense woods also prohibit implementation of a planted landscape buffer as there is not enough light for plantings to grow. The applicant is proposing an 8-foot chain link fence with opaque slats to further screen the facility from view. This design would be in substantial compliance with the screening requirements of this subsection.

(e) Signage. Commercial messages shall not be displayed on any WCF. In addition to the provisions of article VI of chapter 86 of this Code, noncommercial signage shall be subject to the following:

(1) The only signage that is permitted upon an antenna support structure, equipment cabinets, or fence shall be informational, and for the purpose of identifying the antenna support structure (such as ASR registration number), as well as the party responsible for the operation and maintenance of the facility; i.e., the address and telephone number, security or safety signs, and property manager signs (if applicable).

The applicant affirms compliance with these requirements and has provided sign details with emergency contact information on Sheet Z-5 of the Plans.

(2) If more than 220 voltage is necessary for the operation of the facility and is present in a ground grid or in the antenna support structure, signs located every 20 feet and attached to the fence or wall shall display in large, bold, high contract letters (minimum height of each letter four inches) the following: "HIGH VOLTAGE - DANGER."

The applicant affirms compliance with this subsection.

(f) Lighting. Lighting on WCFs shall not exceed the Federal Aviation Administration (FAA) minimum standards. All other lighting shall be subject to the following requirements:

(1) Any lighting required by the FAA must be of the minimum intensity and number of flashes per minute (i.e., the longest duration between flashes) allowable by the FAA. Dual lighting standards are required and strobe light standards are prohibited unless required by the FAA. The lights shall be oriented so as not to project directly onto surrounding property, consistent with FAA requirements.

(2) Any security lighting for on-ground facilities and equipment shall be in compliance with dark sky lighting standards as approved by the County.

Due to the 199-foot overall height of the support structure no lighting is required by the FAA, and the applicant affirms no lighting will be placed on the support structure. The applicant affirms any lighting within the equipment compound will comply with this subsection.

(g) Equipment compound. An equipment compound shall not be used for the storage of any excess equipment or hazardous materials. No outdoor storage yards shall be allowed in a WCF equipment compound, nor shall compound be used as habitation.

The applicant affirms compliance with this subsection.

(h) Compliance with federal standards. All WCFs must at all times comply with all state and federal standards for interference protection and emissions of electromagnetic radiation.

The applicant affirms compliance with this subsection.

(i) Sounds. No unusual sound emissions such as alarms, bells, buzzers, or the like are permitted. Generators shall not be stored or operated at WCFs except during power outages.

The applicant affirms compliance that no unusual sounds will be emitted from the compound. Verizon Wireless, and possibly future collocators, will install a sound-attenuated 30kW diesel emergency backup power generator that will operate in the case of electrical power failure. The generator will also cycle periodically to test functionality, generally twice per month for a period of 30 minutes. This equipment testing is necessary to ensure communications availability in emergency situations such as storms when citizens and emergency responders must have access to wireless networks.

(j) Parking. One parking space is required for each antenna support structure or equipment compound. The space must be provided within the leased area, the equipment compound, or the development area shown on the site plan.

The applicant has made provision for a flexible turnaround area that may be used for parking, shown on Sheet Z-3 of the Plans.

Sec. 86-675. Abandoned and nuisance structures.

(a) Owner's responsibility. It is the responsibility of the owner of a wireless communication facility to maintain it in safe and usable condition and remove it once its useful life has ended. The board of supervisors finds and declares that wireless communication facilities that fall into disrepair and become unsafe are a danger to the public health, safety, and general welfare.

(b) Notice to repair. If the county determines that a wireless communication facility is in unsafe condition, the county administrator may issue a written notice to the owner of the wireless communication facility or the property on which it is located, or both, demanding that the nuisance be abated within 30 days or such period of time as the county building official may determine is reasonable.

(c) Abatement of nuisance by judicial action. If a wireless communication facility is in unsafe condition and the owner does not abate the nuisance in accordance with subsection (b) above, the county attorney may institute action in the appropriate court to enjoin the nuisance. This subsection does not in any way limit other remedies that the county may pursue.

(d) Immediate nuisance. Notwithstanding the provisions of subsections (b) and (c) above, if the county building official determines that a wireless communication facility presents an imminent and immediate threat to life or property, then the county administrator may cause such facility to be abated, razed, or removed, and the county attorney may institute action in the appropriate court to recover necessary costs incurred for the removal and for any public emergency services reasonably required to abate the nuisance.

State law reference(s)—Code of Virginia, § 15.2-900.

The applicant affirms compliance with this section.

Secs. 86-676—86-681. Reserved

Conclusion:

Arcola Towers is confident that the proposed Wireless Communication Facility meets the Land Development Regulations' criteria for approval of Conditional Use Permits and is in accord with the goals and objectives set forth in Louisa County's Comprehensive Plan. Approval of this application will support the provision of Verizon's full range of wireless communications and data services within an area of the County that currently needs greater access to high quality voice, data and broadband services. While this facility will directly benefit customers in close proximity to this site, it will also facilitate greater improvements to Verizon's overall network in Louisa County by offloading strains on other existing facilities in nearby areas. This is because the total number of users who are relying on services currently provided by neighboring on-air sites will be reduced, which means those sites will then have fewer users that are competing for access to the network.

The tower serving this facility will meet the County's design preferences of a galvanized finish and it will also employ a monopole structural design, which has a smaller profile than self-supporting lattice structures. The base station cabinet, generator and H-frame stand will be screened from off-site views by the wooded character and rolling topography surrounding the facility. Therefore, it will not impose any unexpected, adverse impacts upon the neighboring properties or the adjacent roadways.

Sincerely,



Stuart P. Squier, AICP
GDNsites
Site Development Consultant to Arcola Towers and Verizon Wireless