



COUNTY OF LOUISA

COMMUNITY DEVELOPMENT

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TO: Members, Louisa County Planning Commission
FROM: Staff, Community Development Department
SUBJECT: CUP2025-08 American Tower Asset Sub II, LLC
DATE: September 30, 2025

American Tower Asset Sub II, LLC, Applicant; 4 All Land, LLC, Owner; Lori H. Schweller, Agent requests the following:

- 15.2-2232 Review for Conformance with the Comprehensive Plan of a planned Public Facility (Civic Use and Wireless Communication Facility)
- Amendment of Conditional Use Permit (CUP) 1994-03 to eliminate condition 8 which prohibits the transfer of the Conditional Use Permit to another applicant or owner.
- Amendment of Conditional Use Permit (CUP) 1994-03 condition 10 which requires removal of the tower within ninety (90) days of a violation of the Conditional Use Permit.

15.2-2232 Review for Conformance with the Comprehensive Plan does not appear to have been required or action taken with original approval. As the Conditional Use Permit was requested to be amended, the 15.2-2232 review is required to be completed on new applications.

The Louisa County Board of Supervisors approved CUP1994-03 for Southwestern Bell Mobile Systems, Inc. T/A Cellular One on July 5, 1994, with twelve (12) conditions of which the applicant has requested to amend the following:

1. Condition 8 states “The Conditional Use Permit is not transferable to another applicant or owner”. It has come to Staff’s attention that the tower operator and landowner has changed over the years. The requested updates to the Conditional Use Permit would allow the tower to remain in operation.
2. Condition 10 states “Permit Revocation – violation of any condition of this permit shall be grounds for revocation of the Condition Use Permit. If a violation does occur, Southwestern Bell Mobile Systems, Inc. will have ninety (90) days in which to remove the tower.” The applicant would like to update the condition to eliminate the requirement of the tower being removed within 90 days. Proposed replacement language currently used by staff is bolded in the conditions updated within this report.

A Neighborhood Meeting was held in the Louisa County Public Meeting Room on August 13, 2025, at which one (1) individual attended for clarification on the application.

The property is located on Chopping Road (Route 623), approximately .87 miles from Davis Highway (Route 22) and is further identified as tax map parcel 42-34 zoned Agricultural A-2, in the

Mineral Election District. The 2040 Louisa County Comprehensive Plan designates this area as rural, outside of the Growth Areas.

The majority of the existing conditions are inapplicable as the facility is already constructed. The applicant's preference is to remove/amend conditions 8 & 10 as shown below.

1. That the site be developed according to all Agricultural (A) District regulations.
2. That development be in accordance with a site plan approved by Louisa County.
3. That all necessary permits be secured from the Louisa County Zoning/Building Department.
4. Prior to release of the building permit for the tower or the building, a copy of FAA approval shall be submitted to the Planning Office.
5. The operation of this tower shall not interfere with any other communication system including, but not limited to, television, radio, microwave, and satellite transmissions or use of any electric equipment in the County.
6. Any UHF, VHF or other type of transmitters/receivers that would interfere with the County's Emergency communications to be prohibited from this tower.
7. The tower shall be painted and lit in accordance with FAA regulations.
8. ~~The Conditional Use Permit is not transferable to another applicant or owner.~~
9. Inspections – the Board of Supervisors or their designated representatives reserves the right to inspect the site at any reasonable time without prior notice.
10. ~~Permit Revocation – violation of any condition of this permit shall be grounds for revocation of the Condition Use Permit. If a violation does occur, Southwestern Bell Mobile Systems, Inc. will have ninety (90) days in which to remove the tower.~~

Violation of any conditions contained herein shall be grounds for revocation of the Conditional Use Permit.

11. Space shall be reserved on the tower, (up to 300' or higher as long as it does not cause interference), for Louisa County Emergency Services use at no cost to the County. In addition, the applicant will provide suitable communications equipment to enhance emergency services in Louisa County as an in-kind contribution to the Volunteer Fire and Rescue Organizations, with additional costs not to exceed \$10,000 wholesale price, and said contribution would be transferable and cumulative to another tower if it is not needed at this site. Equipment shall be in accordance with specifications from the Emergency Services Coordinator.
12. An emergency number be provided for Louisa County cellular users to connect them directly to the Sheriff's Department until the E-911 system is implemented in Louisa County.

TEXT LEGEND

Bolded Text = To Be Added

Regular Text = To Remain

~~Strikethrough~~ = To Be Removed

Should you have any questions or desire additional information, please contact our office.

Attachments

1. Application
2. Structural Analysis