

# Amending the Tower Ordinance

Richmond County, NC

# A Knee Jerk Reaction

- 1989 cell towers still new to the Rural Landscape
- One is all it takes
- Pass Something QUICK!!!
- Then your stuck with what you got



# Richmond County Tower Ordinance

- A bit difficult to understand
- Commissioners act as approval body
- Standards are not really enforceable

# Current Standards

- Applies to all towers:
  - Cell Towers
  - Internet and two way radio towers
  - AM/FM Towers???
  - Ham Radio Towers???
- Fall Zone – 1.5 X the height
- Limit of 200' height
- Appearance Standards

# Enforcement

- Initially
  - Poor enforcement in initial years
  - Variances issued for most everything
- Currently
  - Stronger Administration of Code
  - Issues become apparent
  - Enforce bad law to get rid of it.

# Draft Proposal

- Make approvals a Conditional Use
- Allow for taller towers per CUP approval
- Classify Towers
  - Cell
  - Governmental
  - Others (Internet, Ham)

# Draft Proposal cont.

- Fall Zone
  - Guyed towers can have a small fall zone -  $.75 X$  height
  - Self Supporting –  $1 X$  height
- Fee Structure - ????
- Encourage Co-Location????
- Require Periodic Inspections????

# Draft Proposal cont.

- Exemptions

- AM/FM Towers – regulated by FCC

- Ham and Personal Towers (Antenna)

**§ 153A-341.2. Reasonable accommodation of amateur radio antennas.**

- A county ordinance based on health, safety, or aesthetic considerations that regulates the placement, screening, or height of the antennas or support structures of amateur radio operators must reasonably accommodate amateur radio communications and must represent the minimum practicable regulation necessary to accomplish the purpose of the county. A county may not restrict antennas or antenna support structures of amateur radio operators to heights of 90 feet or lower unless the restriction is necessary to achieve a clearly defined health, safety, or aesthetic objective of the county. (2007-147, s. 2.)

# Draft Proposal cont.

- Cell Towers
  - Increase Fee – Proposing \$2,500 per tower
  - Require Co-Location Study
  - Require Propagation Maps