

Sec. 4-6.57A Wireless Communication/Digital Television Tower Overlay District.

Intent: To provide for the location of a Wireless Communication Tower or a Digital Television Tower in R-A zoned areas where no alternative exists whereby service can be provided to a given area.

Creation of District: In order to create a WT zoning district, the following requirements shall be complied with:

- (1) For Telecommunication Towers, the applicant has submitted with the application for rezoning the following information:
 - (a) Computer modeling drawings showing the area without coverage, or documentation by a licensed engineer that the site is the only location that would provide coverage.
 - (b) The size and location of the area that the proposed tower would serve.
- (2) The property to be rezoned to a WT classification is currently zoned R-A.
- (3) The minimum size WT zoning district shall be as follows:
 - (a) Stealth designed towers may be allowed within established WT overlay districts as approved by MPC under the provisions of Sec. 4-6.5 Planned Development Districts. Non-stealth designed telecommunications tower structures (tower and/or antennas) 180 feet or less above the established grade at the base of the tower shall be part of a parcel that contains not less than 10 acres.
 - (b) Digital Television (DTV) towers shall be located on a parcel of not less than 100 acres.
- (4) DTV towers shall be located within one-mile of an existing analog television tower and shall be set back from the adjoining property line by at least the distance of 3/4 the height of the overall tower and any antenna extending higher than the tower or as approved by MPC based on the potential fall zone area being totally located on the subject property.
- (5) The applicant has demonstrated that the following conditions exist:
 - (a) There is no adjacent or nearby zoning district permitting tower development which would serve the area requiring service.

- (b) The proposed site is not located within 1,000 feet of a residential use.
- (c) There is no existing structure within the proposed service area that could serve as an alternative tower structure.

Designation of a WT District on the Official Zoning Map:

An approved WT zoning district shall have the letters "WT" affixed on the official zoning map. Such letters shall follow the "R-A" designation (i.e. R-A-WT).

Standards for WT Districts: All telecommunication towers erected in WT districts shall comply with the requirements and provisions of the Standards For Commercial Wireless Telecommunications Antennas and Towers Ordinance of Chatham County and all other requirements of the R-A district. Where a conflict exists between such requirements, the more restrictive shall be required.

Sec. 4-6.58 No Development Activity to Occur Until Specific Development Plan Approved.

No property within a Planned District shall be cleared or subdivided until after a Specific Development Plan or plat has been approved as provided for herein. Following approval of a Specific Development Plan, all clearing and subdivision activity shall be consistent with the approved plan.

Sec. 4-6.59 Variances.

Development standards shall be applied as provided elsewhere in this chapter for the particular district. All variances approved by the Chatham County Commission as part of a general development plan shall be noted on the specific development plan. For specific development plans not requiring approval by the Chatham County Commission, variances may be approved by the MPC, or by the MPC Staff, as appropriate, and shall be so certified by the MPC Executive Director. Variances from the requirements of this chapter may be approved at the request of the developer on a finding that such variances would:

- (1) Be in keeping with the overall character of the area.
- (2) Would not be contrary to the purpose and intent of this chapter.
- (3) Would not be detrimental to existing or proposed surrounding uses.
- (4) Would serve public purposes to a degree equal to or greater than the standards replaced.