

**Unapproved Minutes of the June 3, 2020
Planning Commission Regular Meeting**

ORD-20-0008. Proposed Ordinance and Policy Amendments to Address Code of Virginia Changes Regarding Wireless Communication Facilities

Mr. Tom Leininger, Planner stated that in 2017 and 2018, the General Assembly passed legislation requiring changes to how local Zoning Ordinances may treat applications for wireless communications facilities. Mr. Leininger stated that those changes, combined with recent Federal Communications Commission (FCC) decisions are intended to support the deployment of 5G technology. Mr. Leininger stated that during a series of Policy Committee meetings, staff presented the draft Zoning Ordinance language amendments to the following sections: definitions, Division 6 Communication Facilities, each district's use list and the policy for Performance Standards for Communication Facilities, Antennas, Towers and Support Structures that require Special Use Permits.

Mr. Leininger stated that staff propose a series of updates to the sections including additional definitions based on State and Federal changes, overall changes to Division 6 to ensure that the County complies with State and FCC regulations, and amendments to the use list for each Zoning District to ensure that the use list does not conflict with Division 6. Mr. Leininger further stated that staff proposed changes to the policy titled "Performance Standards for Communications Facilities, Antennas, Towers, and Support Structures (CATS) That Require a Special Use Permit," dated November 8, 2016, and endorsed by the Board of Supervisors. Mr. Leininger stated that the amendments to the policy include removing text that is covered by the Zoning Ordinance and removing text that is prohibited by State Code.

Mr. Leininger stated that prior to the final Policy Committee meeting, the County's legal consultant reviewed the draft Ordinance and definition changes for consistency with State Code and FCC regulations. Mr. Leininger stated that the review produced additional minor edits clarifying the timelines for application reviews in Section 24-128(c), and added additional definitions.

Mr. Leininger stated that at its December 4, 2019 meeting, the Planning Commission adopted the Initiating Resolution by a vote of 6-0.

Mr. Leininger further stated that at the February 13, 2020 Policy Committee meeting, the committee voted to recommend approval of the draft ordinance changes for wireless communications to the Planning Commission and Board of Supervisors by a vote of 3-0.

Mr. Leininger stated that staff recommends that the Planning Commission recommend approval of the draft zoning ordinance language for wireless communication facilities to the Board of Supervisors.

Mr. Krapf opened the Public Hearing.

Mr. Krapf inquired if any public comments or speaker cards were submitted for this application.

Mr. Holt stated that no speaker cards or public comments had been submitted.

As no one wished to speak, Mr. Krapf closed the Public Hearing.

Mr. Krapf opened the floor for discussion by the Commission.

Mr. Haldeman stated that he was sorry to lose the section regarding performance standards.

Ms. Leverenz commended staff for the thorough update to a complex Ordinance.

Ms. Julia Leverenz made a motion to recommend approval of the Ordinance Amendment.

On a roll call vote the Commission voted to recommend approval of ORD-20-0008. Proposed Ordinance and Policy Amendments to Address Code of Virginia Changes Regarding Wireless Communication Facilities. (6-1)