

ORDINANCE NUMBER 21-11-09

AN ORDINANCE AMENDING CHAPTER 92 ZONING REGULATIONS OF THE TOWN OF LAKE LURE CODE OF ORDINANCES CONCERNING REVISIONS TO 92.042(D) (SECTION 4) (7) TO ADDRESS CURRENT ENGINEERING STANDARDS FOR CONSTRUCTING CELL TOWERS THAT IN CASE OF STRUCTURAL FAILURE WILL FALL WITHIN A CONFINED ZONE

WHEREAS, The Town of Lake Lure requires a critical need to enhance cellular signal availability access for the purposes of public access to cell coverage and for public safety; and

WHEREAS, Town staff believes that current setback requirements of the Code of Ordinances are outdated and do not reflect standard engineered tower fall zone designs; and

WHEREAS, Town staff believes that the current setback requirements have had a negative impact on obtaining needed cellular coverage; now

THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAKE LURE, NORTH CAROLINA, MEETING IN REGULAR SESSION AND WITH A MAJORITY OF TOWN COUNCIL VOTING IN THE AFFIRMATIVE.

SECTION ONE. §92.042(D) (4) (7) of the Zoning Regulation of the Town of Lake Lure are hereby amended as follows:

[ADDITIONS TO TEXT ARE UNDERLINED; DELETIONS ARE ~~STRUCK THROUGH~~.]

(7a) Setback requirements (engineered fall zone facilities).

(a) A tower shall be separated from other on-site and off-site towers and supporting structures such that one tower will not strike another tower or its support structure if it falls. Towers shall be set back from property lines in accordance with the twice the setback requirements for the district or 110 percent of the documented engineered fall zone, whichever is greater. Additionally, telecommunications towers must set back from any residential districts or uses a distance equivalent to the fall radius of the tower being erected times ten percent.

Adopted this 9th day of November, 2021.

ATTEST:

Olivia Stewman
Town Clerk

Carol C. Pritchett
Mayor

Approved as to content & form:

William C. Morgan, Jr.
Town Attorney

