

April 16, 2024  
Planning Commission  
Public Hearing

**A RESOLUTION OF DENIAL OF TEXT AMENDMENT ZOTA-23-1 PURSUANT TO SECTION 11-3.9.2 OF THE ZONING ORDINANCE OF THE TOWN OF WARRENTON FOR A ZONING ORDINANCE TEXT AMENDMENT TO ARTICLE 9, SECTION 9-18 TELECOMMUNICATIONS FACILITIES, SECTION 9-18.10 SETBACKS TO PERMIT A SETBACK LESS THAN ONE HUNDRED (100) PERCENT OF THE TOWER HEIGHT IN ALL ZONING DISTRICTS WITH THE CERTIFICATION OF A PROFESSIONAL ENGINEER**

**WHEREAS**, Warrenton, VA (Hereinafter "the Town") is a municipal corporation located within the County of Fauquier; and

**WHEREAS**, the Warrenton Town Council may, by ordinance, amend, supplement, or change the regulations of the Zoning Ordinance of the Town whenever the public necessity, convenience, general welfare or good zoning practice may require such an amendment; and

**WHEREAS**, Zoning Ordinance Article 3 allows communications towers as a Permissible Use with the approval of a Special Use Permit by Town Council within all Zoning Districts; and

**WHEREAS**, Zoning Ordinance Article 9, Section 9-18 Telecommunications Facilities, Section 9-18.10 Setbacks, requires that all telecommunications towers be set back from property lines a distance equal to one hundred (100) percent of the tower height; and

**WHEREAS**, the Applicant, Arcola Towers, LLC and their Representative Mr. James Downey, submitted an application to initiate a Text Amendment to the Zoning Ordinance in accordance with the procedures set forth in Article 11, Section 11-3.9 Zoning Amendments on June 7, 2023; and

**WHEREAS**, the Applicant is requesting that the setback requirement for telecommunications towers may be reduced to less than one hundred (100) percent of the tower height, to equal the height of the certified fall zone as attested by a Virginia licensed Professional Engineer in all Zoning Districts as a part of the Special Use Permit process; and

**WHEREAS**, the Warrenton Planning Commission held a public hearing on this matter on April 16, 2024, and issued a recommendation of approval; and

**WHEREAS**, on June 11, 2024, the Warrenton Town Council conducted a public hearing on this matter and considered oral and written testimony; and

**WHEREAS**, the Warrenton Town Council finds that per the Code of Virginia Section 15.2-2286.A.7, this text amendment is **not** in the best interest of public necessity, convenience, general welfare, and good zoning practice; now, therefore, be it

**RESOLVED**, that on this day, June 11, 2024, that the Warrenton Town Council hereby denies the requested text amendment.

**Votes:**

**Ayes:**

**Nays:**

**Absent from Vote:**

**Absent from Meeting:**

**For Information:**

Community Development Director,  
Town Attorney

**ATTEST:** \_\_\_\_\_  
Town Recorder