



**ZOTA-23-1 - Telecommunication Tower Setbacks  
in the PSP District**

Planning Commission Public Hearing  
February 20, 2024

## Request – Zoning Ordinance Text Amendment

Reduce the setback requirement for telecommunication towers in the Public-Semi-Public (PSP) District to less than 100% of the tower height.

Zoning Ordinance Article 9, Section 9-18 - Telecommunications Facilities

- Section 9-18.10 – Setbacks

*Towers shall be set back a distance of at least one hundred (100) percent of the height of the tower from the boundaries of the property on which the tower is located.*

Applicant - Proposed Text Language:

*Towers shall be set back a distance of at least one hundred (100) percent of the height of the tower from the boundaries of the property on which the tower is located. On properties located in a PSP District (Public-Semi-Public Institutional District), towers shall only be required to be setback a distance of at least one hundred (100) percent of the certified fall zone, as certified by a Virginia Professional Engineer in a letter which includes the Professional Engineer's signature and seal.*

## Zoning Ordinance Requirements - Communications Towers

### Article 3 – Section 3-4 - *Requirements for Base Zoning Districts*

- Communications Towers are allowed in all Zoning Districts with the approval of a Special Use Permit by Town Council.
- Historic District – Certificate of Appropriateness.

### Article 9 – Section 9-18 – *Telecommunications Facilities*

- Standards for lighting, screening, fencing, setbacks.

### Article 11 – Section 11-3.10 – *Special Use Permits and Waivers*

- Application process, evaluation criteria.

### Article 10 – *Site Development Plans*

- Administrative application & approval process, minimum standards required – landscaping, screening, lighting, fencing, access, bonding.

### Article 11 – *Zoning, Building & Land Disturbing Permits*

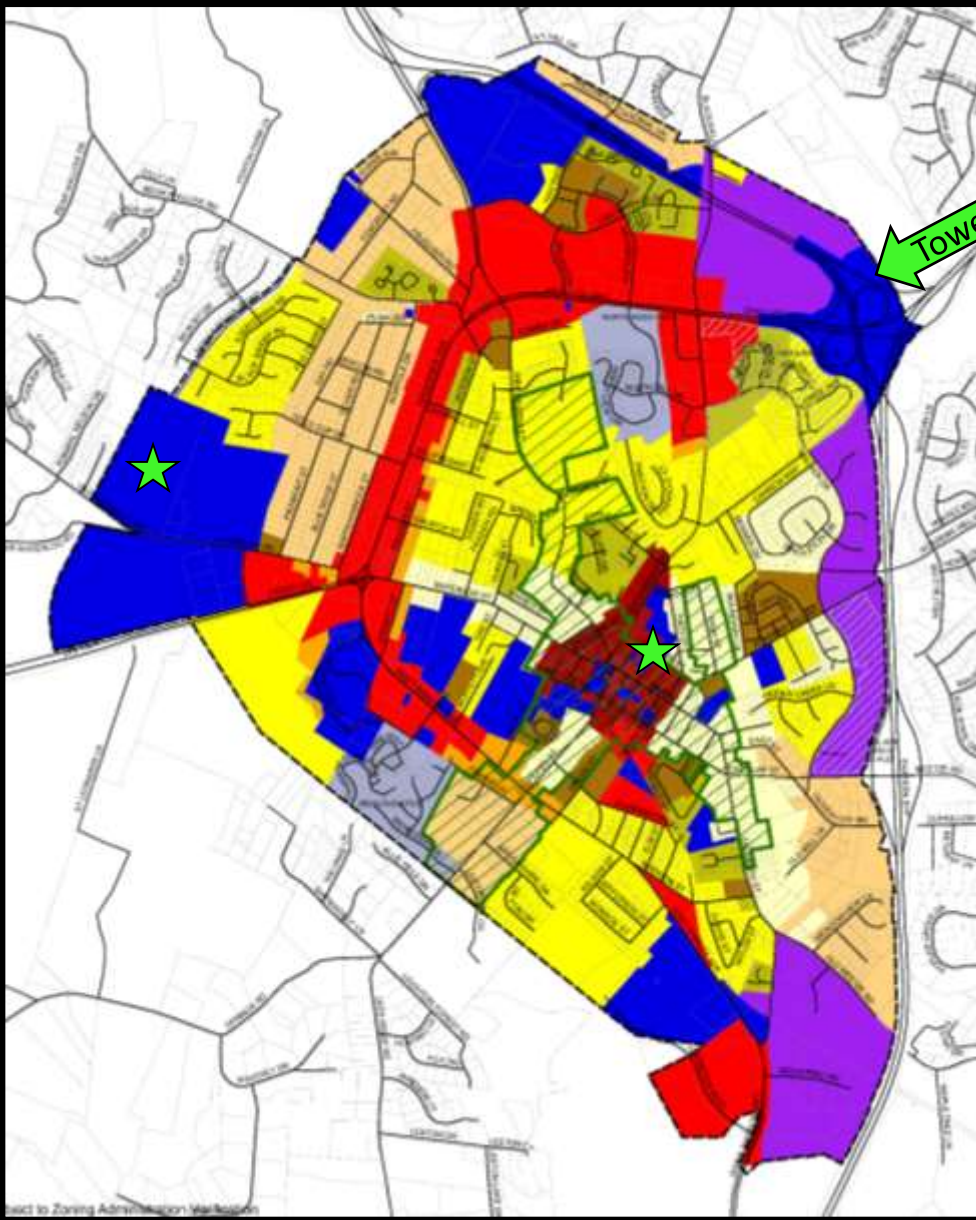
- Administrative application & approval process, standards for issuance.

**Fall Zone** – The maximum distance that a tower could potentially collapse, as measured from the center point of a tower.

**Certified Fall Zone** – The maximum distance that a tower could potentially collapse, as certified by a Professional Engineer, that is generally less than the full height of the tower due to the physical properties of the tower.

**Break-Point Technology** – A method of designing a tower where a point of failure is chosen, and then that point is designed to be more susceptible to failure, or, the tower structure from that selected point down to the foundation is strengthened, so that in either case should the tower fail due to wind or other conditions, the tower will fold over on itself at that breaking point.





## ★ Existing Tower Locations

- Fauquier High School
- Horner/N. 4<sup>th</sup> Street Water Tower

Zoning Ordinance Article 3, Section 3-4.9 – PSP District  
Section 3-4.9.3 – Permissible Uses – Communications Towers

- Requires approval of a Special Use Permit by Town Council

Zoning Ordinance Article 9, Section 9-18 – Telecommunications Facilities

- Governs appearance, lighting, security, landscaping, setbacks, other
- Section 9-18.10 – Setbacks – requires a setback equal to the full height of the tower.

## Text Amendment Process:

- Text Amendment Initiated by Citizen Request – June 7, 2023
- Planning Commission – 1<sup>st</sup> Work Session – November 28, 2023
- Planning Commission – 1<sup>st</sup> Public Hearing – December 19, 2023
  - 100 Day Clock (November 28, 2023 – March 7, 2024)
- Town Council
  - Work Session or Public Hearing – as directed
  - Final Decision on ordinance language

### Potential Actions:

- Denial
  - Pattern motion of denial provided.
- Approval
  - Pattern motion of approval provided to state Applicant's proposed language.
  - Pattern motion of approval provided to state Staff's proposed language.
- Deferral
  - 100-day deadline for action ends March 7, 2024.
  - The Commission may grant a further deferral if formally requested by the Applicant, where the applicant waives the 100-day action deadline.



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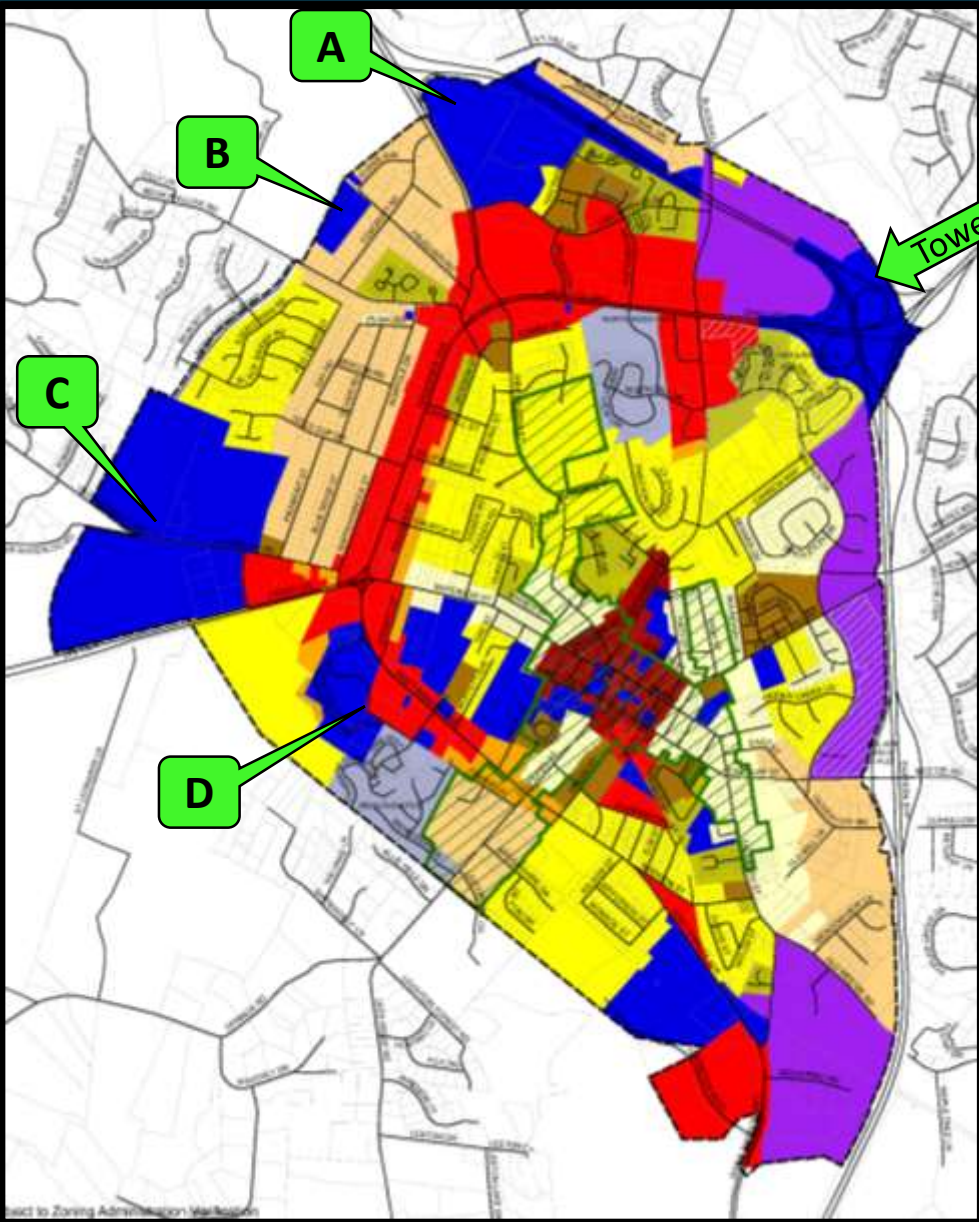
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**Telecommunications Facilities – Setback Requirements**

*Setback reduction allowed to less than the full height of the tower.*

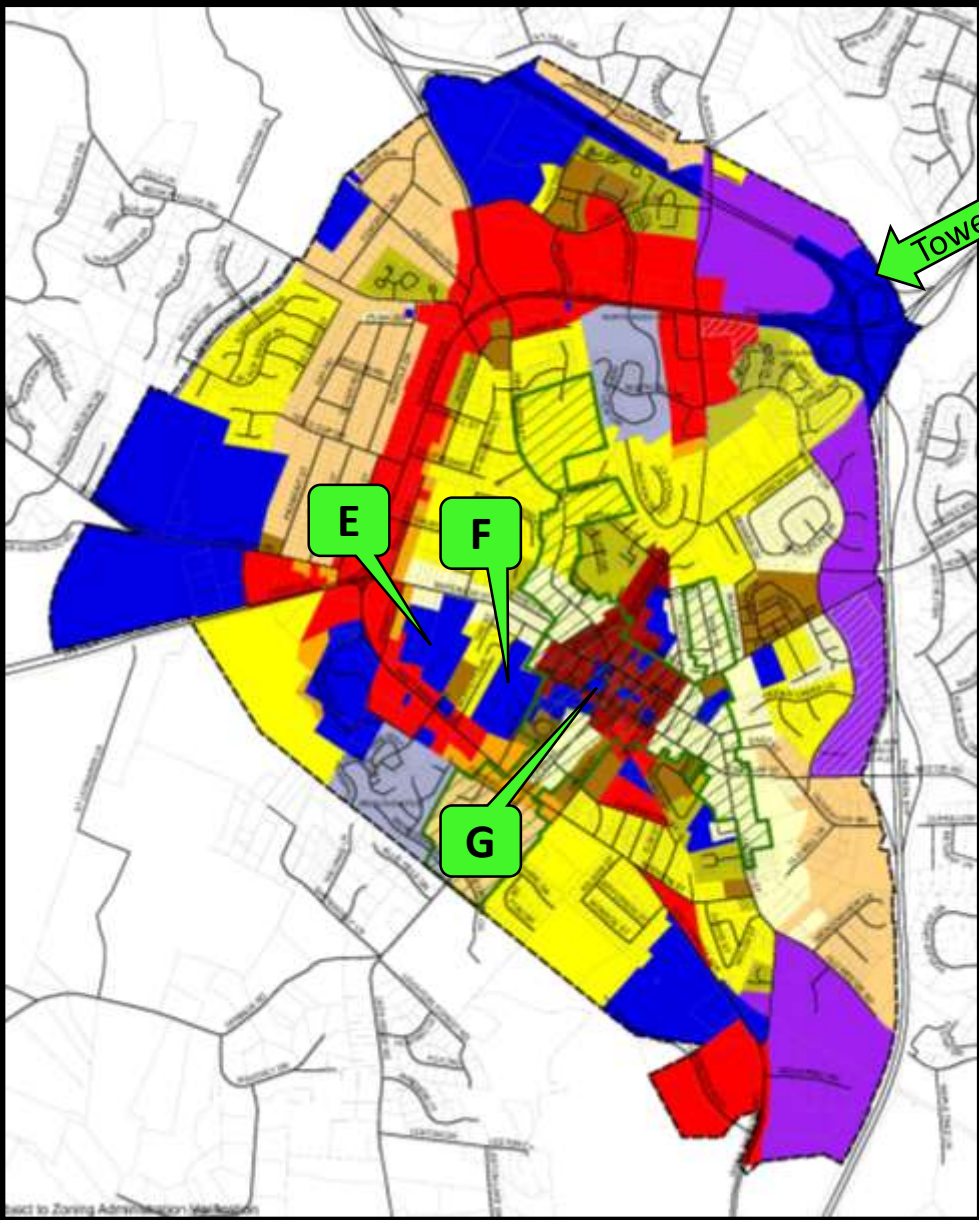
Jurisdiction	Setback Reduction Allowed	Setback Requirements
Fairfax City	Yes	Minimum setback equal to 110% of the tower height, except for monopoles certified by an engineer where the setback is reduced to the minimum setback for the district.
Fauquier County	Yes	Towers must be set back a distance equal to the height of the tower, except where the setback is reduced to no less than the fall zone as determined by an engineering design as a part of the legislative approval process.
Culpeper County	No	Towers must be designed to collapse within the lot lines.
Town of Culpeper	No	Towers must be set back at least the minimum setback for the district, and must be designed to fall within the boundaries of the property, except where a permanent easement is obtained from an adjoining property owner. No habitable structure shall be located within the fall zone.
Prince William County	No	Setback of twice the tower height for all property lines that abut residential or agricultural properties; minimum setback of 200 feet from all public streets, with an additional setback equal to the tower height for all towers over 200 feet in height. The tower must be designed to collapse within the property boundaries.
Rappahannock County	No	For any tower over 50 feet in height, a minimum setback equal to 110% of the tower height is required, and must be contained entirely within the subject property. Within the setback, the property owner may erect structures at their own risk.
Spotsylvania County	Yes	Towers must be set back from property lines at least the minimum setback for the district. A certified engineering statement must be provided to specify the tower design, including breakpoints.
Loudoun County	Yes	Public towers must be set back equal to the height of the tower. Commercial monopoles and towers must be set back 1 foot for every 5 feet of tower height.



## PSP Zoning District Locations

**499.24 Acres**  
**405.13 Acres Tax Parcel Land (Less R-O-W Areas)**

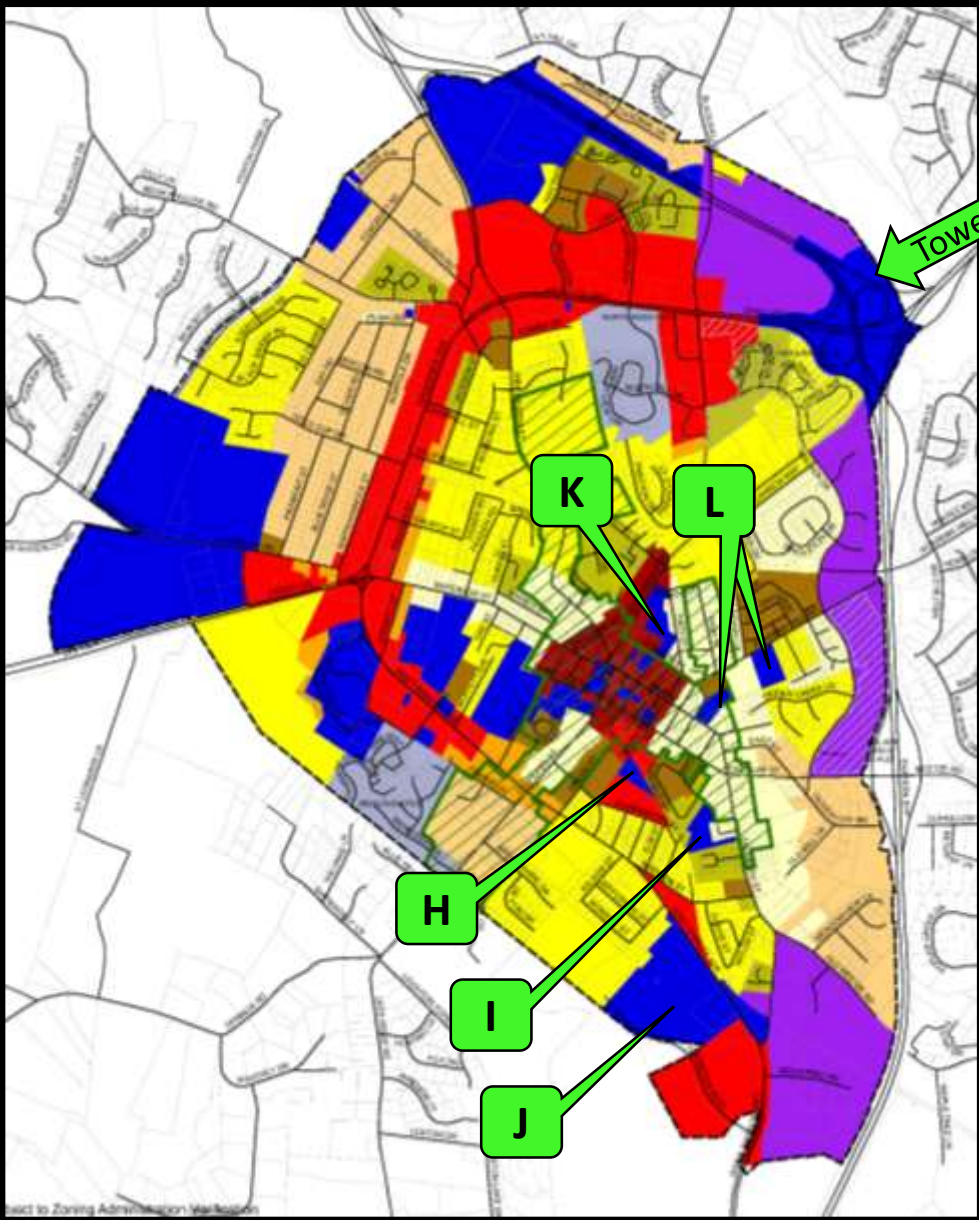
- A** 597 Broadview Ave. – Highland School, 40.9 ac (total – 2 parcels)  
 674 Bradley School Rd. – CM Bradley Elementary, 21.3 ac  
 800 Blackwell Rd. – Residential Use (Brittle), 0.8 ac
- B** 550 Evans Dr. – Town of Warrenton, 0.4 ac  
 540 Evans Dr. – Rady Park, 7.2 ac  
 366 Norfolk Dr. – Town of Warrenton, 0.3 ac
- C** 705 Waterloo Rd. – Fauquier High School, 93.5 ac (total – 4 parcels)  
 692 Waterloo Rd. – The Armory (State), 5 ac  
 675 Van Roijen St. – State Gov., 2.6 ac  
 731 Frost Ave. – Sewage Treatment Plant, 8.2 ac (total – 2 parcels)  
 800 Waterloo Rd. – WARF, Athletic Fields, 64.5 ac
- D** 167 W. Shirley Ave. – Warrenton Rescue Squad, 1.4 ac (total – 6 parcels)  
 330 Hospital Dr. – Health Department, 0.7 ac  
 340 Hospital Dr. – Mental Health Center, 1 ac  
 500 Hospital Dr. – Fauquier Medical Center, 28.3 ac (total – 4 parcels)  
 555 Hospital Dr. – Medical Office (Tophatt Properties LLC), 1.3 ac  
 224 W. Shirley Ave. – State Gov., 0.4 ac  
 333 Carriage House Ln. – Warrenton Police Dept., 1.2 ac



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- E**
  - 47 Garrett St. – Fauquier/Greater Piedmont Realtors, 0.4 ac
  - 39 Garrett St. – Commercial (39 Garrett St. LLC), 0.35 ac
  - 244 Waterloo St. – Warrenton Middle School, 22 ac (total – 3 parcels)
  - 167 W. Shirley Ave. – Warrenton Volunteer Fire, 1 ac
- F**
  - 510 W. Lee St. – Warrenton Cemetery, 9.5 ac
- G**
  - 85 Keith St. – Fauquier Family Shelter Services Inc., 0.4 ac
  - Keith St. – Fauquier Board of Supervisors, 2 ac
  - 62 A W. Lee St. – Fauquier Sheriff Communications, 1 ac
  - 50 W. Lee St. – Fauquier Detention Center, 0.5 ac
  - W. Lee St. - Municipal Parking Lot A, 0.8 ac
  - 62 & 70 Culpeper St. – Fauquier County Gov., 1.2 ac
  - 40 Culpeper St. – Circuit Court/Warren Green, 1.2 ac (total - 2 parcels)
  - 18 Court St. – Town of Warrenton, 0.09 ac
  - 6 Court St. – District Court/Jail Museum, 0.3 ac
  - 14 Main St. – Juvenile & Domestic Court, 0.2 ac
  - S. 2<sup>nd</sup>/S. 3<sup>rd</sup> St. – Municipal Lot B, 0.4 ac (total - 3 parcels)
  - 31 Second St. – Commercial (Harris), 0.1 ac
  - 26 S. Third St. – The Warrenton Meeting Place Inc., 0.1 ac
  - S. 3<sup>rd</sup>/S. 4<sup>th</sup> St. – Municipal Lot C, 0.4 ac (total – 2 parcels)
  - E. Lee St./S. 5<sup>th</sup> St. – Municipal Lot D, 0.7 ac



## PSP Zoning District Locations

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- H** 103 S. Fifth St. – Dog Park/Utility, 1.17 ac (total – 4 parcels)
- I** 360 Falmouth St. – Public Works Facility, 5.2 ac
- J** 455 E. Shirley Ave. – VDOT, 2.3 ac (total – 2 parcels)  
 276 E. Shirley Ave. – Commercial (CLNB LLC), 0.2 ac  
 350 E. Shirley Ave. – Taylor Middle/Brumfield Elementary, 39.1 ac  
 430 E. Shirley Ave. – Community Center, 5.1 ac
- K** 123 Alexandria Pike – Eva Walker Park, 5.7 ac  
 First St. – Parking Lot, 0.2 ac  
 N. Third St. – Parking Lot, 0.8 ac
- L** 33 N. Calhoun St. – Old Visitor’s Center, 1.6 ac  
 173 Main St. – Residential (Goolsby), 1.3 ac  
 167 Academy Hill Rd. – Academy Hill Park, 4.7 ac

**Proposed Tower Site – Public Right-of-Way, 58.3 ac**  
**Existing Public Uses – Access/Roadway, Stormwater Management, Drainage**