

April 16, 2024
Planning Commission
Public Hearing

A RESOLUTION TO RECOMMEND 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 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; and

WHEREAS, the Warrenton Planning Commission held a work session on March 19, 2024 and considered testimony from the applicant's representative and the public; and

WHEREAS, the Warrenton Planning Commission held a public hearing on this matter on April 16, 2024; and

WHEREAS, the Warrenton Planning Commission finds that per the Code of Virginia Section 15.2-2286.A.7, that the public necessity, convenience, general welfare, and good zoning practice are not satisfied by this amendment to the Zoning Ordinance of the Town of Warrenton; and

NOW THEREFORE BE IT RESOLVED, that on this day, April 16, 2024, that the Warrenton Planning Commission forwards a recommendation of denial to the Warrenton Town Council.

Votes:

Ayes:

Nays:

Absent from Vote:

Absent from Meeting:

For Information:

Community Development Director,
Town Attorney

ATTEST: _____
Town Recorder