

## Commissioner Questions - (Cell Tower (Telecommunications) Ordinance

### **Q. When did the county adopt the Cell Phone Tower ordinance?**

A. The cell tower ordinance was adopted soon after I took office (2001) in response to a large cell tower that was installed adjacent to Hwy. 515. While we understood completely the need for cell towers, we wanted to be able to minimize any impact on the environment and the scenic beauty of the county while still providing adequate coverage.

### **Q. Did the county copy an ordinance from other counties?**

A. No, because most counties at the time did not have any ordinances for cell towers. It was still a fairly new technology for our area. Knowing we did not have the expertise to do this on our own, I asked several people to form a committee made up of those with experience in telecommunications, electronics and computers. Together an excellent ordinance was adopted that allowed for the growth of cell towers, but also provided some protections for those whose property was adjacent to the tower.

### **Q. Are there any exemptions to the provisions set out in the ordinance for cell towers?**

A. Yes, the following are exempt from the ordinance provisions:

- Any tower and antenna which is owned and operated by an amateur radio operator licensed by the Federal Communications Commission.
- Any civil air patrol base stations.
- Any telecommunications facilities used for public purposes and located on property owned, leased or otherwise controlled by the county or any other governmental entity, provided, a license or lease authorizing the telecommunications facility has been approved by the Commissioner.

### **Q. Are there requirements as to the type of cell tower allowed?**

A. The preferred tower configuration for the county is a non-guyed monopole tower. Towers must be less than 200 feet in height, including any antennae or attachments, and shall not require lighting. Towers must be capable of supporting multiple antennae/cell service suppliers in order to limit the total number of towers located throughout the county and thereby limiting the viewshed impact. Prior to this ordinance, the standard tower built by contractors was 250' in height and was built with a latticework still frame, making a much greater visual impact than the mono pole towers now in use. Because the tower was taller than 200', the FAA required that strobe lights had to be installed in the daytime and red blinking lights at night. This was definitely a negative visual impact.

### **Q. What are some of the requirements for cell towers?**

A. All telecommunications facilities must meet or exceed current standards and regulations of the Federal Aviation Administration (FAA), Federal Communications Commissioner (FCC) and any other agency of the state or federal government with the authority to regulate telecommunications facilities. All towers must be equipped with an appropriate anti-climbing device or other similar protective device, to prevent unauthorized access to the tower. Illumination is not permitted on cell towers, unless required by the FCC, FAA or other state or federal agency or unless such illumination is necessary for air traffic safety. Advertising is not permitted on cell towers.

**Q. Are there requirements related to the viewshed and landscaping?**

**A.** Towers must maintain a galvanized steel finish or be painted to match the existing surroundings so as to reduce visual obtrusiveness. Equipment shelters or cabinets must be screened from public view by using landscaping or materials and colors consistent with the surrounding backdrop. Towers disguised as a tree are also acceptable, although a little strange sometimes.

**Q. Must surrounding property owners be notified that a cell tower is going up?**

**A.** The applicant for the tower must notify all such property owners by registered mail 30 days prior to the public hearing of the intent to erect a tower and must supply the county with proof of such mailing. The applicant must place a sign facing the nearest street or road indicating that an application for the placement of a tower on the site has been filed with the county. The sign must be readable from the street or road. The applicant must also publish a notice in the county legal organ of the intent to construct a tower and give the address of the proposed site. This notice must appear 4 consecutive times in the newspaper prior to the public hearing to approve or deny the application.

**Q. How many cell towers are in Union County?**

**A.** There are 12 cell towers in Union County with two of the towers being the “pine tree” looking towers, four being the latticework towers installed prior to our ordinance, and the remainder being monopoles.

Similar to billboards, when I took office, without any regulations for billboards or cell towers, the companies were taking advantage of the county. Another example of the problem with no regulations is when you cross Young Harris Mountain there are two cell towers adjacent to each other on top of the mountain. Both are 250' latticework towers, both require lighting, and it was cheaper for the two companies to each build their own tower than to have to negotiate with the other company, so all the equipment could be consolidated on one tower. Our ordinance requires co-location and it was a long hard process, but with the help of the committee and many public hearings and meetings, an exceptional ordinance was enacted that others have emulated in part of their ordinances in several counties throughout the state. I am very proud of this ordinance and the billboard ordinance, both of which still allow commerce, protect property rights, but also help protect the very beauty that people move here to enjoy.