

PURPOSE OF CONDITIONAL USE PERMIT

Pursuant to Sec. 23-706(f), a conditional use permit (CUP) is required for installation of new Wireless Support Structures (e.g. cell towers) on private property. A CUP is required for individual review of the proposed location, design and configuration, radio frequency coverages demonstrating the need for a tower, and the imposition of conditions for approval, as necessary, in order to ensure the appropriateness of a tower at a particular location. Cell towers are not permitted in residentially zoned properties.

Application process:

- 1) **Meet with City staff.** Prior to submitting for a conditional use permit, the applicant shall meet with the planning department to discuss the legislative process and application submission requirements.
- 2) **Submittal of the application.** The applicant or property owner should submit **all** items as listed on the CUP application.
- 3) **Review by City staff.** The planning department will process the CUP. Staff may contact the applicant or owner for additional information during the review period.
- 4) **Presentation to Planning Commission.** The Planning Commission shall review the application and hear a presentation by the Applicant. The Planning Commission shall make a recommendation to the City Council for approval, denial, or approval with conditions to the City Council.
- 5) **Notification of public hearing.** Staff will notify the applicant of the date of the public hearing. A legal notice is also sent to the local newspaper for publication.
- 6) **Posting of signs on property for zoning notification.** As required by ordinance, the applicant will be responsible for the cost of posting the zoning notification signs on the property for which the CUP has been requested prior to the public hearing in accordance with the Georgia Zoning Procedures Law.
- 7) **City Council public hearing.** A public hearing is required for a conditional use permit application. During the public hearing, staff will present a summary of the proposed development to the Mayor and Council. Persons in support of the proposed request and persons in opposition to the proposed request may speak during the public hearing. The applicant, property owner, and/or their representative, should be present at the meeting and be prepared to discuss the conditional use permit and answer any questions that arise.
- 8) **City Council decision.** After hearing the evidence and reviewing the application as well as any staff comments, the City Council considers the proposed CUP.
- 9) **Conditions.** The City Council may impose conditions it concludes are necessary to minimize any adverse effect of the proposed tower on adjoining properties. Conditions may include, but are not limited to: limitation of height, aesthetic appearance to match surrounding right-of-way infrastructures, additional landscaping, curbing, sidewalk, placement or orientation of structure, signage restrictions and design, and access to structure so as not to unreasonably interfere with City right-of-way access by pedestrians and vehicles.

Applications are accepted at City Hall, Monday through Friday between 8:30 a.m. and 4:30 p.m.

Schedule may be subject to change, please check the meeting agendas webpage to confirm meeting dates:

<http://doravillecityga.iqm2.com/Citizens/Default.aspx>

Application Deadline	Planning Commission Meeting at 6pm	Newspaper Advertisement Deadline	Property Sign Posting Deadline (15 days prior to hearing)	City Council Public Hearing at 6:30pm
December 8, 2017	January 3, 2018	January 10	January 21	February 5, 2018
		January 24	February 5	February 20, 2018
January 5, 2018	February 7, 2018	February 7	February 19	March 5, 2018
		February 21	March 5	March 19, 2018
February 2, 2018	March 7, 2018	March 7	March 19	April 9, 2018
		March 21	April 1	April 16, 2018
March 9, 2018	April 4, 2018	April 11	April 23	May 7, 2018
		April 25	May 7	May 21, 2018
April 6, 2018	May 2, 2018	May 9	May 21	June 4, 2018
		May 23	June 4	June 18, 2018
May 11, 2018	June 6, 2018	-	-	No meetings in July
June 8, 2018	July TBD, 2018	July 11	July 23	August 6, 2018
		July 25	August 6	August 20, 2018
July 6, 2018	August 1, 2018	August 8	August 20	September 4, 2018
		August 22	September 3	September 17, 2018
August 10, 2018	September 5, 2018	September 5	September 17	October 1, 2018
		September 19	September 30	October 15, 2018
September 7, 2018	October 3, 2018	October 10	October 22	November 5, 2018
October 5, 2018	November 7, 2018	November 7	November 18	December 3, 2018
November 2, 2018	December 5, 2018	-	-	January 2019 TBD
December 7, 2018	January 2, 2019	-	-	February 2019 TBD

Rezoning, zoning text amendments, conditional use permits (CUP), and variances go to the Planning Commission and the Doraville City Council.

Appeals go to the Doraville City Council only.

Last updated: March 2018



CELL TOWERS ON PRIVATE PROPERTY CONDITIONAL USE PERMIT APPLICATION

Community Development Department

Application #: _____

DATE RECEIVED

APPLICANT

Name: _____

Mailing Address: _____ Suite/Unit # _____

E-mail: _____ Daytime Phone: _____ Fax: _____

PROPERTY LANDOWNER

Name: _____

Mailing Address: _____

E-mail: _____ Daytime Phone: _____ Fax: _____

SUBJECT PROPERTY

Street Address: _____

Tax ID Parcel No.: _____ Council District: _____

Current Zoning Category: _____ Future Land Use Character Area: _____

Application Submission Requirements (one copy of application materials & 15 copies of collated and stapled sets of drawings between 11" x 17" and 24" x 36" in size). SUBMIT ALL MATERIALS BELOW:

- ____ 1) Cover letter describing the request in detail including the exact location and height of the proposed cell tower and footprint dimensions of compound area, provision of Section 23-706 pursuant to which this application is being tendered and description of the purpose of the infrastructure in as much detail as possible.
- ____ 2) "Standards" letter responding to each of the eight (8) "Standards" criteria in Sec. 23-706(f)). List criteria and responses in the same letter.
- ____ 3) Notarized property owner(s) (or owner representative) authorization/lease agreement and applicant campaign contributions disclosures using the attached forms.
- ____ 6) Inventory list of existing sites and maps depicting corresponding radio frequency coverages for each: Provide an inventory of its existing towers that are either within one-quarter (1/4) mile of the subject property, including specific information about the owner, location, height, and design of each tower.
- ____ 6) Property Survey (prepared within the last 10 years) showing property lines, existing building footprints and parking layout, square footage of property, and topography.
- ____ 4) Full site plan, drawn-to-scale, depicting the proposed location on the property of the cell tower, the compound area (if applicable) with dimensions, equipment footprints, and required setbacks. The tower height shall also be labeled.
- ____ 7) Elevation drawings, drawn-to-scale and dimensioned, and renderings of cell tower and antenna.
- ____ 8) Photographs of existing site.
- ____ 9) Additional information: may be required by the City based upon the initial application meeting with staff.
- ____ 10) CD or USB flash drive of drawings submitted in digital PDF format.



CELL TOWERS ON PRIVATE PROPERTY
CONDITIONAL USE PERMIT APPLICATION

Community Development Department

Application #: _____

DATE RECEIVED

NOTARIZED AUTHORIZATION OF PROPERTY LANDOWNER.

I, _____ SWEAR THAT I AM THE **PROPERTY LANDOWNER**
Printed owner(s) name

OF SUBJECT PROPERTY: _____

WITH PARCEL ID NO.: _____

AS SHOWN IN THE RECORDS OF **DEKALB COUNTY**, GEORGIA WHICH IS THE SUBJECT MATTER OF THE ATTACHED APPLICATION. I AUTHORIZE THE PERSON NAMED BELOW TO ACT AS THE APPLICANT IN THE PURSUIT OF THIS APPLICATION. I ALSO HEREBY AUTHORIZE CITY STAFF TO INSPECT PREMISES OF ABOVE DESCRIBED PROPERTY.

NAME OF APPLICANT (PRINT CLEARLY):

ADDRESS: _____

TELEPHONE: _____ EMAIL: _____

Personally Appeared
Before Me

Signature of Property Landowner

Print Name of Property Landowner

Print Name

Who Swears That The Information Contained
In this Authorization Is True and Correct
To The Best of His or Her Knowledge and Belief.

Signature of Notary Public

Date



CELL TOWERS ON PRIVATE PROPERTY
CONDITIONAL USE PERMIT APPLICATION

Community Development Department

DATE RECEIVED

Application #: _____

Subject Property Street Address: _____

DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

In accordance with the Conflict of Interest in Zoning Act, O.C.G.A. Ch 36-67A, the following questions must be answered:

Have you the applicant made \$250 or more in campaign contributions to a local government official within two years immediately preceding the filing of this application? Yes _____ No _____

If the answer is Yes, you must file a disclosure report with the governing authority of the City of Doraville showing:

1. The name and official position of the local government official to whom the campaign contribution was made.
2. The dollar amount and description of each campaign contribution made during the two years immediately preceding the filing of this application and date of each such contribution.

NOTARY DATE

SIGNATURE OF APPLICANT DATE

Notary Name Printed

Applicant Name Printed

EXPIRATION DATE / SEAL

Check One: Owner _____ Applicant/Agent _____



CELL TOWERS ON PRIVATE PROPERTY
CONDITIONAL USE PERMIT APPLICATION

Community Development Department

DATE RECEIVED

Application #: _____

Subject Property Street Address: _____

APPLICANT SIGNATURES

SUBMISSION: **ONE (1) COMPLETED APPLICATION SET OF FORMS and 15 INDIVIDUAL PACKAGES OF STAPLED SETS OF COLLATED COPIES OF DRAWINGS (WHICH ARE TO BE FOLDED TO APPROXIMATELY 9" X 12" IN SIZE)** ARE REQUIRED FOR SUBMITTAL FOR REVIEW BY STAFF, PLANNING COMMISSION AND CITY COUNCIL.

APPLICATION FEE: \$500 non-refundable application fee.

PLEASE READ THE FOLLOWING BEFORE SIGNING

This form must be completed in its entirety before it will be accepted. It must include all required attachments and filing fees. **An application which lacks any of the required attachments or information shall be deemed incomplete and shall not be accepted.**

NOTARY DATE

SIGNATURE OF APPLICANT DATE

Notary Name Printed

Applicant Name Printed

EXPIRATION DATE / SEAL

Check One: Owner _____ Applicant/Agent _____

STANDARDS for a Conditional Use Permit (CUP)

In addition to the cover letter, applicant shall submit a letter listing each Standard and providing a written response (and any additional associated documentation) to each.

Pursuant to Sec. 23-706), the Planning Staff, Planning Commission, Mayor, and City Council shall consider the following factors to determine if the CUP is appropriate:

- 1) Height of the proposed tower;
- 2) Proximity of the tower to residential structures and residential district boundaries;
- 3) Name/type of uses on adjacent and nearby properties;
- 4) Surrounding topography;
- 5) Surrounding tree coverage and foliage;
- 6) Design of the tower, with particular reference to design characteristics that have the effect of reducing or eliminating visual obtrusiveness;
- 7) Proposed ingress and egress;
- 8) Availability of suitable existing towers and other structures: No new tower shall be permitted unless the applicant demonstrates that no existing structure can accommodate the applicant's proposed antenna. Evidence submitted may consist of any of the following:
 - a. No existing structures are located within the geographic area required to meet applicant's engineering requirements.
 - b. Existing structures are not of sufficient height to applicant's meet engineering requirements.
 - c. Existing structures do not have sufficient structural strength to support applicant's proposed antenna and related equipment.
 - d. The applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing structures, or the antenna on the existing structures would cause interference with the applicant's proposed antenna.
 - e. The fees, costs, or contractual provisions required by the owner in order to share an existing structure or to adapt an existing structure for collocation are unreasonable. Costs exceeding new Wireless Support Structure development are presumed to be unreasonable.
 - f. The applicant demonstrates that there are other limiting factors that render existing structures unsuitable.

General Requirements:

- 1) **Aesthetics and lighting:** City Council may waive the requirements if deemed appropriate.
 - a. Towers shall either remain a galvanized steel finish or, subject to any applicable standard of the FAA, be painted a neutral color, so as to reduce visual obtrusiveness.
 - b. The design of tower and equipment, to the extent possible, shall use materials, colors, textures, screening, and landscaping to blend tower facilities with natural setting and built environment.
 - c. If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as visually unobtrusive as possible.
 - d. Towers shall not be artificially lighted, unless required by the FAA or other applicable authority. If lighting is required, the governing authority may review the available lighting alternatives and approve the design that would cause the least disturbance to the surrounding views.
- 2) **Federal requirements:** All towers must meet or exceed current standards/regulations of the FAA, the FCC, and other federal government agencies with the authority to regulate towers and antennas. The owners of the towers and antennas shall bring such towers and antennas into compliance with any revised federal standards/regulations within six (6) months of the effective date of such standards/regulations, unless a more stringent compliance schedule is mandated by the controlling federal agency, and so long as this requirement does not conflict with the provisions of the new standards and regulations.
- 3) **Building codes:** To ensure the structural integrity of cell towers, the owner of a cell tower shall ensure that it is maintained in compliance with standards contained in applicable local building codes and the applicable standards for towers that are published by the Electronic Industries Association, as amended from time to time.
- 4) **Distance restrictions:** With the exception of Small Cell Technology Wireless Support Structures in the right-of-way, no cell tower shall be located closer than 625 feet from any other cell tower as measured by a straight line between the two (2) structures.
- 5) **Setbacks and separation:** The following setbacks and separation requirements shall apply, provided, however, that City Council may reduce the standard setbacks and separation requirements if appropriate.
 - a. Towers must be set back a distance equal to the height of the tower from any off-site residential structure.
 - b. Towers, guys, and accessory facilities must satisfy the minimum zoning district setback requirements.
 - c. In zoning districts other than industrial or heavy commercial zoning districts, towers over 90 feet in height shall not be located within one-quarter (¼) of a mile from any existing tower that is over 90 feet in height.
- 6) **Security fencing:** Towers shall be enclosed by security fencing not less than six (6) feet in height and shall also be equipped with an appropriate anti-climbing device; provided, however, that City Council may waive such requirements, as it deems appropriate.
- 7) **Landscaping:** The following requirements shall govern the landscaping surrounding towers; provided, however, that City Council may waive such requirements if the visual impact of the tower would be minimal.
 - a. Tower facilities shall be landscaped with a buffer of plant materials that effectively screens the view of the tower compound from adjacent residential property. The standard buffer shall consist of a landscaped strip at least four (4) feet wide outside the perimeter of the compound.
 - b. Existing mature tree growth and natural land forms on the site shall be preserved to the maximum extent possible. In some cases, such as towers sited on large wooded lots, natural growth around the property perimeter may be a sufficient buffer.

SITE PLAN REQUIREMENTS (Survey may replace site plan if it matches the existing site conditions and no improvements or new construction are proposed):

The site plan shall be clearly drawn at a scale of not less than 20 feet per inch on a sheet size not to exceed 24" x 36". The Director may approve other sheet sizes as deemed appropriate.

The following information shall be depicted on the site plan:

- _____ Project name;
- _____ Project owner and address (both local and permanent if different), telephone numbers and e-mail address;
- _____ Address of adjacent property where equipment is proposed in the right-of-way;
- _____ Land lot and district;
- _____ Date, scale and north arrow;
- _____ Site location / vicinity map;
- _____ Zoning designation of subject property;
- _____ Required yard setbacks and clear delineation of right-of-way;
- _____ Names, locations, and right-of-way widths of adjoining existing streets or access drives;
- _____ Topography with contour interval no greater than 10 feet;
- _____ Property lines with bearings and distances; location of utility and private easements;
- _____ All proposed locations of support structure (with height labeled), equipment layout including proposed compound area (if applicable),
- _____ Location of any adjacent floodplains;
- _____ Building and right-of-way infrastructure heights of adjacent structures;
- _____ Proposed buffers, landscape development, sidewalks and other hardscape;
- _____ Name of person or company preparing the site plan;
- _____ Any other data requested by the City Manager or designee necessary for an understanding and evaluation of the project.