

TOWN OF CHAPEL HILL Planning Department

405 Martin Luther King Jr. Blvd. Chapel Hill, NC 27514-5705

phone (919) 968-2728 email planning@townofchapelhill.org www.townofchapelhill.org

Requested Modifications to Regulations

| Project Name | Network Towers: Dobbins | Application Number [Staff to Complete] | SUP-25-1 |
|---------------------------------|---|--|-----------------------|
| | | | |
| LUMO Section | 5.20.10 ii (b) Macrocell Facilities | | |
| Requirement | In non-single-family districts, new towe | rs are limited to 120 feet. | |
| Requested Modification | In non-single-family districts, new towe rod. | rs are limited to 199 feet,exc | cluding the lightning |
| Purpose or Intent of Regulation | (b)Where permitted new towers in non-single-family districts shall be limited to 120 feet. | | |
| Justification | The proposed height of 199' (195' monopole with a 4' ligtning rod) is necessary for Verizon to achieve their coverage objective. The proposed height is also needed to allow space for 3 future carriers to collocate their equipment on the tower and achieve their coverage objective. As noted in the submitted propagation maps, there is a significant reduction in coverage at a lower tower height. A stealth or flush-mount antenna design does not provide the same functionality as a full antenna array. Specifically, with a stealth or flush-mount design, only three antennas can be located at each rad center; therefore, each carrier would likely need two rad centers to fit their needed antennas. The proposed tower is also sited in an area with two existing 200' guyed towers. As noted in the application materials, the two existing 200' guyed towers are not structurally feasible for collocation. Lastly, the existing vegetation surrounding the parcel provides adequate screening from adjacent properties. | | |
| Evaluation [Staff to Complete] | | | |
| - | | | |

| LUMO Section | 5.20.8.a.(5) Parking |
|---------------------------------|--|
| Requirement | Must provide a parking space located within the lease area, or comound equipment area or the development area. |
| Requested | To allow one parking space to be located outside the lease area, or equipment |
| Modification | compound or the development area. |
| Purpose or Intent of Regulation | One parking space is required for each tower development area located outside of the rights-of-way. The space shall be provided within the leased area, or equipment compound or the development area as defined on the site plan. |
| Justification | The property owner is willing to have a space in the parking lot dedicated to this tower. |
| Evaluation [Staff to Complete] | |
| Complete | |

| LUMO Section | 5.6.6 Schedule of Required Buffers |
|--------------|------------------------------------|
| | |

| Requirement | Specifications for each buffer type are contained in the design manual. The buffer requirement noted in the schedule of required buffers may be reduced by one grade of intensity (e.g., C to a B) if the development is designed such that there is no parking between the buildings located on the site and the adjacent street. | |
|---------------------------------|---|--|
| Requested Modification | To eliminate the buffer width and planting requirement. | |
| Purpose or Intent of Regulation | To screen the proposed facility from adjacent properties and uses. | |
| Justification | The applicant is requesting the elimination of the buffer width and planting requirement. Installing additional landscaping would encroach into the floodplain and floodway, resulting in greater disturbance to these environmentally sensitive areas. Following consultation with the Stormwater Engineering Department, it was advised that any further disturbance within the floodway is not recommended. Per the directions provided by the Stormwater Management Division, we must minimize the footprint of the proposed development as much as possible as we are partially encroaching into the flood zone. If we were to provide a 15' buffer all around the compound, this would almost double the current width of the project, requiring more fill in the flood area. Network Towers requests that the buffer be waived, and a 7' high wood privacy fence be allowed in lieu of a proposed buffer. While additional planting is not feasible, the applicant remains committed to screening the compound and facility from adjacent properties. To achieve this, the applicant will install a board-on-board fence designed to fully conceal all ground equipment. | |
| Evaluation [Staff to Complete] | | |

| LUMO Section | 5.7.2 Tree Canopy Coverage Standards |
|--------------------------------|--|
| Requirement | Tree canopy coverage standards are required for applications proposing tree removal that require council approval, including special use permits, major special use permit modifications, conditional zoning district rezonings, and major conditional zoning district modifications. |
| Requested | To reduce the tree canopy requirement to 25%. |
| Modification | |
| Purpose or Intent | |
| of Regulation | |
| Justification | The applicant is requesting the elimination of the tree canopy coverage requirement. Installing additional landscaping would encroach into the floodplain and floodway, resulting in greater disturbance to these environmentally sensitive areas. Following consultation with the Stormwater Engineering Department, it was advised that any further disturbance within the floodway is not recommended. There is no room to install additional plantings to meet the coverage requirement of 30%, without causing more impact to the floodway and to adhere to the Stormwater Engineering Departments recommendation. While additional planting is not feasible, the applicant remains committed to screening the compound and facility from adjacent properties. To achieve this, the applicant will install a board-on-board fence designed to fully conceal all ground equipment. |
| Evaluation [Staff to Complete] | |



Project & Site

Information

Project Name

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SUP-25-1

Statement of Justification for the Special Use Permit

Application Number

[Staff to Complete]

breakpoint technology, collocation readiness, and structural design certifications.

Strategic siting of the tower next to the tree line and compliance with screening requirements ensures minimal visual impact of tower and ground equipment on surrounding properties.

LUMO Section 4.5 states that a Special Use Permit shall not be granted unless Council or the Board of Adjustment makes all Findings of Fact below. This form is fillable. Please respond to all considerations listed in this worksheet.

Network Towers: Dobbins

| | ANAGEMENT ORDINANCE FINDINGS OF FACT FOR A SPECIAL USE PERMIT | | |
|---|---|--|--|
| Finding | Applicant Justification | | |
| FINDING #1: The use or development is located, designed, and proposed to be operated so as to maintain or promote the public health, safety, and general welfare. | coverage and reliability, the tower supports critical needs such as emergency response, public safety communications, and access to telehealth services, while adhering to all applicable safety and regulatory | | |
| | The proposed telecommunications tower complies with all applicable regulations and standards outlined in the Town of Chapel Hill's ordinances, including: | | |
| | 1. Articles 3 and 5: | | |
| FINDING #2: The use or development complies with all required regulations and standards of this chapter, including all applicable provisions of Articles 3 and 5, the applicable specific standards contained in the supplemental use regulations (Article 3) and with all other applicables. | The project meets all zoning and development requirements, including setbacks, height limitations, and land use compatibility. | | |
| | The tower's design and placement adhere to the zoning district's guidelines and are consisten with the Town's Future Land Use Map (FLUM). | | |
| | 2. Article 6 (Supplemental Use Regulations): | | |
| 6), and with all other applicable regulations. | o The tower satisfies all specific standards for telecommunications facilities, including the use of | | |

| | 3. Other Applicable Regulations: | |
|---|---|--|
| | The tower complies with Federal Aviation Administration (FAA) regulations for height and safety. | |
| | Adherence to the National Environmental Policy Act (NEPA) and the National Historic Preservation Act (NHPA) ensures protection of natural and historic resources. | |
| | The project includes stormwater management and erosion control measures, meeting local and state environmental standards. | |
| | This project has been carefully designed to align with all relevant local, State, and federal requirements, ensuring full regulatory compliance and consistency with the Town's development standards. | |
| FINDING #3: The use or development is located, designed, and proposed to be operated so as to maintain or enhance the value of contiguous property, or that the use or development is a public necessity. | The proposed telecommunications tower is designed and sited to minimize visual and environmental impact, ensuring compatibility with surrounding properties and preserving property values. Specifically, it is located on a property with two (2) existing 200' guy wire towers, it is located next to an existing mature tree line in an effort to blend with the natural environment and (3) the ground equipment will be screened with a wood board on board fence from adjacent properties. Additionally, the development addresses a critical public necessity by improving wireless communication infrastructure, enhancing service coverage, and supporting emergency response capabilities for the community. As noted in the applicants submitted Impact Analysis, prepared by a licensed third-party real estate appraiser in North Carolina, which concludes that the propsed tower will have no adverse effect on surrounding property values. | |
| FINDING #4: The use or development conforms with the general plans for the physical development of the town as embodied in this appendix and in the comprehensive plan. | Complete the Statement of Consistency with the Comprehensive Plan Worksheet. | |



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Statement of Consistency with the Comprehensive Plan

This Statement worksheet addresses the application's responsiveness to the <u>Complete Community Strategy</u> and other components of the Town's <u>Comprehensive Plan</u>. This form is fillable. Please complete fields in the worksheet where feasible or reference any attached narratives. See the accompanying Comprehensive Plan Consistency Guide for more detailed guidance. The numbering of fields in this worksheet corresponds to the section numbering of the Guide.

| Project & Site | Project Name | Network Towers: Dobbins | Application Number [Staff to Complete] | SUP-25-1 |
|----------------|---|-------------------------|--|----------|
| Information | Future Land Use Map (FLUM) Focus Area | North 15-501 | FLUM Sub-Area | В |

| COMPLETE COMMUNITY: STRATEGIES FOR WHERE TO DIRECT GROWTH | | | | |
|---|---|--------------------------------|--|--|
| Strategy | Consistency of Application | Evaluation [Staff to Complete] | | |
| 0.A Greenways | The project does not interfere with existing or planned greenways, preserving community access and mobility. | | | |
| 0.B Transit Corridors | The project does not directly affect transit corridors but enhances infrastructure that supports transit connectivity through improved telecommunications services. | | | |
| 0.C Large infill sites with existing infrastructure (within Focus Areas) | This is not a large infill site, but aligns with existing infrastructure needs in the area. | | | |
| 0.D Smaller infill sites (Residential designation on FLUM) | This is not a small infill site, but provides essential telecommunications infrastructure in a built area without displacing existing uses. | | | |

| COMPLETE COMMUN | TY: PLANNING FOR THE FUTURE AND M | EETING HOUSING NEEDS (Goal 1)- SUPP | ORTING PLANS and POLICIES |
|--|--|--|--|
| Plan/Policy References | Shaping Our Future (TOD Plan) Town and Gown 0 | | : Community Prosperity and Engagement; |
| Topic | Relevant Features of Plan | Consistency of Application | Evaluation [Staff to Complete] |
| 1.A.1 FLUM Guiding Statements (Town- wide) #2., 3., 7., 10. | The FLUM emphasizes strategic infrastructure development to support connectivity, public safety, and community well-being. | The proposed tower aligns with these goals by addressing coverage gaps and providing critical telecommunications infrastructure to enhance service reliability. | |
| 1.A.2.a-f FLUM Focus Area Principles for Land Use and Density & Intensity | Not applicable. | Not applicable. | |
| 1.A.3 FLUM Appropriate Uses (Primary and Secondary) | Telecommunications towers are classified as necessary infrastructure to support economic and community growth. | The tower provides essential wireless services to the area, ensuring that residents, businesses and first responders benefit from improved connectivity. | |
| 1.A.4 FLUM Building Height Guidance | Focuses on fostering economic development and infrastructure improvements that enhance community connectivity. | While the tower height exceeds typical building guidelines, it complies with FAA standards and is essential for achieving effective telecommunications coverage. The proposed height not only allows Verizon Wireless to provide improved coverage in this area, but it also allows the infrastructure necessary for other | |

| COMPLETE COMMUNITY: PLANNING FOR THE FUTURE AND MEETING HOUSING NEEDS (Goal 1)- SUPPORTING PLANS and POLICIES | | | | |
|--|-----------------|--|--|--|
| | | wireless providers to enhance coverage in this area. | | |
| | | | | |
| | Niek aus Backla | Nat applicable | | |
| 1.A.5 FLUM – Other Mapped Features | Not applicable. | Not applicable. | | |
| | Not applicable. | Not applicable. | | |
| 1.B Shaping Our Future Focus Area and Recommended Actions (Delete row if outside of TOD Opportunity Sites) | | | | |
| | Not applicable. | Not applicable. | | |
| 1.C West Rosemary St Development Guide – Community Priorities by Section (Delete row if outside of Plan Area) | | | | |
| | Not applicable. | Not applicable. | | |
| 1.D Central West Small Area Plan – Principles and Objectives (Delete row if outside of Plan Area) | | | | |

| COMPLETE COMMUNITY: PLANNING FOR THE FUTURE AND MEETING HOUSING NEEDS (Goal 1)- SUPPORTING PLANS and POLICIES | | | | |
|---|--|--|--|--|
| 1.E.1 Chapel Hill 2020: Community Prosperity and Engagement (CPE) | Focuses on fostering economic development and infrastructure improvements that enhance community connectivity. | The project enhances economic activity by improving wireless connectivity, supporting local businesses, and fostering digital accessibility for residents. | | |
| 1.E.2 Chapel Hill 2020: Town and Gown Collaboration (TGC) | Not applicable. | Not applicable. | | |

| COMPLETE COMMUNITY: PLANNING FOR THE FUTURE AND MEETING HOUSING NEEDS (Goal 1) - COMMUNITY BENEFITS | | | |
|---|--------------------|--------------------------------|--|
| Options for Community Benefits | Applicant Proposal | Evaluation [Staff to Complete] | |
| Affordable Housing Proposal, Including AMI Targets and Mix of Unit Sizes | Not applicable. | | |
| Housing Voucher Acceptance – Commitment for Rental Units | Not applicable. | | |
| Displacement Mitigation Strategies – Resources and Support for any Existing Residents | Not applicable. | | |
| Demographic Needs Served by Housing Types | Not applicable. | | |
| Homeownership Opportunities | Not applicable. | | |

| COMPLETE COMMUNITY: PLANNING FOR THE FUTURE AND MEETING HOUSING NEEDS (Goal 1) - COMMUNITY BENEFITS | | | |
|--|-----------------|--|--|
| Proximity to Daily Needs and Amenities – Access to Parks, Daycares, Schools, Grocery Stores, Medical Offices, etc. | Not applicable. | | |
| Resident Access to Career and Education Opportunities | Not applicable. | | |
| Effective Use of Limited Land Supply – Sufficient Intensity on Developable Land (excluding Environmental Constraints) | Not applicable. | | |

COMPLETE COMMUNITY: GREENWAY AND TRAVEL OPTIONS (Goal 2)- SUPPORTING PLANS and POLICIES

A for multiuse greenway network)

Plan/Policy References

Everywhere to Everywhere Greenways Map (See Appendix

Mobility and Connectivity Plan (for additional bike facilities)

| Plan/Policy References | Mobility and Connectivity Plan (for additional bike facilities) Greenways Plan (for additional trails including unpaved) Connected Roads Plan Transportation & Connectivity Advisory Board Development Review Criteria | | |
|---|--|--|--------------------------------|
| Topic | Relevant Features of Plan | Consistency of Application | Evaluation [Staff to Complete] |
| 2.A Everywhere to Everywhere Greenways Map Facilities | Protects greenway networks and ensures compatibility with adjacent uses. | The tower does not interfere with existing or planned greenways, ensuring community mobility and recreation options remain unaffected. | |
| 2.B Mobility and Connectivity Plan Facilities | Not applicable. | Not applicable. | |
| 2.C Greenways Plan Facilities | Not applicable. | Not applicable. | |
| 2.D Connected Roads Plan Connections | Not applicable. | Not applicable. | |

Future Land Use Map (FLUM), Connectivity & Mobility

Chapel Hill 2020: Getting Around

| COMPLETE COMMUNITY | COMPLETE COMMUNITY: GREENWAY AND TRAVEL OPTIONS (Goal 2)- SUPPORTING PLANS and POLICIES | | | |
|--|--|---|--|--|
| | Not applicable. | Not applicable. | | |
| 2.E.1 FLUM Guiding Statements (Town-wide) #6. | | | | |
| 2.E.2.a-f FLUM Focus Area Principles for Connectivity & Mobility | Not applicable. | Not applicable. | | |
| 2.F.1 Chapel Hill 2020: Getting Around (GA) | Prioritizes infrastructure improvements that enhance mobility, public safety, and accessibility. | Improved wireless communication supports public safety, navigation, and overall connectivity for residents, businesses and travelers in the area. | | |

| COMPLETE COMMUNITY: GREENWAY AND TRAVEL OPTIONS (Goal 2) - COMMUNITY BENEFITS | | | |
|---|--|--------------------------------|--|
| Options for Community Benefits | Applicant Proposal | Evaluation [Staff to Complete] | |
| Traffic Impact Analysis – Status of Completion or Exemption (LUMO Sec. 5.8) | The proposed telecommunications tower and facility will produce about 1-2 vehicle trips a month post-construction for maintenance needs. | | |
| Road Improvements Addressing Traffic Impacts (typically based on TIA Recommendations) | Not applicable. | | |
| Location of Vehicular Access Points; Vehicular Cross- Connectivity Opportunities | Not applicable. | | |
| Pedestrian Access and Internal Circulation, Connections to Larger Network | The proposed telecommunications tower and facility is an unmanned facility. | | |

| COMPLETE COMMUNITY: GREENWAY AND TRAVEL OPTIONS (Goal 2) - COMMUNITY BENEFITS | | | |
|--|-----------------|--|--|
| Bicycle Access and Safe Movements through Site; Identify Shared or Dedicated Facilities within Site and along Frontages | Not applicable. | | |
| Bicycle Amenities – Type and Location of Bicycle Parking and Other Supportive Amenities | Not applicable. | | |
| Safe Road Crossings for Various Ages and Abilities – Treatments Used at Key Intersections | Not applicable. | | |
| Transit Service Proximity and Frequency; Improved Access to Nearest Transit | Not applicable. | | |
| Future Multimodal Connectivity Opportunities (include projects by others for Greenways, Transit, and/or Bicycle Facilities) | Not applicable. | | |
| Parking Demand Reduction Strategies | Not applicable. | | |

COMPLETE COMMUNITY: GREEN STRATEGIES (Goal 3) – SUPPORTING PLANS and POLICIES

Plan/Policy References

- Climate Action and Response Plan (CARP)
- Stormwater Management Master Plan
- Future Land Use Map (FLUM), Environmental
- Chapel Hill 2020: Nurturing Our Community

- Sustainable Building Policy for Conditional Rezonings
- Environmental Sustainability Advisory Board Development Review Criteria

Topic Relevant Features of Plan

Consistency of Application

Evaluation [Staff to Complete]

| COMPLETE COMMUNITY: GREEN STRATEGIES (Goal 3) - SUPPORTING PLANS and POLICIES | | | |
|---|--|---|--|
| 3.A.1 CARP: Buildings & Energy Actions | Not applicable. | Not applicable. | |
| 3.A.2 CARP: Transportation & Land Use Actions | Encourages efficient land use to support infrastructure development while minimizing environmental impact. | The tower optimizes land use by addressing critical telecommunications infrastructure needs within an existing developed area. | |
| 3.A.3 CARP: Waste, Water, & Natural Resources Actions | Not applicable. | Not applicable. | |
| 3.A.4 CARP: Resiliency Actions | Not applicable. | Not applicable. | |
| 3.B Stormwater Management Master Plan | Promotes sustainable stormwater practices to protect water quality and prevent flooding. | The project complies with Chapel Hill's Stormwater Management Master Plan, incorporating best practices to minimize runoff and protect water quality. | |
| 3.C.1 FLUM Guiding Statements (Town-wide) #1. | Not applicable. | Not applicable. | |
| 3.C.2.a-f FLUM Focus Area Principles, Environmental | Not applicable. | Not applicable. | |

| COMPLETE COMMUNITY: GREEN STRATEGIES (Goal 3) – SUPPORTING PLANS and POLICIES | | | |
|---|-----------------|-----------------|--|
| | Not applicable. | Not applicable. | |
| 3.D.1 Chapel Hill 2020: Nurturing Our Community (NOC) | | | |

| COMPLETE COMMUNITY: GREEN STRATEGIES (Goal 3) - COMMUNITY BENEFITS | | | |
|---|--|--|--|
| Options for Community Benefits | Applicant Proposal Evaluation [Staff to Complete] | | |
| Energy Efficient Building Design, All-Electric Design, Electric Vehicle Charging, and Various Other Green Measures | Complete the Climate Action Plan Worksheet | | |
| Solar Energy Generation, Solar- Ready Design, and/or Feasibility Analysis | Not applicable. | | |
| Electric Bicycle Charging | Not applicable. | | |
| Efforts to Minimize Removal of Mature Tree Canopy and Other Significant Vegetation | The applicant will only remove the necessary trees needed in order to install the proposed compound and tower. | | |
| Measures to Protect and/or Restore Streams, Wetlands, and Flood- prone areas, Exceeding Regulations | No streams or wetlands will be affected. A small retaining wall will be installed to raise the northwest side of the compound to the base flood elevation (BFE). Network Towers has already worked with Town staff to design the retaining wall. | | |
| Waste Reduction Strategies and/or On-Site Recycling or Composting | Not applicable. | | |

| Stormwater Design Targets (e.g., Management for Larger Storm Events or Treatment of Existing Impervious Surface) | Not applicable. | |
|---|--|--|
| Impervious Surface Reduction Strategies | Not applicable. | |
| Invasive Species Removal | Not applicable. | |
| Strategies for Erosion Control and Stable Condition of Site during Construction, Exceeding Regulations | Not applicable. | |
| Relationship of Grading to Natural Landform; Strategies to Minimize Cut and Fill | The proposed site will utilize a retaining wall in order to minimize disturbance in the floodzone. | |

COMPLETE COMMUNITY: PLACEMAKING AND PUBLIC REALM (Goal 4) - SUPPORTING PLANS and POLICIES

Plan/Policy References

- Future Land Use Map (FLUM), Placemaking, Street Character, and Urban Form
- Chapel Hill 2020: A Place for Everyone; Good Places, New Spaces
- Consultation with Town Urban Designer Brian Peterson, <u>bpeterson@townofchapelhill.org</u>
- Community Design Commission <u>Guiding Principles for Design and Character</u>

Topic Relevant Features of Plan

Consistency of Application

Evaluation [Staff to Complete]

| COMPLETE COMMUNITY | : PLACEMAKING AND PUBLIC REALM (G | oal 4) – SUPPORTING PLANS and POLICIE | s |
|--|---|--|---|
| 4.A.1 FLUM Guiding Statements (Town-wide) #4., 5., 8., 9. | Emphasizes thoughtful design to integrate infrastructure into the community while preserving its character. | The tower's location and design minimize visual impact, ensuring compatibility with the surrounding area. The tower is also strategically sited on a parcel that has 2 existing 200' guyed towers. | |
| 4.A.2.a-f FLUM Focus Area Principles for Placemaking, Street Character, and Urban Form | Not applicable. | Not applicable. | |
| 4.B.1 Chapel Hill 2020: A Place for Everyone (PFE) | Not applicable. | Not applicable. | |
| 4.B.2 Chapel Hill 2020: Good Places, New Spaces (GPNS) | Supports developments that balance functionality with community aesthetics and usability. | The project reflects this goal by incorporating design features that reduce visual impact and maintain the area's character. | |

| COMPLETE COMMUNITY: PLACEMAKING AND PUBLIC REALM (Goal 4) - COMMUNITY BENEFITS | | | |
|--|---|--------------------------------|--|
| Options for Community Benefits | Applicant Proposal | Evaluation [Staff to Complete] | |
| Protection of Historic Features and Cultural Resources | The project does not impact any historic features or cultural resources, ensuring the preservation of Chapel Hill's heritage. | | |

| Public Art Proposed, and How Art Contributes to Creative Placemaking | Public art is not included in this project, as the primary focus is on providing essential telecommunications infrastructure. | |
|---|--|--|
| Streetscape Design Features for Active Pedestrian Realm along Internal Drives and Streets | The project maintains the existing streetscape and pedestrian realm, with no adverse impacts on the walkability or aesthetic character of the area. | |
| Building Placement to Activate Public Realm | The telecommunications tower is strategically placed to minimize visual and physical intrusion into the public realm while addressing critical infrastructure and coverage needs. | |
| Building Design Measures Creating a Human Scale | The tower is designed to minimize visual impact, with a monopole design that integrates with the surrounding environment and avoids overwhelming the community's scale. | |
| Efforts to Reduce Visibility of Parking | No additional parking is proposed for this project and the proposed site will utilize the existing parking lot as means of access. | |
| Transitions to Surrounding Neighborhoods through Landscape, Compatible Uses, and/or Building Forms | The proposed telecommunications tower is strategically sited on a parcel that has 2 existing 200' guyed towers as to minimize any additional visual impact. The project includes measures to maintain compatibility with the existing features of the parcel, including a 7' board-on-board fence to screen the base of the tower. | |
| Public Spaces Designed and Programmed to Serve a Variety of Needs | This project does not include public spaces but contributes to the broader community by improving telecommunications infrastructure and connectivity. | |
| Additional Aspects of Site Design Prioritizing People Over Vehicles | Not applicable. | |

| Other Notable Design Features | The tower's design adheres to FAA regulations and local guidelines, with a focus on maintaining the community's character while addressing the critical need for improved wireless communication. | |
|-------------------------------|---|--|
|-------------------------------|---|--|