



Chair Cox opened the floor for any discussion/questions/comments.

With no further discussion, the motion carried with a 5-0 vote.

## **PUBLIC COMMENTS**

Chair Cox opened the floor for Public Comments.

With no individuals signed up to speak, Chair Cox closed the floor for Public Comments.

## **CONFLICTS OF INTEREST**

Chair Cox asked if any Board members had a conflict of interest with any of the items presented on the agenda for the meeting or one that could be perceived as a conflict of interest.

Commissioner Nickelston asked the Board if there would be a conflict of interest for him due to the likelihood of a fence being placed around the tower.

There was a consensus among the Board that Commissioner Nickelston did not have a conflict of interest and could participate in the rezoning request on the agenda.

## **PRESENTATION/DISCUSSION/ACTION**

Chair Cox turned the floor over to Planning Director David Sudderth.

Planning Director David Sudderth presented the following information to the Board:

### **Staff Report**

**Carrier – Dish Wireless**  
**Property Owner – Donna J. & John Michael Ritch**  
**RA to RA-CZ (22-471) for a**  
**(199 ft. Telecommunication Tower Facility)**

**REQUEST:** Dish Wireless and Diamond Communications LLC are requesting to rezone a 100' x 100' (10, 000 sq. ft.) leasehold area on a portion of a 48 acre parcel from RA (Residential Agricultural) to RA-CZ (Residential Agricultural Conditional Zoning) for a 195 ft. Monopole Telecommunication Tower with 4ft lightning rod – (Total height 199 Ft.). Dish Wireless would be the initial carrier.

**SITE OWNER:** Donna Jones and John Michael Ritch

**APPLICANT:** Dish Wireless and Diamond Communications

**APPLICANTS AGENT:** Jonathan Yates, Hellman Yates

**INITIAL SERVICE PROVIDER:** Dish Wireless

**TOWER SITE IDENTIFIER:** Coon Rd.

**SITE LOCATION:** The proposed site is located on a portion of a 48.0 acre tract of land on the west side of N. Old 52 Rd. at address 3839 N. Old 52 Rd, Pinnacle, NC approximately .35 mile south of Gordon Rd. (SR# 1177) and approximately .45 mile north of Coon Rd. (SR# 1154).

**Map:** 5975  
**Deed Book:** 636

**Parcel:** 2933  
**Page:** 575

**PIN #:** 5975422933  
**Township:** Yadkin

**SITE INFORMATION:**

**PARCEL SIZE:** Total tract 48 acres

**PROPOSED LEASE LOT:** The proposed lease lot is (.23 acres), 10,000 sq. ft. (100 ft. x 100 ft.)

**PROPOSED TOWER HEIGHT:** 195 ft. with a 4 ft. lightning rod, total height is 199 ft.

**PROPOSED TOWER TYPE:** Monopole tower located within a 60 ft. x 60 ft. fenced equipment compound. Fence is eight (8) ft. in height. The applicant has also submitted a landscaping plan showing a proposed planting of “Foster’s Holly” trees along the perimeter of the fence.

**CAPACITY:** (4) Antennae arrays

**CURRENT ZONING DISTRICT:** RA (Residential Agricultural)

**PROPOSED ZONING DISTRICT:** The proposed zoning classification is RA-CZ (Residential Agricultural Conditional Zone) for a Telecommunication Tower.

**FLOOD HAZARD AREA:** The proposed site is not located within the special flood hazard area.

**FIRM MAP #:** N/A

**FIRM MAP ZONE:** N/A

**WATERSHED DISTRICT:** N/A

**EMERGENCY SERVICES:** Pinnacle VFD, Pinnacle EMS – Station 103/104

**ACCESS:** Access for the site will be from a proposed 30 ft. access easement beginning at N. Old 52 Rd. following the boundary of a field through the site owner's p of rezoning request #22-471 roperty and terminating at the leased area. The easement is incorporated entirely within the Ritch property.

**SURROUNDING LAND USE:** The immediate surrounding land use is primarily agricultural with scattered mixed residential development.

**ISSUES TO CONSIDER:**

- Increasing telecommunication capabilities throughout the county
- This proposed site by Dish Wireless will provide competition in the telecommunication market in the area as well as expanding network capabilities and connections to existing co-location sites.
- Visual impact, aesthetics on surrounding properties
- Any issues brought up at the Public Information Meeting

**STAFF COMMENTS:** The proposed site meets the requirements as set forth in Appendix B (Wireless Telecommunication Facilities Requirements) of the Stokes County zoning ordinance. Carolina Telecommunication Services has given us a letter of approval stating that the applicants have fulfilled the technical requirements of the ordinance, (see Attachment D). A staff review of the application and site concur with this recommendation. This rezoning request will help to expand service areas and provide potential co-location opportunities to fill in gaps in the county for telecommunication services.

**PUBLIC INFORMATION MEETING:** The Public Information Meeting for this proposal was held on Saturday, February 12, 2022 at 1:00 pm at the proposed site, 3839 N. Old 52 Rd, Pinnacle, NC 27043. (See **Attachment C** for attendance and minutes of the meeting).

**PLANNING BOARD RECOMMENDATION:** The Planning Board voted unanimously to recommend approval of conditional rezoning request #22-471 (RA to RA-CZ) for a 199 ft. Wireless Telecommunication tower. The Board felt that the request was consistent with the Stokes 2035 Comprehensive Plan and was a reasonable request.

**PLANNING & COMMUNITY DEVELOPMENT DEPARTMENT**

1014 MAIN STREET PO BOX 20 DANBURY, NC 27016  
OFFICE 336-593-2439 OR 336-593-2444 FAX: 336-593-5434

**Conditional Rezoning Petition  
Statement of Consistency and Reasonableness**

Case No. #22-471

Applicant: Dish Wireless and Diamond Communications LLC  
Property Owner: Donna Jones and John Michael Ritch

Parcel ID# 5975422933

Portion of parcel 2933 – 48.0 acres total

Location: The proposed site is located on a portion of an 48.0 acre tract of land on the west side of N. Old 52 Rd. at address 3839 N. Old 52 Rd, Pinnacle, NC approximately .35 mile south of Gordon Rd. (SR# 1177) and approximately .45 mile north of Coon Rd. (SR# 1154).

Proposed Amendment: **Rezone approximately 10,000 sq. ft. from RA (Residential Agricultural) to RA-CZ (Residential Agricultural Conditional Zone) for a Wireless Telecommunication Facility - 195 ft. monopole tower with a 4 ft. lightning rod.**

The Stokes County 2035 Comprehensive Plan identifies portions of the county through the Land Use Transect methodology, which shows transition zones between rural areas and more urbanized areas of the county. The proposed rezoning location is best described as being situated in transect zone identified as O-2 Reserved Lands/Conservation Growth Sector, (Rural Community). The O-2 Reserved Lands/Conservation Growth Sector is an area of Low Density development with limited infrastructure. The rezoning petition is for a 195 ft. monopole telecommunication facility which should fit satisfactorily in the O-2 Reserved Lands/Conservation Growth Sector, (Rural Community) zone.

The proposed facility would be consistent with the low density residential development in the area located within the O-2 Reserved Lands/Conservation Growth Sector, (Rural Community) zone as identified in the comprehensive plan. The proposed site would be located off of N. Old 52 Rd. between Pinnacle and Pilot Mountain and would expand communication opportunities in this area. The need for increasing communications and encouraging economic development opportunities throughout the county creates a need to expand infrastructure capabilities such as new telecommunication towers. This new telecommunication tower should provide better telecommunication services in the above described area. Locating new wireless facilities in areas of the county currently not served or areas that receive poor service helps promote these goals. The transect zones identified as O-2 Reserved Lands/Conservation Growth Sector, (Rural Community) is an area where a 195 ft. wireless telecommunication tower with 4 ft. lightning rod should not undermine the primary and current use of the surrounding land for low density residential development and agricultural uses.

This proposed amendment **is consistent** with the Stokes County 2035 Comprehensive Plan and other adopted plans in that: The parcel is currently zoned RA (Residential Agricultural) and the requested zoning district is RA-CZ (Residential Agricultural Conditional Zoning) is suitable for the location of a Wireless Telecommunication Facility. The proposed use of this property and site development plan is consistent with the "Low Density" development as identified in the Stokes County 2035 Comprehensive Plan.

This proposed amendment **is reasonable and in the public interest** in that: **This property is currently zoned RA (Residential Agricultural) and is being proposed to remain in an RA-**

**CZ (Residential Conditional Zoning) district for use as a Wireless Telecommunication Facility.**

Chair Cox opened the floor for any discussion/questions/comments.

There was some discussion among the Board on the request.

Frank Longest, Jr. an attorney from Holt, Longest, Wall, Blaetz & Moseley, P.L.L.C. and Jonathan Yates, an attorney working on the project from Hellman Yates PA, presented information to the Board.

Chair Cox entertained a motion on the request as presented.

Commissioner Nickelston moved to approve the request by applicant Dish Wireless and Diamond Communications LLC to rezone a 100' x 100' (10, 000 sq. ft.) leasehold area on a portion of a 48-acre parcel from RA (Residential Agricultural) to RA-CZ (Residential Agricultural Conditional Zoning) for a 195 ft. Monopole Telecommunication Tower with 4ft lightning rod – (Total height 199 Ft.).

Commissioner Nickelston noted that this is consistent with the Stokes County 2035 Comprehensive Plan and is a reasonable request.

Vice-Chair Barneycastle seconded.

Chair Cox opened the floor for any discussion/questions/comments.

With no further discussion the motion carried with a 5-0 vote.

**Updates to the Board:**

Planning Director David Sudderth updated the Board on the status of the Solar Farm Moratorium. Mr. Sudderth stated that there were a few related items to this subject the Planning Board would be discussing and would then bring it back up at a future meeting.

\*Commissioner Nickelston exited the meeting at 6:39 pm due to a prior obligation.

**Adjournment**

There being no further business to come before the Board, Chair Cox entertained a motion to adjourn the meeting.


Commissioner Mendenhall moved to adjourn the meeting at 6:41 pm.

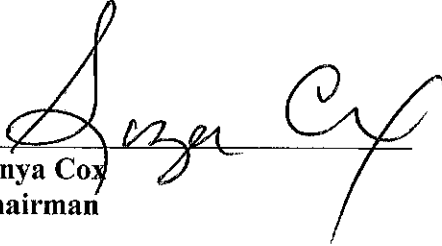
Vice-Chair Barneycastle seconded.

Chair Cox opened the floor for any discussion/questions/comments.

With no further discussion the motion carried with a 4-0 vote.

The meeting was adjourned.

  
Amber Brown  
Clerk to the Board

  
Sonya Cox  
Chairman