

**SMITH, ANDERSON, BLOUNT,
DORSETT, MITCHELL & JERNIGAN, L.L.P.**

LAWYERS

OFFICES
Wells Fargo Capitol Center
150 Fayetteville Street, Suite 2300
Raleigh, North Carolina 27601

TOBY R. COLEMAN
DIRECT DIAL: (919) 821-6778
E-Mail: tcoleman@smithlaw.com

March 25, 2022

MAILING ADDRESS
P.O. Box 2611
Raleigh, North Carolina
27602-2611

TELEPHONE: (919) 821-1220
FACSIMILE: (919) 821-6800

VIA FEDEX 704.216.8588

Ed Muire
Planning Director
Rowan County Planning & Development
402 N. Main Street
Suite 204
Salisbury, North Carolina 28144

Re: *Zoning Text Amendment Application—Utility Wireless Support Structures*

Dear Ed:

Enclosed please find Duke Energy Carolinas LLC's application for a Zoning Text Amendment to authorize utility wireless support structures for the sole use of utilities on utility owned-land. Also enclosed is the filing fee of \$300.

Please let me know if you need anything further to initiate the text amendment process.

Sincerely,



Toby R. Coleman

TRC:jr2
Enclosure



Rowan County Department of
Planning & Development
402 N. Main Street Ste 204
Salisbury, NC 28144
Phone (704) 216-8588
Fax (704) 638-3130
www.rowancountync.gov

Case # ZTA
Date Filed 3.28.22
Received By MEM
Amount Paid \$300 CK #62513
Office Use Only

ZONING TEXT AMENDMENT APPLICATION

APPLICANT INFORMATION

Name: Duke Energy Carolinas LLC

Signature: [Signature] - Randy Howell

Phone: 704-731-4194 Email: Ronald.howell@duke-energy.com

Address: 4720 Piedmont Row Drive
Charlotte, NC 28210

AGENT INFORMATION:

Name: Tobias Coleman

Signature: _____

Phone: 919-821-6778 Email: tcoleman@smithlaw.com

Address: Smith, Anderson, Blount, Dorsett, Mitchell & Jernigan, LLP
150 Fayetteville St., Ste. 2300, Raleigh, NC 27601

SECTION(S) 21-56 and 21-113

DESCRIPTION OF REQUESTED CHANGE:

See attached, which will allow electric utility providers to install wireless support structures to remotely monitor their key facilities.

OFFICIAL USE ONLY

1. Signature of Coordinator: [Signature] 2. Planning Board Courtesy
Hearing: 4 / 25 / 22 3. Planning Board Action: Approved ☒ Denied ☐ 4. Board of
Commissioners Public Hearing: 6 / 6 / 22 5. Dates Advertised: 1st 5 / 26 / 22 2nd 6 / 2 / 22
6. BOC Action: Approved ☐ Denied ☐ 7. Date Applicant Notified: / /

Amendments to § 21-56 and § 21-113

Amend Section 21-56 to add new Section 21-56(6)(g)

g. Utility Wireless Support Structure. In order to maintain the operation of the electric power grid for the welfare and safety of the public, electric utility providers must be able to remotely monitor their key facilities, including electrical substations. Utility wireless support structures may be evaluated in all zoning districts and approved administratively, provided the following SR are met:

1. The utility wireless support structure may only be for use by the electric utility provider.
2. Two (2) copies of a site plan prepared by a registered professional engineer or a professional land surveyor as provided in Section 21-52, including information in Section 21-60(4)a.1.i.
3. Documentation substantiating the owner and applicant for the Utility Wireless Support Structure is an electric utility provider.
4. Fall zone certification from an NC Registered Professional Engineer in compliance with Section 21-60(4)(c).
5. No Hazard to Air Navigation determination from the Federal Aviation Administration (FAA) and No Adverse Effect determination from the NC State Historic Preservation Office (NCSHPO). Both determinations must be dated within twelve (12) months of the utility tower application submittal.
6. The utility wireless support structure will be a monopole not to exceed one hundred ninety-nine (199) feet.

Amend Section 21-113 to add “Utility Wireless Support Structure” to the Table of Use contained in Section 21-113 and provide that the “Utility Wireless Support Structure” use is Permitted with Special Requirements (“SR”) in all zoning districts, as shown below:

[illegible]

structures

Public safety tower SR SR SR SR SR SR SR SR SR

Utility wireless SR SR SR SR SR SR SR SR

support structure