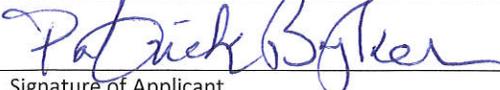




DURHAM CITY-COUNTY PLANNING DEPARTMENT
Unified Development Ordinance (UDO)
Text Amendment Application



Applicant Information	
Name: Durham Tower Development, LLC	Telephone: 919-590-0384
Company/Organization: c/o Morningstar Law Group	Email: pbyker@morningstarlawgroup.com
Address: 630 Davis Drive, Suite 200	City/State/Zip: Morrisville, NC 27560
Proposed Amendment(s)	
<p>In the space below, provide details of the proposed amendment(s); attach additional sheets as needed. Please use the following format for each portion of the existing Ordinance proposed to change:</p> <ol style="list-style-type: none"> Current UDO Reference: (List Articles, Sections, and paragraphs affected); Current and proposed text (with strike-out of deleted text and underline of proposed text), diagram, and/or illustration; OR detailed description of desired change; and Justification for the amendment(s); include how this proposal may affect other portions of the UDO, as applicable. 	
<ol style="list-style-type: none"> Section 5.3.3.N.13 and Section 16.3 (Definition of Concealed Wireless Communications Facility) Section 5.3.3.N.13(4)(a): <u>Within all Nonresidential Districts except for CN, all Planned Districts except for PDR and all Design Districts, a freestanding "slick stick" tower which contains all antennae within a monopole shall be deemed to meet the definition of a Concealed Wireless Communications Facility.</u> <p>Section 16.3 Defined Terms: Concealed Wireless Communications Facility: A wireless communications facility, ancillary structure, or WCF equipment compound that is not readily identifiable as such, and is designed to be aesthetically compatible with existing and proposed uses on a site. A concealed facility may have a secondary function, including, but not limited to the following: church steeple, windmill, bell tower, clock tower, cupola, light standard, flagpole with or without a flag, or tree. <u>Within all Nonresidential Districts except for CN, all Planned Districts except for PDR and all Design Districts, a "slick stick" tower which contains all antennae within a monopole shall be deemed to meet this definition of a Concealed Wireless Communications Facility.</u> A nonconcealed wireless communication facility is one that is readily identifiable such as a monopole or lattice tower.</p> <ol style="list-style-type: none"> The justification for this text amendment is to incentivize the use of slick stick wireless communications facilities in nonresidential districts so that such facilities will be located away from residential districts. Furthermore, the UDO currently allows for the administrative approval of "monopines" in nonresidential districts and the use of slick sticks will incentivize the use of more aesthetically appropriate WCF's in nonresidential districts. For example, this text amendment essentially mirrors the approval process for slick stick WCF's in Cary, NC. As demand for cell phone coverage is growing in Durham, this text amendment will have the beneficial effect of reducing demand on Planning Dept. staff resources as compared to a minor special use permit proceeding. Last, the approval of this text amendment will assist underserved nonresidential areas of Durham, such as Durham Technical Community College, with receiving adequate cellular coverage to enhance the educational experience of students and faculty at DTCC (see attached letter). 	
Signature of Applicant (Required)	
	6/27/2014
Signature of Applicant	Date
Tracking Information (Staff Only)	
Assigned Case #: <u>DD TC1400004</u>	Date Received: <u>6/27/2014</u>
Received By: <u>DD</u>	Fees Paid: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <u>CK #1030</u>



June 27, 2014

Steven L. Medlin
Planning Director
Durham City-County Planning Department
101 City Hall Plaza
Durham, NC 27701

Dear Mr. Medlin:

With this letter I express Durham Technical Community College's support of efforts to improve cellular telephone service to southeast Durham.

While cell service is available on some portions of the Durham Tech main campus, that service is spotty and inconsistent. Cell signals are extremely weak or non-existent in several areas on our campus, which stretches from the north side of Lawson St. to the south side of Cooper St. between Bacon St. and Briggs Ave. This spotty service is due to terrain features and structures that block signals from existing towers currently located in our neighborhood.

Improved cell service is important for students, faculty, and staff who rely increasingly on cell phones as their primary method of communication. More importantly, improved cell coverage provides for enhanced campus safety. As part of Durham Tech's emergency response system, we are currently installing a campus-wide emergency communication network that includes "blue light" telephones that rely on cellular communications to connect to our campus police and public safety office. Having additional capacity in our neighborhood will also provide an additional buffer in emergency situations when cellular communication is known to increase.

As you consider the application to erect a cell tower on Pettigrew St. near Briggs Ave., I hope you will take into account the added convenience and enhanced safety this installation would provide Durham Tech's 20,000 students and 700 employees. Please feel free to contact me if you have any questions about this letter.

Sincerely,



William G. Ingram
President

c: William J. Brian, esq.