Tillman Infrastructure

LLW LEWIS LONGMAN WALKER

CITY OF FORT PIERCE
CITY COMMISSON MEETING
SEPTEMBER 19, 2022

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APPLICATION FOR CONDITIONAL USE AND DESIGN REVIEW FOR TELECOMMUNICATIONS TOWER

Applicant:	Tillman Infrastructure, LLC
Property Address:	1601 N. 25th Street, Fort Pierce, Florida
Parcel Id:	2402-608-0095-050-9
Property Owner:	Alvin Miller

WHO IS TILLMAN INFRASTRUCTURE, LLC?

Tillman Infrastructure

Tillman Infrastructure, LLC is a telecommunications infrastructure developer. Tillman Infrastructure was founded in 2016 consists of a team of industry professionals and innovators with over 300 years of cumulative experience. Tillman is committed to helping its infrastructure partners – customers, sellers, landlords, and communities - achieve their wireless infrastructure goals through a history of fairness, operational excellence, deep sector expertise, and an extensive industry network.

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WHAT IS 5G TECHNOLOGY?

- 5G is the fifth generation of cellular network technology.

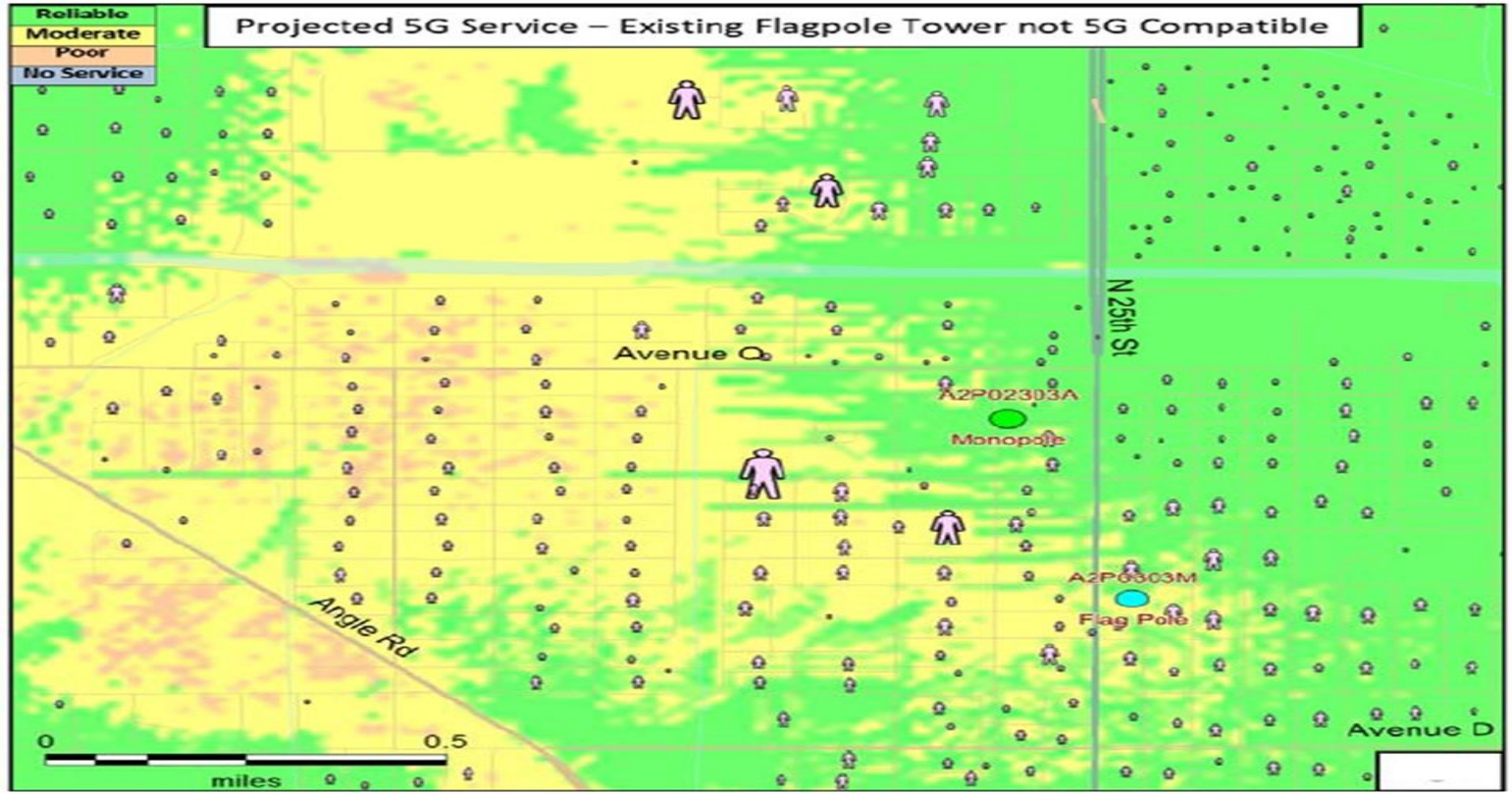
BENEFITS OF 5G TECHNOLOGY?

- 5G technology allow for ultra-fast downloads, telemedicine, alternate realty (AR) gaming and self-driving cars.
- It is around 100x faster than 4G or LTE technology.
- It will lower latency, or network response time.
- It will add capacity for millions more devices.

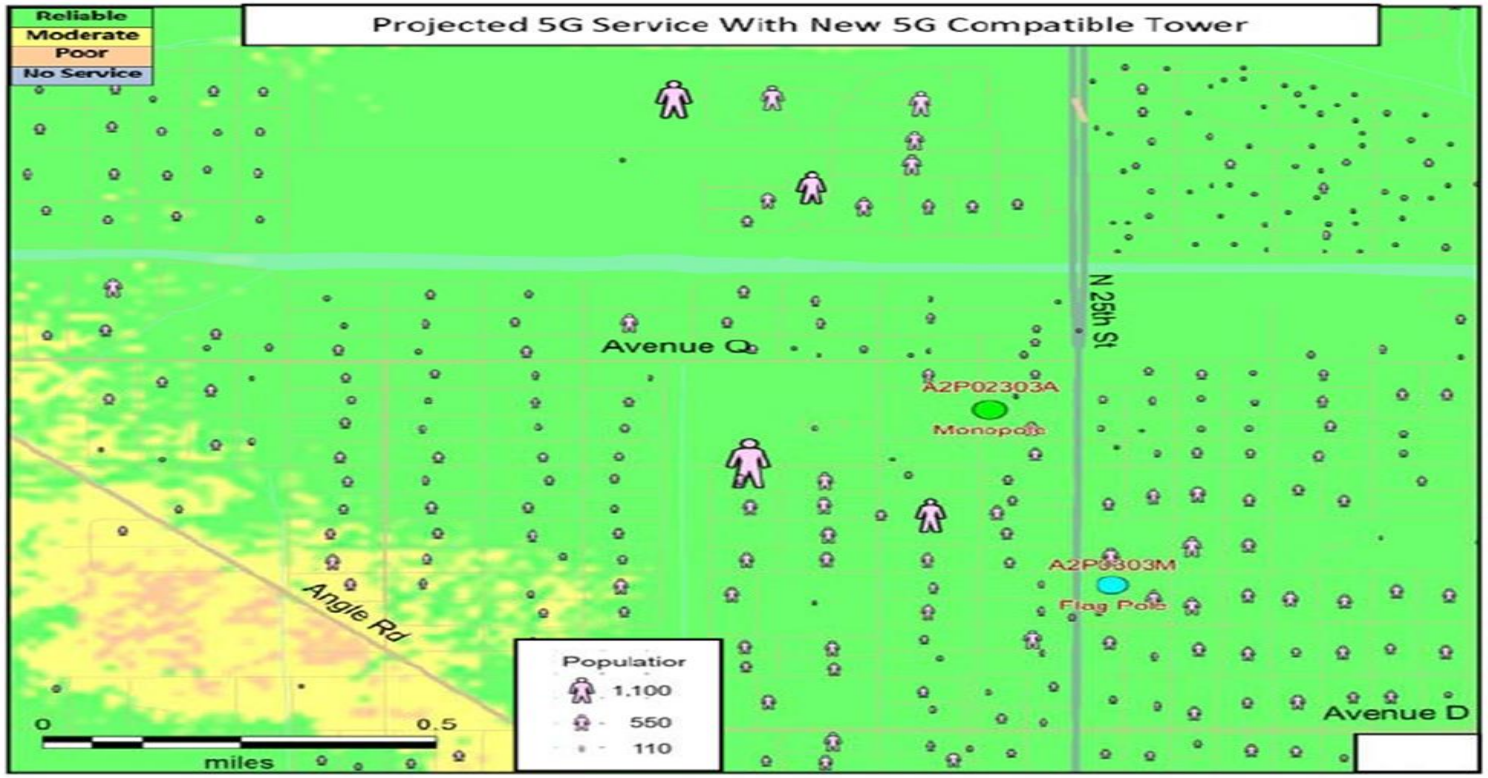
SEARCH RING


- 5G T-Mobile Site
- 4G T-Mobile Site
- search ring polygon
- Proposed Tower
St Lucie County International Airport
A2P0105A
Monopole
A2P0307M
Monopole
Fort Pierce North
1.39 mi
A2P02303A
Monopole
1.30 mi
A2P0043A
Monopole
A2P0303M
Flag Pole
1.98 mi
2.68 mi
2.52 mi
1.89 mi
FL 68
A2P0227A
Flag Pole
A2P0304M
Self Support Tower
A2P0319M
Self Support Tower
A2P0044C
Guyed Tower
A2P0084A
Self Support Tower
0
1
miles
Fort Pierce
US 1
FL 70
RT 707

EXISTING 5G COVERAGE NEED



5G COVERAGE WITH PROPOSED MONOPOLE TOWER



TOWER SITE SELECTION

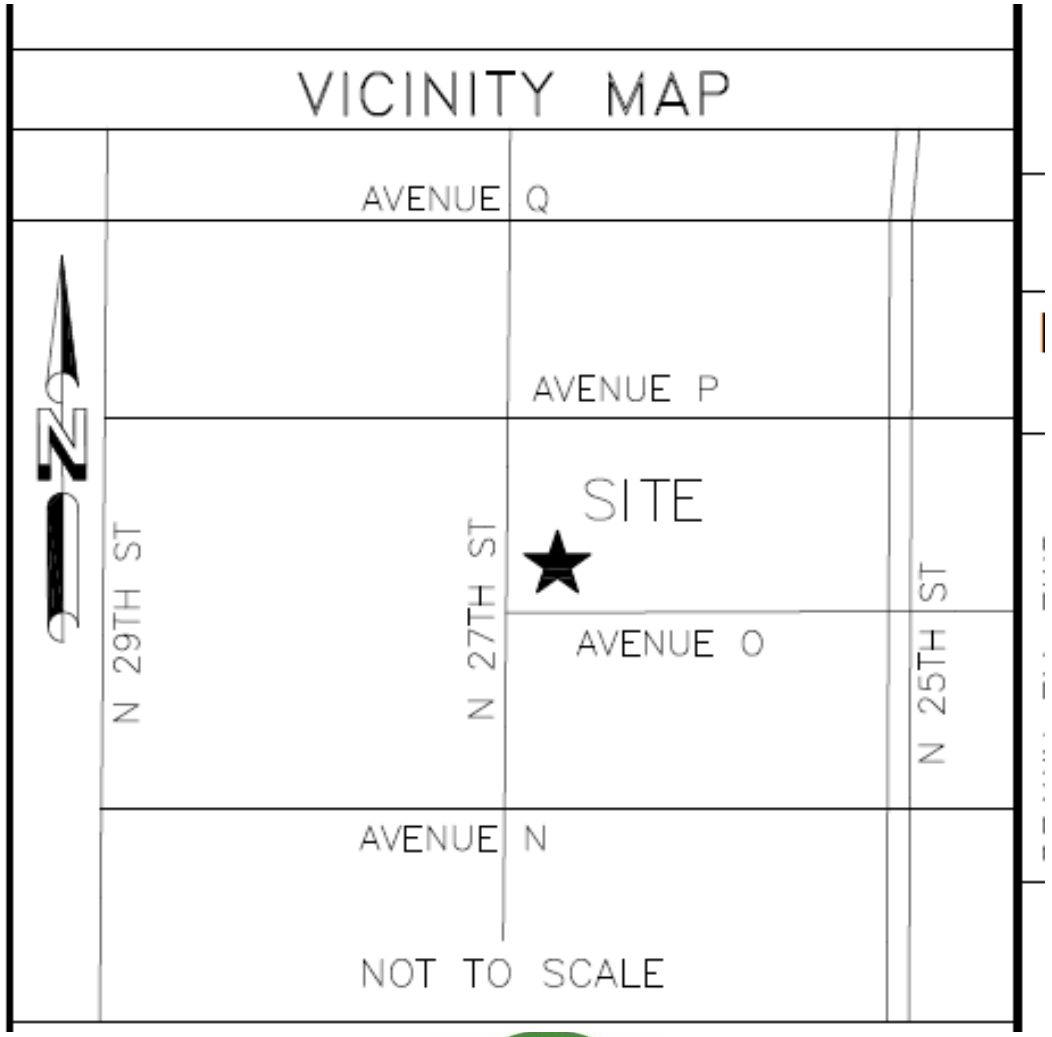
How are locations for towers selected?

Cellular tower locations are the result of an engineering field called Radio Frequency Engineering or RF, for short. RF engineers at the various wireless companies determine where the placement of a new tower will accomplish one (or more) of three goals:

- **Expansion:** The tower site provides coverage over areas that do not currently have coverage.
- **Capacity:** The tower site provides additional capacity for the carrier to handle more calls in areas where existing towers are overloaded.
- **Quality:** The tower fills in a hold or an area where customer calls are frequently dropped or call service is poor.

SITE CHARACTERISTIC PREFERENCES:

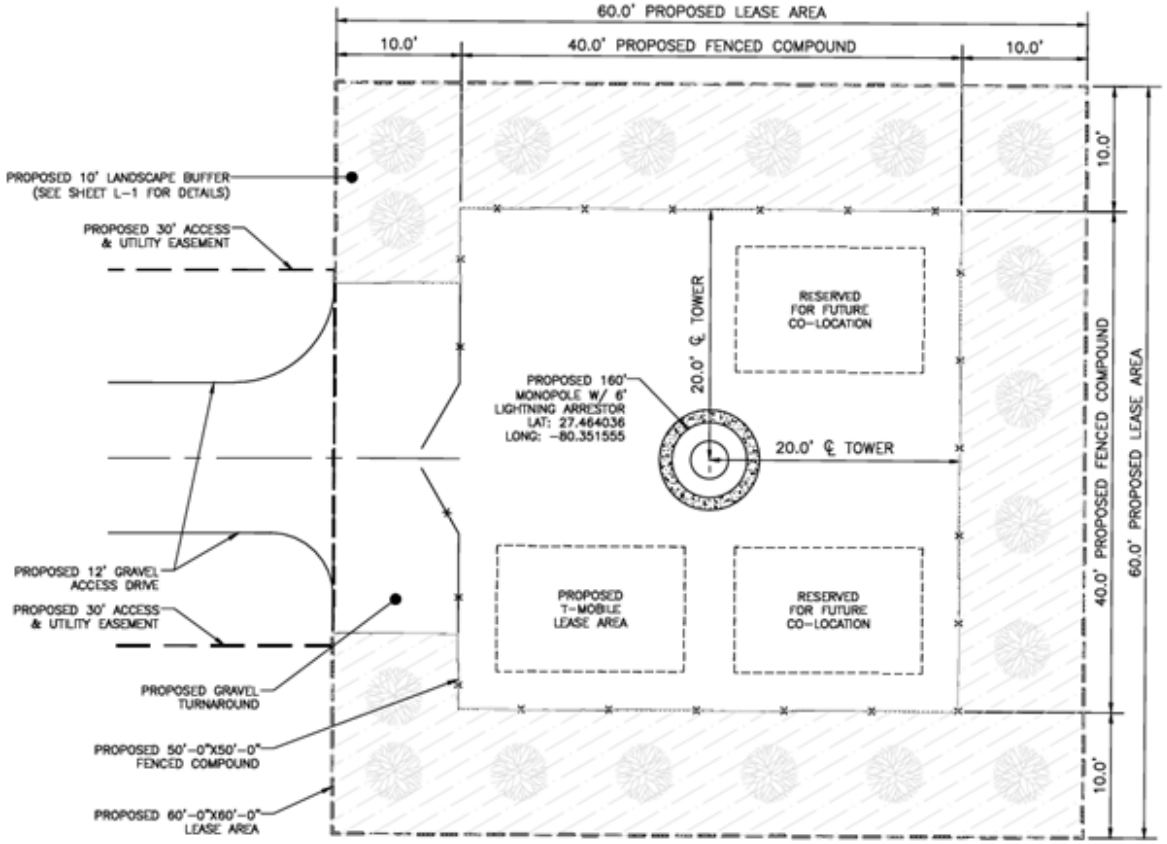
- Available Azimuths
- Equipment Area
- Ease of Construction
- Construction Cost
- Structural Capacity
- Ease of Leasing
- Cost of Leasing
- Ease of Access
- Preferred RAD Center
- Cost of Expansion/Modification
- Proximity to Residential Areas


VICINITY MAP
AVENUE Q
AVENUE P
SITE
AVENUE O
AVENUE N
N 29TH ST
N 27TH ST
N 25TH ST
NOT TO SCALE

PROPOSED SITE AND SURROUNDING PROPERTIES

Proposed Setbacks
a. 85 ft. front yard.
b. 60 ft. side yard.
c. 525 ft. rear yard.

SITE PLAN


60.0' PROPOSED LEASE AREA
10.0'
40.0' PROPOSED FENCED COMPOUND
10.0'
PROPOSED 10' LANDSCAPE BUFFER
(SEE SHEET L-1 FOR DETAILS)
PROPOSED 30' ACCESS
& UTILITY EASEMENT
RESERVED
FOR FUTURE
CO-LOCATION
20.0' ℄ TOWER
PROPOSED 160'
MONOPOLE W/ 6'
LIGHTNING ARRESTOR
LAT: 27.464036
LONG: -80.351555
20.0' ℄ TOWER
PROPOSED 12' GRAVEL
ACCESS DRIVE
PROPOSED 30' ACCESS
& UTILITY EASEMENT
PROPOSED
T-MOBILE
LEASE AREA
RESERVED
FOR FUTURE
CO-LOCATION
PROPOSED GRAVEL
TURNAROUND
PROPOSED 50'-0"X50'-0"
FENCED COMPOUND
PROPOSED 60'-0"X60'-0"
LEASE AREA
10.0'
40.0' PROPOSED FENCED COMPOUND
60.0' PROPOSED LEASE AREA
10.0'

FORT PIERCE CELL TOWER – AERIAL VIEW

FORT PIERCE CELL TOWER – PERSPECTIVE VIEW 1

FORT PIERCE CELL TOWER – PERSPECTIVE VIEW 2

CONDITIONAL USE
SECTION 125-235

The purpose of the Conditional Use process is to allow, when desirable, uses that would not be appropriate generally or without restriction throughout the particular zoning district, but which, if controlled as to number, area, location or relation to the neighborhood, would not adversely affect the public health, safety, comfort, good order, appearance, convenience and the general welfare.

STANDARDS FOR REVIEW
SECTION 125-361(d)

The city shall consider and weigh the aesthetic impact and compatibility issues of the proposed antenna support structure with the public benefit derived from having an efficient and reliable wireless communications system when determining whether or not to approve the application. Consideration shall be based upon these factors:

(1) Height of the proposed antenna support structure.

(2) Proximity of the antenna support structure to residential structures and residential district boundaries.

(3) Nature of uses on adjacent and nearby properties.

(4) Surrounding topography.

(5) Surrounding tree coverage and foliage.

(6) Design of the antenna support structure.

(7) Proposed ingress and egress.

(8) Availability of suitable existing antenna support structures and other structures. Evidence submitted to demonstrate that no existing antenna support structure or other structure can accommodate the applicant's proposed antenna may consist of any of the following:

a. No existing antenna support structures or other suitable structures are located within the geographic area required to meet the applicant's engineering requirements;

b. Existing antenna support structures or other suitable structures are not of sufficient height to meet the applicant's engineering requirements;

c. Existing antenna support structures or other suitable structures do not have sufficient structural strength to support the applicant's proposed antenna and related equipment;

d. The applicant's proposed antenna would cause electromagnetic interference with the antenna on the existing antenna support structure or other suitable structure, or the antenna on the existing antenna support structure would cause interference with the applicant's proposed antenna;

e. The fees, costs or contractual provisions required by the applicant in order to share an existing antenna support structure or other structure or to adapt such structure for sharing are unreasonable. Costs exceeding a new antenna support structure are presumed to be unreasonable.

f. The applicant demonstrates that there are other limiting factors that render existing antenna support structures or other structures unsuitable.

FEDERAL LAW AND REGULATIONS

The Telecommunications Act of 1996

- In 1996, the U.S. Congress enacted the Telecommunications Act of 1996, Pub.L.No. 104-104, §704; 110 Stat. 56 (1996) (the “”TCA” or the “Telecommunications Act”).
- The intent of the TCA as enacted by Congress was to institute a framework to promote competition and innovation within the telecommunications industry.
- Balancing wireless deployment with preservation of traditional local zoning authority.

FEDERAL LAW AND REGULATIONS

The Telecommunications Act of 1996

47 U.S.C. 332(c)(7)(A) Preservation of local zoning authority

(A) GENERAL AUTHORITY - Except as provided in this paragraph, nothing in this chapter shall limit or affect the authority of the State or local government or instrumentality thereof over decisions regarding the placement, construction, and modification of personal wireless service facilities.

(B) LIMITATIONS

- Shall not unreasonably discriminate among providers of functionally equivalent services; and
- Shall not prohibit or have the effect of prohibiting the provision of personal wireless services.

FEDERAL STANDARDS

The Federal Communications Commission governs what local jurisdictions may consider in their review of telecommunication facilities.

Location and Design

- Per 47 U.S.C. 332(c)(7)(B)(i)(II), the City may not regulate the placement, construction or modification of wireless service facilities in a manner that prohibits or effectively prohibits the provision of personal wireless services.
- Federal law does not prohibit the City from considering aesthetics and location under reasonable, objective and published criteria.
- FCC Order 18-33 became effective in early 2019

  - Establishing a 60 day and 90 day “shot clock” for applications for co-locations and new wireless facilities respectively (including small cell facilities).

FEDERAL STANDARDS

- Prohibiting aesthetic standards unless they were:
  - Reasonable
  - No more burdensome than those applied to other infrastructure
  - Objective
  - Published in advance

FEDERAL STANDARDS

RF Emissions

- Per 47 U.S.C. 332(c)(7)(B)(iv), no state or local government may regulate facilities on the basis of the perceived health effects of radio frequency (RF) emissions, except to ensure compliance with federal RF standards.

- The maximum permissible RF exposure limits adopted by the FECC for both general population/uncontrolled exposure and for occupational/controlled exposure incorporate a substantial margin of safety and have been established to be well below levels generally accepted as having the potential to cause adverse health effects.

PLANNING BOARD RECOMMENDATION

The Planning Board at their meeting on August 8, 2022, voted unanimously to recommend Approval of the request with the condition that the applicant try to find a way to use a design that camouflages the tower.

SUMMARY

- The proposed telecommunications tower meets all of the siting criteria for a telecommunications tower under the City's Zoning Code.
- The proposed Facility is required to close a substantial COVERAGE GAP and represents the ONLY VIABLE ALTERNATIVE.
- Pursuant to §704(a) of the Federal Telecommunications Act of 1996 which provides, among other things, that wireless facilities may not be prohibited in any particular area and that any zoning denial of zoning relief must be based upon substantial evidence.

Accordingly, Tillman Infrastructure, LLC respectfully requests that the City Commission grant its APPROVAL of its application for Conditional Use with New Construction and Design Review of the proposed Telecommunications Tower.