

Purpose

This section is intended to establish general standards for the siting of telecommunications towers and antennas that will:

- 1) Protect residential areas and land uses from potential adverse impacts of towers and antennas;
- 2) Encourage the location of towers in nonresidential areas;
- 3) Minimize the total number of new towers throughout the city;
- 4) Strongly encourage the joint use of new and existing tower sites as a primary option rather than construction of additional single-use towers;
- 5) Encourage the location of towers and antennas in areas where the adverse impact on the community is minimal;
- 6) Encourage towers and antennas to be carefully sited, designed, and screened to minimize their adverse visual impact;
- 7) Enhance the ability of the providers of telecommunications services to provide such services to the community quickly, effectively, and efficiently;
- 8) Consider the public health and safety concerns of communication towers and antennas; and
- 9) Encourage the use of engineering and careful siting of tower structures to avoid potential damage to adjacent properties from tower failure.

Applicability

All new telecommunications facilities, whether a principal or accessory use, shall be subject to these standards unless specifically exempted in Section C, Exemptions.

Exemptions

The following shall be exempt from II, III-D, VI, VII, XIV-A and XV under Freestanding Towers below; however, they must follow the Type I site plan approval process:

- 1) Emergency communication towers owned by the City.
- 2) Freestanding Towers on City owned property.

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- 3) Other public agency towers, that are used wholly or in part for public safety or emergency communications purposes.
- 4) Antennas and antenna supporting structures operated by a public utility regulated by a Public Utility Commission.
- 5) Any antenna or communication tower attached to, or located on, an existing building, water tower, power transmission line tower or other structure, which is located on City-owned property. Such communication towers and antennas shall be no taller than thirty (30) feet or thirty (30%) percent of the height of the existing structure, whichever is less.

The following shall be exempt from the standards of this section (but shall be required to comply with other relevant standards within the Zoning Ordinance):

- 6) Satellite dish antennas.
- 7) Receive-only television or radio antennas for noncommercial use.
- 8) Antennas legally operated by FCC-licensed amateur radio operators.

Freestanding Towers

Freestanding telecommunications towers, whether as a principal or accessory use, shall comply with the following standards:

I. Safety

Before obtaining a building permit, the applicant shall submit engineering drawings to the Development Services Director, sealed by a licensed engineer, that include a statement that the tower will meet all applicable local, state, and federal building codes and structural standards.

II. Height

The height of a telecommunications tower, including any building or structure atop which the tower is located, shall not exceed 199 feet unless approved as a special use permit. In no instance shall a tower exceed 300 feet.

III. Aesthetics

- a) Towers shall either maintain a galvanized steel finish or be painted.
- b) Towers shall be camouflaged with the surrounding area, through paint, incorporation into architectural design/structure, or other means, to the maximum extent practicable.

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- c) The exterior appearance of ground-based accessory structures located within a residential zoning district shall be designed to look like a residential structure typical of the district (e.g., with a pitched roof and frame or brick siding).
- d) All communication towers shall be of the monopole variety, and shall be self supporting without any additional supporting wires or guy anchors unless other design is approved as a special use permit.

IV. Lighting

If lighting is required by the Federal Aviation Administration (FAA), it shall comply with FAA standards. To the extent allowed by the FAA, strobe lights shall not be used for nighttime lighting and lighting shall be oriented so as not to project directly onto any surrounding residentially-zoned property. Documentation from the FAA that the lighting is the minimum lighting it requires shall be submitted to the Director of Planning and Development Services before issuance of any building permit for the tower.

V. Setbacks

- a) New Telecommunications towers shall be set back from abutting property lines the distance equal to or exceeding that in Table 1, Freestanding Telecommunications Tower Setback Standards.

<u>Table 1: FREESTANDING TELECOMMUNICATIONS TOWER SETBACK STANDARDS</u>	
<u>Zoning District</u>	<u>Minimum Setback</u>
<u>All districts except for B-1, B-2 and Ind</u>	<u>Tower height</u>
<u>B-1, B-2 and Ind</u>	<u>Greater of: 1/2 tower height or equal to the fall zone/distance of the tower as certified by a licensed and certified structural engineer, but in any event no less than 50 feet</u>

- b) Buildings associated with a telecommunications facility shall meet the minimum setback requirements for the zoning district where located.

VI. Separation from other Towers

New telecommunication towers shall not be located within 1,500 feet of an existing telecommunications tower. This standard shall not apply

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to replacement towers or to a telecommunications tower placed out of view in a building or other structure.

VII. Collocation

- a) No freestanding telecommunications tower shall be allowed unless it is demonstrated that no suitable existing tower, building, or other structure within the coverage area is available for the collocation of antennas.
- b) New freestanding telecommunications towers shall be designed to accommodate the present and future needs of the owner and at least two comparable users. Unused space on an existing telecommunications tower shall be made available to other users at a fair market rental unless mechanical, structural, or regulatory factors prevent collocation. In determining fair market rental, the rent paid by a current collocater under a swapping agreement need not be considered.

VIII. Buffer and Screening

A type "A" buffer (See Section 115 Screening and Bufferyards), shall be provided around the perimeter of a freestanding telecommunications tower facility (including equipment structures and guy anchor supports).

IX. Security Fencing

Towers, guy anchor supports, and ground-based equipment buildings shall be enclosed by security fencing not less than eight feet in height. Security fencing may be green or black vinyl coated chain link; however, it shall be fully screened from adjacent streets by landscaping materials.

X. Interference

No telecommunications tower, antenna, or supporting equipment shall disturb or diminish radio or television or similar reception on adjoining residentially zoned land.

XI. Use of Associated Buildings

Building and structures associated with a telecommunications tower shall not be used as an employment center for any worker. This does not prevent the periodic maintenance, inspection, and monitoring of equipment and instruments, or renovation of the facility.

XII. No Outdoor Storage

No outdoor storage shall be allowed on a telecommunications tower

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site.

XIII. Compliance with State or Federal Laws and Regulations

Towers and antennas shall meet or exceed current standards and regulations of the Federal Aviation Administration (FAA), the Federal Communications Commission (FCC), and any other agency of the state or federal government that regulates telecommunications towers and antennas.

XIV. Replacement of Existing Towers

Existing freestanding towers may be replaced with a replacement tower made of new materials that increases the number of collocation opportunities, subject to the following standards:

- a) The height of the replacement tower shall not exceed 110 percent of the height of the replaced tower, but in no instance shall the height of the replacement tower exceed 199 feet unless approved as a special use permit. In no instance shall a tower exceed 300 feet.
- b) The replacement tower shall be located within 100 feet of the replaced tower, unless the Development Services Director determines that a farther distance furthers the purpose and intent of this UDO.
- c) The replacement tower shall comply with all the standards of this sub-section.
- d) All communication towers shall be of the monopole variety, and shall be self supporting without any additional supporting wires or guy anchors unless other design is approved as a special use permit.

XV. Site Plan

Before any new or replacement tower can be permitted, a site plan shall be submitted in accordance with a Type II Site Plan.

XVI. Discontinued Use

If a telecommunications tower is not used for a period of six consecutive months, the Development Services Director may send the tower owner notice indicating that the tower must be removed within 90 days from the date of notice.

Collocation of Antennas on Existing Towers

Antennas may be collocated on existing towers if they comply with the following standards:

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- 1) It is demonstrated the tower can accept the additional structural loading created by the collocation.
- 2) Any modification of an existing tower to accommodate the collocation of additional antenna shall comply with the height limit established for freestanding telecommunications towers in Section D-2, Height.
- 3) Antennas and associated equipment shall comply with the safety, lighting, interference, and regulatory compliance standards for telecommunications towers included within this subsection.

Placement of Antennas on an Existing Buildings

An antenna may be attached to any business or multifamily residential building in accordance with the following standards:

- 1) Height
The antenna shall not extend above a height 20 percent higher than the highest point of the building or structure.
- 2) Other Standards
Antennas and associated equipment shall comply with the safety, lighting, interference, and regulatory compliance standards for telecommunications towers included within this sub-section.
- 3) Screening
 - a. Antennas visible from the street shall be omni-directional, be screened, or be camouflaged to the maximum extent practicable to minimize their appearance.
 - b. All other equipment shall be located within the building or screened in some other fashion to prevent off-site views.

Standards Applicable to Temporary Wireless Communication Towers.

Temporary Wireless Communication Tower shall adhere to the following standards:

- 1) Output power levels from the tower and /or associated antennas shall not exceed the current federally approved levels for exposure to electromagnetic radiation.
- 2) Radio, television or other electromagnetic transmission(s) or reception on other properties will not be disturbed or diminished.
- 3) The tower shall have no lighting except that which is required by the Federal Aviation Administration (FAA). The lighting shall be oriented so as not to project directly onto surrounding residential property. The owner shall submit documentation from the FAA that the lighting is the

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minimum required by the FAA.

- 4) Temporary wireless communication towers are exempt from Section 115. Screening and Buffer Yard Standards, except that the City Manager or his designee may require provisions that seek to accomplish the spirit of the standards in a temporary and effective manner.
- 5) Temporary wireless communication towers shall observe the following setbacks: 35 feet from all adjacent properties located in nonresidential zoning districts, 75 feet from all adjacent residentially zoned districts and 75 feet from all rights of way.
- 6) No temporary wireless communication towers may be placed in front of a primary structure or between such primary structure(s) and any street right of way. City Council recognizes that in an emergency situation flexibility may be necessary in order to restore service to portions of the City. Therefore, the City Manager or his designee may grant administrative flexibility in these situations.
- 7) All temporary wireless communication towers may be required to place a sign at least 18 by 24 inches but smaller than 36 by 48 inches which identifies the owner or operator and all applicable permit numbers. Such sign shall designate the permission text for temporary use and the expiration date for such temporary use.
- 8) Temporary wireless communication towers (including, if applicable, all guy anchors) shall be secured by a chain link fence of no less than six (6) feet in height.
- 9) No temporary wireless communication towers shall exceed 150 feet in height (measured from the ground to the highest point of the temporary structure).
- 10) Temporary wireless communication towers may be permitted by approval by the City Manager or his designee for a term not to exceed 180 days. Once granted, a temporary wireless communication tower permit may be extended for up to 180 days by City Council upon presentation of the evidence of need by the applicant. However, no facility will be allowed for a period of greater than one-year.
- 11) Temporary wireless communication towers: A plan that includes the following information is required:

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- a) Identity, address, telephone number of the proposed or intended user(s) of the temporary facility, the property owner (if not the same), and the site developer.
- b) The proposed location of the temporary wireless communication tower on the host parcel in relationship to all property lines, significant existing structures, easements and rights-of-way; show all applicable setbacks, fences, driveways and an elevation view indicating the height and design of the proposed temporary wireless facility.
- c) The zoning and current use of the host property as well as the adjacent zoning and uses of surrounding properties within 100 feet of the site.