

ARTICLE XI

SUPPLEMENTARY USE REGULATIONS

PART II. MISCELLANEOUS SUPPLEMENTARY USE PROVISIONS

Section 15-176 Towers and Antennas (AMENDED 02/18/97)

In addition to other applicable provisions of this chapter, towers and antennas attached thereto that exceed 50 feet in height (use classification 18.200) shall be subject to the following requirements:

- (1) A tower may not be located within 1,500 feet of another tower (measured in a straight line and not by street distance).
- (2) As set forth in subsection 15-184(r), the base of the tower shall be set back from a street right-of-way line and every lot boundary line a distance that is not less than the height of the tower.
- (3) Lighting shall not exceed the Federal Aviation Administration (FAA) minimum if lighting is required by the FAA. To the extent allowed by the FAA, strobes shall not be used for nighttime lighting. The lights shall be oriented so as not to project directly onto surrounding residential property, consistent with FAA requirements. Prior to issuance of a building permit, the applicant shall be required to submit documentation from the FAA that the lighting is the minimum lighting required by the FAA.
- (4) Towers and antennas shall be constructed and operated so as not to disturb or interfere with the use or operation on adjoining or nearby properties of radios, televisions, telephones, or similar equipment.
- (5) Commercial messages may not be displayed on any tower.
- (6) The output from the tower may not exceed federally approved levels for exposure to electronic magnetic force (EMF). The applicant shall be required to submit documentation with the application verifying compliance with this standard.
- (7) If the tower is up to 180 feet in height, the tower shall be engineered and constructed to accommodate at least one additional telecommunication user. If the tower exceeds 180 feet, the tower shall be engineered and constructed to accommodate at least two additional telecommunication users. Furthermore, the site plan must show locations for accessory buildings necessary to accommodate a minimum of two users, even if the tower is proposed for a single user.

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- (8) The base of the tower and each guy anchor shall be surrounded by a fence or wall at least eight feet in height and constructed of material that cannot be easily climbed or penetrated, unless the tower and all guy wires are mounted entirely on a building at least eight feet in height.
- (9) The base of the tower, any guy wires, and any associated structures, walls, or fences shall be surrounded by a Type A screening. The site developer shall have the option of (i) providing the screening around the tower base and associated items individually, or (ii) providing the screening around the perimeter of the entire site.
- (10) Outdoor storage shall not be permissible on tower sites.
- (11) In addition to other information that must be submitted with the application, the application for a tower must contain the following information:
 - a. Identification of the intended user(s) of the tower.
 - b. Documentation provided by a registered engineer that the tower has sufficient structural integrity to accommodate more than one user.
 - c. Documentation by the applicant that no suitable existing facilities within the coverage area are available to the applicant. Documentation may include maps, letters from adjacent tower owners, or calculations. Facilities include other towers, or other buildings or structures.
 - d. A statement indicating the owner's intent to allow shared use of the tower and how many other users can be accommodated.
- (12) The recipient of a permit for a tower shall be required as a continuing condition on the validity of the permit, to submit to the Zoning Administrator by January 31st of each year documentation, including but not limited to an FCC license, that the tower is being utilized. Towers which are not used for a period of 6 months or more shall be removed by the owner within 90 days thereafter. A statement of financial responsibility and performance security shall be posted for each tower to guarantee compliance with this requirement.
- (13) In any residential zone, associated buildings or other buildings located on the same lot and owned or used by the applicant, its associates, or any co-users shall not be used as an employment center for any worker. This subsection does not prohibit the periodic maintenance or periodic monitoring of instruments and equipment.
- (14) The tower shall be constructed with a grounding system that provides adequate protection from destruction or damage by lightning.

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- (15) The proposed addition of another user's antenna to a pre-existing tower, or any substantial change in the previously approved tower, shall constitute a minor modification as defined in Section 15-64.

- (16) In addition to the considerations for conditional or special use permits found in Section 15-54 of this ordinance, the approving bodies in determining whether a tower is in harmony with the area of a tower on the value of adjoining or abutting properties may consider the aesthetic effects of the tower as well as mitigating factors concerning aesthetics, and may disapprove a tower on the grounds that such aesthetic effects are unacceptable. Factors relevant to aesthetic effects are the protection of the view in sensitive or particularly scenic areas and areas specially designated in adopted plans such as unique natural features, scenic roadways and historic sites; the concentration of towers in the proposed areas; and whether the height, design, placement or other characteristics of the proposed tower could be modified to have a less intrusive impact.