

Sec. 3-100.13. Miscellaneous uses.

Towers

- (A) *Intent:* These minimum standards are intended to govern the location of all towers and the installation of antennas and accessory equipment structures.
- (B) Towers, with related unmanned equipment buildings, shall be permitted only by special use permit in zoning districts as specified in article II, District Regulations. Applicants are encouraged to consider properties owned by the county when locating towers.
- (C) *General standards:*
 - 1. No tower or related facilities shall be located within 500 feet of any residential district.
 - 2. No new tower shall be permitted unless the applicant demonstrates to the reasonable satisfaction of the board of supervisors that no existing tower or structure can accommodate the proposed antenna. Evidence submitted to demonstrate that no existing tower or structure can accommodate the applicant's proposed antenna may consist of any of the following:
 - a. No existing towers or structures are located within the geographic area required to meet the applicant's engineering requirements.
 - b. Existing towers or structures are not of sufficient height to meet the applicant's engineering requirements.
 - c. Existing towers or structures are not of sufficient structural strength to support the applicant's proposed antenna or related equipment.
 - d. The applicant's proposed antenna would cause electromagnetic interference with existing antenna, or the antenna on the existing towers, or structures would cause interference with the applicants proposed antenna.
 - e. The applicant demonstrates that there are other limiting factors that render existing towers or structures unsuitable.
 - 3. No tower shall exceed 199 feet in height, including antennas. **Requests for exceptions from this height restriction must have Board of Supervisors' approval through the special use permit process.**
 - 4. Towers shall either maintain a galvanized steel finish or, subject to any applicable standards of the FCC or FAA, be painted a neutral color.
 - 5. At any tower site, the design of the buildings and related structures shall use materials, colors, textures, screening, and landscaping that will blend the facilities to the natural setting and the built environment. The related unmanned equipment structure shall not contain more than 750 square feet of gross floor area or be more than 12 feet in height, and shall be located in accordance with the requirements of the zoning district in which located.
 - 6. Towers shall not be artificially lighted, unless required by the FCC or FAA. If lighting is required, the board of supervisors may review the available lighting alternatives and approve the design that would cause the least disturbances to surrounding views.
 - 7. All towers must meet or exceed current standards and regulations of the FAA, the FCC, and any other agency of the federal government with the authority to regulate towers. If such standards and regulations are changed, then the owners of the tower governed by this section shall bring such structures into compliance with such revised standards as required by above named agencies. Failure to bring a tower into compliance with such revised standards and regulations as required by above named agencies shall constitute grounds for the revocation of the special use permit, and removal of the tower at the owner's expense.
 - 8. The owner of any tower shall ensure that it is constructed and maintained in compliance with standards contained in applicable federal, state, and local building codes and regulations.

9. Each applicant requesting a special use permit for a new tower shall submit two copies of a scaled site plan and a scaled elevation view and other supporting drawing, calculations, and other documentation, signed and sealed by appropriate licensed professionals, showing the location and dimensions of all improvements, including information concerning topography, radio frequency coverage, height requirements, setbacks, drives, parking, fencing, landscaping, easements, adjacent uses, and any other information deemed necessary by the county to assess compliance with the regulations of this ordinance.

Additionally, the applicant shall provide actual photographs of the site from designated relevant views that include a simulated photographic image of the proposed monopole or tower. The photograph with the simulated image shall include the foreground, the mid-ground, and the background of the site.

10. An engineering report, certifying that the proposed tower and site are compatible for co-location with a minimum of three similar users including the primary user, must accompany the application. The applicant shall provide copies of their co-location policy.
11. Local government access. Owners of towers shall provide the county co-location opportunities ~~without compensation as a community benefit~~ to improve radio communications for county departments and emergency services, provided it does not conflict with the co-location requirements of this section.
12. **Telecommunications transmissions from any telecommunications tower or related facility shall not interfere with the emergency public safety communications system operated by the county or any communications system operated by the federal, state or county government.**
13. In addition to any reasonable application fees established by board of supervisors, the applicant shall be financially responsible for the cost of any professional engineering and or related services that may be procured by the county to independently verify the application information submitted by the applicant.
14. Towers, guys, and accessory facilities must satisfy the minimum zoning district setback requirements for primary structures.
15. Towers shall be enclosed by security fencing not less than six feet high and shall be equipped with an appropriate anti-climbing device.
16. Tower facilities shall be landscaped with a buffer of plant materials that effectively screens the view of the support buildings from adjacent property. The standard buffer shall consist of a landscaping strip of at least four feet wide outside the perimeter of the compound. Existing mature tree growth and natural land form on the site shall be preserved to the maximum extent possible.
17. Any tower that is not operational for a continuous period of 90 days shall be considered abandoned, and the owner of such tower shall remove same within 90 days of receipt of notice from the building official or county administrator notifying the owner of such removal requirement. Removal includes the removal of the tower, all subterranean tower and fence footers, underground cables and support buildings. The buildings may remain with the approval of the landowner. If there are two or more users of a single tower, then this provision shall not become effective until all users cease using the tower. If the tower is not removed per this section, the county may require the landowner to have it removed. In all cases, the site shall be returned as closely as possible to its original conditions.
18. Every applicant for a special use permit for a tower shall, as a condition for the issuance of the special use permit, file with the building official a continuing bond in the penal sum of not less than \$10,000.00 and conditioned for the faithful observance of the provisions of this ordinance and all amendments thereto, and of all the laws and ordinances relating to towers, and which shall indemnify and save harmless the county from any and all damages, judgments, costs, or expenses which the county may incur by reason of the removal or the causing to be removed any tower as provided for in this section.

Note: Strikethrough language is recommended by staff to be removed. Bold and underlined language is recommended new language to be added by staff.