

ZONING ORDINANCE

14A Attachment 1

APPENDIX I. CELLULAR COMMUNICATION TOWERS

- A. Ground-mounted cellular telecommunications antenna support structures, with appurtenant antenna and equipment storage facilities, when permitted by the zoning district regulations, are subject to the following restrictions:
1. The following must accompany a request for a building permit:
 - a. A verification letter that all required FAA and FCC approvals have been requested and that site-specific structural and non-ionizing electromagnetic radiation (NIER) reports are available on request from the applicant.
 - b. A detailed site development plan showing the antenna, supporting structures, and appurtenant equipment in relation to the existing surroundings, including fencing, camouflage, off-street parking, and access from the antenna to the nearest public street.
 - c. A detailed land use analysis, covering an area equal to the required setback based on the height of the antenna support, as measured from the exterior of all the property lines of the parcel submitted under the application, verifying the residential uses or zones within the required setback.
 2. Collocation or installation of additional antennas on an existing antenna support structure shall be permitted after submission and review of a structural recertification report prepared by a licensed professional engineer.
 3. Existing nonconforming antenna support structures, unable to comply with current setback or height limitations shall be prohibited from any increase in elevation.
 4. The applicant shall provide a six-foot high fence or screening wall around the base of a self-supporting or guyed mast antenna support to provide for security. The gate which provides access to the antenna support shall remain locked at all times except when being used for access by maintenance personnel.
 5. The access driveway and off-street parking spaces for use by maintenance vehicles shall be paved as approved by the City Engineer.
 6. The boundaries of the land area shown within the application, and for which a permit is granted, shall be known as the setback zone, whether or not the area is leased or owned by setback zone as herein described, except where authorized by a Specific Use Permit (SUP).
 7. The subsequent establishment of any residential use or zone within the required setbacks based on the height of a previously existing ground-mounted cellular telecommunications antenna support structure, antenna or equipment storage

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facility regulated by this section, shall not render such use a nonconforming or unlawful use.

8. A telecommunications tower must be: Designed and built so as to be capable of use by three (3) or more wireless communications providers including providers such as cellular or PCS providers using antenna arrays of nine (9) to twelve (12) antennas each within fifteen (15) vertical feet of each other with no more than three (3) degrees of twist and sway at the top elevation, and the owner of the tower and the property on which it is located must certify to the city that the antenna is available for use by other wireless telecommunications providers on a reasonable and nondiscriminatory basis and at a cost not exceeding the market value or [of] the use of the facilities. If the property on which the tower is proposed to be located is to be leased, the portions of the actual or proposed lease that demonstrate compliance with the requirements of this paragraph shall be submitted with the zoning application.
9. Back haul providers shall be identified and have all necessary approvals to operate as such, including holding necessary franchises, permits and certificates and the method of providing back haul, wired or wireless, shall be identified.

B. All ground-mounted cellular telecommunications antenna support structures shall be camouflaged and screened.

1. Camouflaging is a method of disguising or concealing the appearance of an object by changing its usual color, modifying its shape, or locating it in a structure that complements the natural setting, existing and surrounding structures. In the context of this section, camouflaging includes, but is not limited to, making cellular telecommunication antenna support structures resemble man-made trees, or locating cellular telecommunication antenna support structures in architectural features such as steeples or clock towers.
2. Metallic surfaces shall be painted to reduce glare and reflections. No exterior paint colors shall be used which have a light reflecting value (LRV) greater than forty percent. The LRV of a paint is available from paint manufacturers and it measures the amount of light reflected by a certain color.
3. A six-foot high screening wall or fence of other than chain link shall be constructed around the base of the support structure of a ground-mounted cellular telecommunication antenna to provide for security. The gate which provides access to the ground-mounted cellular telecommunication antenna support structure shall remain locked at all times except when being used for access by maintenance personnel.
4. An access driveway and off-street parking space for use by maintenance vehicles shall be paved as approved by the Building Official.

C. Antenna, towers and accessory structures which have been abandoned for six months should be dismantled and removed no later than ninety (90) days after that six months.

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Applicants may be required to post a bond or other suitable security as a condition of the use permit in order to guarantee removal of abandoned structures and restoration of the site, including re-vegetation if necessary.

D. Applicable franchise or backhaul fees may apply.

(Ordinance 0102 adopted 1/14/03; Ordinance 0102-022 adopted 3/11/08; Ordinance 0102-032 adopted 2/24/15)