

Chapter 17.62

ANTENNA AND TELECOMMUNICATIONS FACILITIES

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17.62.01 PURPOSE & APPLICATION. This Chapter establishes standards for the appropriate siting and change in location of any telecommunications antenna and related facility, including, but not limited to antennas for wireless telecommunications facilities and amateur radio installations. These standards are adopted to promote the following objectives:

- A. Protect against the potentially adverse effects of telecommunications antenna and facility installation;
- B. Protect against visual blight which may result from unregulated installation of antennas and other telecommunications facilities;
- C. Protect the environmental resources of Huron;
- D. Insure that a competitive and broad range of telecommunications services and high quality telecommunications infrastructure are provided; and,
- E. Create and preserve telecommunications facilities that will serve as an important and effective part of Huron's emergency response network.

17.62.02 DEFINITIONS. This Chapter establishes standards for the appropriate siting and change in location of any telecommunications antenna and related facility, including, but not limited to antennas for wireless telecommunications facilities and amateur radio installations. These standards are adopted to promote the following objectives:

TELECOMMUNICATIONS ACCESSORY EQUIPMENT STRUCTURE: A building or cabinet-like structure located adjacent to, or in the immediate vicinity of a wireless telecommunications tower or antenna to house equipment incidental to the receiving or transmitting of wireless broadcasts, cellular telephone calls, voice messaging and paging services.

CO-LOCATION OF TELECOMMUNICATION ANTENNAS (CO-LOCATION): The siting of two or more providers' wireless Communication antennas on the same telecommunication tower.

GEOGRAPHIC ANTENNA COVERAGE AREA: The general vicinity within which an antenna serves the transmission requirements of a cellular or other broadcasting network.

TELECOMMUNICATION ANTENNA: A structure intended to radiate and/or receive a source of non-ionizing electromagnetic radiation (NIE) and accessory equipment related to broadcast services, private radio services, pagers, beepers, data and common carriers (as regulated by the FCC) including AM, FM, two-way radio, fixed point microwave, commercial satellite, cellular and PCS communication antennas.

TOWER, MONOPOLE: A slender self-supporting tower used to support telecommunications equipment.

17.62.03 **GENERAL REQUIREMENTS.** This Chapter establishes standards for the appropriate siting and change in location of any telecommunications antenna and related facility, including, but not limited to antennas for wireless telecommunications facilities and amateur radio installations.

A. Use Guidelines and Dimensional Requirements:

1.L location.

- a). Co-location of Telecommunication Antennas shall be required, whenever possible. For towers up to one hundred fifty (150) feet in height, the structure and fenced compound shall be designated to accommodate at least two providers; higher towers, up to two hundred (200) feet, at least three providers.
- b). All co-located (and multiple user) Telecommunications Antenna shall be designed to promote facility and site sharing. To this end, telecommunication towers and necessary appurtenances, including but not limited to parking areas, access roads, utilities, and equipment buildings shall be shared by site users when in determination of the Planning Department, as appropriate, will minimize the overall visual impact to the community. Each telecommunications carrier applicant shall provide a letter to the Planning Department stating willingness to allow other carriers to co-locate on their facilities wherever feasible or a written explanation why the subject facility is not a candidate for co-location.
- c). An existing use or structure on the same lot shall not preclude the siting of an antenna or tower on that lot. To establish compliance with

setback and other zoning requirements, the dimensions of the entire lots shall determine if an antenna or tower may be located there.

- d). The minimum distance between wireless communication facilities shall be at least one half mile radius from any other wireless communication facility in the geographic antenna coverage area.

2. Height.

- a). Maximum tower height, including antenna and other attachments, shall not exceed two hundred (200) feet, measured vertically from the pre-disturbance ground level at the center of the tower.
- b). In no case shall a wireless communication facility, tower or antenna exceed the minimum height necessary to accomplish the purpose it is proposed to serve.

3. Permitted Structures.

Monopoles shall be the only type of telecommunication towers permitted in Huron. Neither guyed towers nor lattice type towers shall be permitted.

4. Setbacks.

- a). Telecommunication towers shall be set back from each bordering property line or right of way a minimum distance equal to one-half (1/2) of the tower's height measured vertically from ground level at the center of the tower to its highest point.
- b). Accessory equipment structures or component cabinets shall be set back a minimum of fifty (50) feet from all property lines and rights of way.

5. General Aesthetics.

- a). Towers and/or antennas shall be constructed and maintained to minimize visual obtrusiveness in color or finish.
- b). Support buildings and related structures at tower sites shall be of such design, materials and colors to blend with surrounding structures.
- c). Outdoor storage of equipment or related items shall be prohibited on tower sites.
- d). Electrical and telephone lines extended to serve a wireless communication facility shall be installed underground.

- e). Sound emissions, such as alarm bells, buzzers and the like, shall not be permitted.

6.Fencing .

All towers and their accessory equipment structures for any wireless communications facility shall be enclosed by chain link fencing, not less than six (6) feet in height. Such fences may be equipped with anti-climbing devices. The gate into the fenced area shall be located so that it is not easily visible from a street or adjacent property.

7.Screening /Landscaping (Buffer).

- a). The base of a telecommunications tower, to a minimum height of ten feet above average grade at the tower base, shall not be visible from any public right-of-way.
- b). Screening is required along all exterior sides of the fence described above excluding the gate. Screening shall be a minimum width of twenty (20) feet with two (2) rows of planting material placed ten (10) feet on center, that are a minimum of five (5) feet in height when planted, and that are expected to reach a height of eight (10) feet within three (3) years. Suitable plant types shall be those recommended by the Planning Department to ten (10) feet.

8.L ighting.

- a). Telecommunication towers shall be lighted only if specifically required by the FAA, in which case, FAA minimum lighting requirements shall be applied.
- b). When lighting is required by FAA, strobe lights shall be avoided unless specifically required by FAA. When strobe lights are required on telecommunication towers, a dual lighting system of white strobes for daytime lighting and a red flashing light atop the tower for nighttime lighting shall be used.
- c). Except for lighting described in (b) above, all lighting at a wireless telecommunications facility shall be shielded from view of adjacent properties.

9.Signage

Wireless communication facilities shall not display signage, logos symbols or any messages of a commercial or non-commercial nature on

towers, support structures or the fence-securing tower. A sign, not visible from a public right-of-way or adjacent residences, shall be posted on the fence gate identifying the current owner of the tower, emergency contact person or agency, and applicable contact numbers.

B. Application Requirements

The following shall be submitted at the time of application.

1. Documentation prepared and sealed by a professional engineer registered in the State of California stating that it is technically or practically impossible to provide a reasonable level of service by co-locating the tower or antenna on an existing structure.

Technical documentation shall include a map of the search area, all potential co-location sites stating why each is unsuitable, and the total number of towers the service provider currently owns and plans to construct within the geographic antenna coverage area of the within the next two years.

The applicant must submit, in writing, a declaration from owners of all technically feasible co-location sites that they are unwilling to negotiate space or evidence that the applicant has tried, in good faith to negotiate reasonable terms for co-location and failed.

- 2.A scaled site plan, scaled elevation view, and supporting drawings, calculations and other documentation, prepared and sealed by appropriate licensed professionals, showing the location and dimensions of all improvements including topography, tower height requirements, setbacks, access driveways or easements, parking, fencing, landscaping, adjacent uses and any other information necessary to assess compliance with this ordinance and compatibility with surrounding uses.

3. Documentation that FCC's minimum lighting standards have been applied.

4. No telecommunications antenna or related facility shall be sited or operated in such a manner that it poses, either by itself or in combination with other such facilities, a potential threat to public health. To that end, any telecommunications antenna and related facilities operating alone or in conjunction with other telecommunications facilities shall not generate electromagnetic frequency (EMF) radiation in excess of the standards for permissible human exposure to EMF as established by the California Public Utility Commission (CPUC) General Order 159, the Federal Communications Act of 1996, and/or including any other standards adopted by the FCC that may come henceforth, be adopted or amended.

A Radio Frequency Radiation (RFR) Report from a licensed Radio Frequency Engineer and a copy of the most recent EMF and RFR reports and certifications required by the Federal Communications Commission shall be provided by the carrier at the time any application required by this article is submitted to the Director, which documents the proposed facility's anticipated RFR levels.

Documentation that the proposed tower, antennas and equipment comply with all applicable FCC regulations to protect the public from unnecessary exposure to electromagnetic radiation, documentation shall be provided that power density levels do not exceed those permitted by FCC.

5. In addition, all broadcast radio and television facilities and wireless telecommunications facilities where 3 or more telecommunications antenna or facilities are Co-Located on the same structure or on a parcel or on a separate parcel of land within 300 feet of another telecommunications antenna or facilities antenna shall prepare and submit an annual RFR monitoring report and a copy of any RFR reports or certifications required by the CPUC and FCC. The report shall address the cumulative field measurements of radio frequency emissions of all antennas installed at the subject site or location. The report shall quantify the radio frequency emissions and compare the results with either the most current American National Standards Institute (ANSI) standards, or other standards adopted by the FCC or CPUC. Said report shall be subject to review and approval of the Director and shall clearly identify the cumulative field measurements and compare these measurements to the most current ANSI, PCC and CPUC Standards for consistency with the accepted standards. If the City finds that the wireless telecommunications facilities service providers do not meet these standards, the service providers shall bring the entire site into compliance with said standards, or be subject to review before the Planning Commission at a public hearing where the operation permit may be modified or revoked.

Documentation prepared and sealed by a professional engineer registered in California that the proposed tower and attached antennas do not exceed the minimum height necessary to accomplish the purpose for which they are constructed.

- 6.A notarized statement by the owner or CEO of the Tower specifying the number of Co-Location sites the owner will make available on the proposed tower and a declaration that such sites will be negotiated in good faith at reasonable terms to other service providers.
7. Documentation, prepared and sealed by a professional engineer registered in California, to demonstrate that the telecommunication tower has sufficient structural integrity for its intended uses. All towers and attached

antennas shall be capable of withstanding winds of at least 150 miles per hour, and an earthquake in Zone No. 4.

- 8.If the proposed tower or antenna is to be located on lands owned by a party other than the applicant or the City, a copy of the lease agreement with the property owner.
- 9.Documentation consisting of a certificate of insurance verifying a general liability coverage of at least \$1,000,000.00 at no cost to the City of Huron. The certificate shall contain a requirement that the insurance company shall notify the City thirty (30) days prior to the cancellation, modification, or failure to renew the insurance coverage required.
10. A copy of the approved National Environmental Policy Act of 1969 (NEPA) compliance report for all towers, antennas, accessory structures or equipment proposed for the site.
11. A memo of understanding regarding removal of abandoned antennas and towers. Any tower or antenna that is not operated for 180 continuous days in a 12-month period shall be considered abandoned. The owner of such antenna (s) or tower shall be responsible for its removal within ninety (90) days of receipt of such notification by the City. Failure to remove abandoned equipment will result in its removal by the City at the owner's expense.

C. Review Process

The Planning Department will use the following criteria in its review of an application for any wireless telecommunication antenna, tower or accessory structure.

- 1.The use is a public necessity.
- 2.The facility will not materially endanger the public health or safety if located where proposed and developed according to the plan submitted.
- 3.The required conditions, specifications, and actions described in this ordinance have been met.
- 4.The value of adjoining property will not be reduced.
- 5.The location and character of the facility will be in harmony with the area in which it is to be located.
- 6.Should a court of competent jurisdiction declare this Ordinance or any part thereof to be invalid, such decision shall not affect the remaining

provisions of this Ordinance nor the Zoning Ordinance of the City of Huron which shall remain in full force and effect.

17.62.04 SATELLITE DISH REQUIREMENTS. All satellite dish antennae shall comply with the following standards:

- A. Prior to installation of a satellite dish antenna in excess of 36", all appropriate permits must be obtained from the Planning Department of the City of Huron.
- B. Satellite dish antennae shall be considered as accessory structures and as such shall comply with all height and setback requirements for buildings in the zone in which they are located.
- C. All satellite dish antennae shall be located on the back half of the lot as ground mounted units only, unless said dish is less than 36" diameter. All ground-mounted dishes shall have trees and landscaping to screen the dish from adjacent properties. Under no circumstance shall the height of the dish exceed the height of the roof of the primary structure.
- D. Satellite dishes less than 36" in diameter and mounted on structures shall not be visible from public right-of-way and shall be located on the back half of the lot.
- E. Antennae may be ground mounted, roof mounted or above ground pole mounted and shall be located on the back half of the lot and comply with the height restrictions as set forth in this ordinance.
- F. In Commercial and Industrial Zones, all roof-mounted antennae and satellite dishes shall be located on a flat portion of the roof with parapets and/or an architecturally matching screening plan.
- G. No commercial advertising of any kind shall be allowed on satellite dish antennae.

17.62.05 SATELLITE AND ANTENNA DEVELOPMENT STANDARDS. All satellite dish and antennae shall comply with the following standards:

- A. The Planning Department and/or Planning Commission may add any conditions to a permit necessary to achieve the compatibility of a satellite dish antenna with its neighborhood.
- B. All satellite dish antennae located in residential and commercial districts shall be located to minimize the visual impact on surrounding residential properties and from public rights-of-way and adjacent properties by use of screens, fences and/or landscaping without impeding the efficiency of the dish, to the approval of the Planning Department or Planning Commission.

- C. Satellite dish antennae shall be painted to blend with their surroundings and shall not be unnecessarily bright, shiny, garish, or reflective.
- D. Prior to installation of a satellite dish antenna, all appropriate permits must be obtained from the Planning Department.
- E. All proposals for roof-mounted antennae shall be designed by a registered architect, or civil or structural engineer.
- F. The installation of all satellite dish antennae shall be subject to the design of footings, anchorage, and fasteners by a California registered architect, civil or structural engineer, to meet the current City of Huron Uniform Building Code.
- G. The electrical system shall be designed and installed in accordance with the City of Huron's current National Electrical Code.
- H. All electrical wiring associated with antennae shall be installed underground.
- I. A satellite dish antennae shall be maintained in a safe and aesthetically acceptable condition for the duration of the time it exists on the property.

17.62.06 LIMITATION. Certain parcels of land in the City may not be able to accommodate satellite dish antennae because of unique terrain problems and/or adverse effects on the surrounding neighborhood. In such instances, the Planning Department may withhold approval to construct, install and/or maintain a satellite dish antenna. Decisions may be appealed pursuant to Section 17.75.

17.62.07 PERMIT REVOCATION & MODIFICATION. Any permit issued pursuant to this Chapter may be revoked or modified pursuant to Section 17.75.05 of this Ordinance.