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## **Sec. 94-328. - Level IV permits (broadcast towers).**

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- a. *Determination of need.* No applications for new broadcast facilities shall be accepted unless the applicant provides a copy of a valid FCC Form 351/352 construction permit specifying NAD 27 coordinates for the proposed tower (together with a conversion of such coordinates to NAD 83.), which shall be prima facie evidence of the applicant's need for a specific geographic location in order to construct a broadcast station.
- b. *Height.* Height for broadcast facilities shall be evaluated on a case by case basis; the determination of height contained in the applicant's FCC Form 351/352 construction permit or application for construction permit and an FAA determination of no hazard (FAA Form 7460/2) shall be considered prima facie evidence of the tower height required for such broadcast facilities.
- c. *Setbacks.* New broadcast facilities and anchors shall be setback a minimum of 500 feet from any single-family dwelling unit on same zone lot; and a minimum of one foot for every one foot of tower height from all adjacent lots of record.
- d. *Visual impact analysis; photo simulation.* The applicant must demonstrate that the proposed tower does not create a significant adverse visual aesthetic impact on the surrounding landscape, adjacent properties and lines of sight. The application shall include a visual impact analysis, including simulated photographic evidence of the proposed tower and antenna appearance from any and all residential areas within 1,500 feet and other area vantage points approved by the planning division, including the facility types the applicant has considered. Such simulations shall demonstrate the potential visual impact on the area, including but not limited to:
  1. Overall height.
  2. Configuration.
  3. Physical location.
  4. Mass and scale.
  5. Materials and color.
  6. Illumination.
  7. Architectural design.
- e. *Equipment compound.* The equipment compound shall not be used for the storage of any excess equipment or hazardous materials. No outdoor storage yards shall be allowed in a tower equipment compound. The compound shall not be used as habitable space.
- f. *Fencing.* All broadcast facility towers, AM antenna(s) towers, and guy anchors shall each be surrounded with an anti-climbing fence compliant with applicable FCC regulations.
- g. *Broadcast equipment cabinets.* Except for AM broadcast facilities, cabinets shall not be visible from pedestrian views.
- h. *Buffers and landscaping.*
  1. Except for AM broadcast facilities, it is the intent that all pedestrian views from public rights-of-ways and adjacent residential land uses be screened from proposed broadcast facilities pursuant to section 94-434(b). AM broadcast facilities shall, where practicable, use artificial screening devices in lieu of natural vegetation for screening its ground equipment located at the base of AM tower(s).
  2. Alternative landscaping plans which provide for the same average canopy and understory trees but propose alternative siting on the entire subject property on which the proposed facility is projected may be considered and approved by the planning division, provided the proposed alternative maximizes screening as provided above, and is otherwise consistent with the requirements of this section.
- i. *Signage.* Commercial messages shall not be displayed on any tower. Noncommercial signage shall be subject to the following:
  1. The only signage that is permitted upon an antenna support structure, equipment cabinets, or fence shall be informational, and for the purpose of identifying the antenna support structure (such as ASR registration number), as well as the party responsible for the operation and maintenance of the facility; i.e. the address and telephone number, security or safety signs, and property manager signs (if applicable).

2. If more than 220 volts are necessary for the operation of the facility, signs located every 20 feet and attached to the fence or wall shall display in large, bold, high contrast letters (minimum height of each letter four inches) the following: "HIGH VOLTAGE - DANGER."
- j. *Lighting*. Lighting on towers shall meet and not exceed the FAA minimum standards. Any lighting required by the FAA must be of the minimum intensity and number of flashes per minute (i.e., the longest duration between flashes) allowable by the FAA. Dual lighting standards are required and strobe light standards are prohibited unless required by the FAA. The lights shall be oriented so as not to project directly onto surrounding property, consistent with FAA requirements.
  - k. *Grading*. Grading shall be minimized and limited only to the area necessary for the new tower and equipment.
  - l. *Sounds*. No unusual sound emissions such as alarms, bells, buzzers, or the like are permitted. Emergency generators are allowed. Sound levels shall not to exceed 70db as measured from the ground immediately outside of the equipment compound for the facility.
  - m. *Generators*. Emergency generators shall be allowed at each tower site.
  - n. *Parking*. One parking space is required for each tower development area. The space shall be provided within the leased area, or equipment compound or the development area as defined on the site plan.
- (Ord. No. 4549-15, § 2(94-338), 6-8-2015)