

3.060 STANDARDS FOR TELECOMMUNICATION ANTENNAS AND TOWERS

(This section Added by Resolution No. 06-40, June 19, 2006)

The purpose of Section 3.060 is to establish general guidelines for the sitting of towers and antennas. The goals are to:

- Encourage the location of towers in nonresidential areas and minimize the total number of towers throughout the County.
- Strongly encourage the joint use of new and existing tower sites.
- Encourage users of the towers and antennas to locate them in areas where the adverse impact on the community is minimal.
- Encourage users of towers and antennas to configure them in a way that minimizes the adverse visual impact on the surrounding area.
- To enhance the ability of the providers of telecommunications services to provide such services to the community quickly, effectively and efficiently.

The provisions of this Section are applicable to all telecommunication antennas and towers located anywhere Hickman County, except those located within the Town of Centerville.

A. General

1. **District Height Limitations** - The requirements set forth in this resolution shall govern the location of towers that exceed, and antennas that are installed at a height in excess of, the height limitations specified for each zoning district. The height limitations applicable to buildings and structures shall not apply to towers and antennas.

2. **Public Property** - Antennas or towers located on property owned, leased, or otherwise controlled by the governing authority shall be exempt from the requirements of this ordinance, provided a license or lease authorizing such antennas has been approved by the authority.

3. **Amateur Radio** - This resolution shall not govern any tower, or the installation of any antenna, that is under seventy (70) feet in height and is owned and operated by a federally licensed amateur radio station operator.

4. Pre-Existing Towers and Antennas - Any tower or antenna which is in existence prior to the effective date of this resolution shall not be required to meet the requirements of this resolution. Any antenna added to an existing tower will have to comply with all regulations set forth in this resolution.

B. Requirements

1. Towers shall be located where there will be no interference with any type of electronic reception in nearby residential areas.

2. There shall be sufficient radius of unimproved land around the tower to ensure any collapse will be contained within that unoccupied area.

3. Lot area used for the tower site shall be sufficient to meet required setbacks and collapse radii...

4. There shall be sufficient room for maintenance vehicles to maneuver on the property.

5. Site area shall be entirely enclosed by a chain link fence of not less than eight (8) feet in height with a self-latching gate. Gate shall be padlocked at all times when there is no one at the site.

6. Grounds immediately surrounding tower site and ground inside the fenced area shall be maintained at all times. Site is to be maintained in compliance with the Hickman County Zoning Laws.

7. At a tower site, the design of the buildings and related structures shall consist of pre-fabricated shelters and/or outdoor cabinets housing radio equipment. Generators are subject to standard code separations and shall meet “quiet” operational specifications.

8. On-site buildings shall be used for storage of necessary supplies and equipment only.

9. Towers shall maintain a galvanized steel finish, or, subject to any applicable standards of the FAA, be painted a neutral color, so as to reduce visual obtrusiveness.

10. Road or easement to the tower site shall be at least fifty feet (50) wide and be maintained by the owner of the tower or the owner of the property. This easement shall be a private road which is used as access to the tower and will never become a County road and will not be maintained by the Hickman County Highway Department.

11. Tower owners are required to obtain a building permit from the Office of Planning and Zoning, #14 Courthouse, Centerville, Tennessee, after approval from

Hickman County Planning Commission. All inspections are to be called for by the owner and/or their contractor. All inspections are to be approved before any tower or antenna can be used. When seeking approval from the Planning Commission, each tower company and/or carrier shall submit a listing of its existing towers or antennas in Hickman County.

12. Lighting of towers is prohibited, except as required by the Federal Aviation Administration (FAA) and/or the Federal Communications Commission (FCC).

13. 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 and antennas. If such government regulations are changed, the owner of a tower and antennas governed by this ordinance shall bring them into compliance with such revised standards and regulations within six (6) months of the effective date of such standards and regulations, unless a more stringent compliance schedule is mandated by the controlling Federal agency. Failure to bring towers and antennas into compliance with such revised standards and regulations shall constitute grounds for the removal of the tower or antenna at the owners' expense.

14. If an antenna is installed on a structure other than a tower, the antenna and supporting electrical and mechanical equipment must be of a neutral color that is identical to, or closely compatible with, the color of the supporting structure so as to make the antenna and related equipment as unobtrusive as possible.

15. When a public or private airport, heliport or landing strip is located within one-half (1/2) mile of any proposed tower site each tower company and /or carrier shall submit an application to the Board of Zoning Appeals for a Special Exception. This application shall include information on the location, height and design of each tower and type of aircraft facility.

16. Written evidence that the applicants have explored and exhausted all attempts to locate or collation its' antenna on an existing tower or structure within one-half (1/2) mile of the proposed site shall be submitted to the Office of Planning and Zoning New towers may be permitted if the applicant demonstrates to the Board of Zoning Appeals that no existing tower or structure can accommodate the applicant's proposed antenna, because of the following conditions:

a. No existing towers or structures are located within the geographic area meeting 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 and related equipment.

d. The applicant's proposed antenna would cause radio frequency interference with the antenna(s) on the existing tower.

e. Any claim by the applicant that fees, costs or contractual provisions required by the owner of the existing tower or structure or to adapt an existing tower or structure for sharing, are unreasonable.

17. Any antenna or tower not operated for a continuous period of twelve (12) months shall be considered abandoned and the owner of such antenna or tower shall remove it within ninety (90) days of receipt of notice from the building inspector. If said tower is not removed with the ninety (90) day period, penalties and costs shall be imposed by the Planning Commission and permission operate the antenna or tower will be rescinded.

18. A permit for tower construction shall be valid for a period not to exceed twelve (12) months. If tower construction has not been started with twelve (12) months, approval shall expire and the applicant will be required to reapply.

19. A building permit shall be required before any construction of a tower or antenna shall begin. The Hickman County Board of Commissioners will from time to time set permit fees and may set an annual inspection and/or license fee for each tower and antenna(s).

C. Plat Requirements

1. A plat of the purposed tower site shall be submitted to the Hickman County Planning Commission. The plat shall include, but not be limited to, the following information:

a. Name, address, telephone number, and contact person of the purposed user.

b. Name, address telephone number, and contact person preparing the construction drawings.

c. Name address and telephone number of the property owner.

d. Name, address and telephone number of the contractor who will be constructing the tower.

e. Legal description of the proposed property to be used for the tower site.

f. Describe where the proposed tower will be located in the County

g. Access to the proposed site and description.

h. Type of tower proposed, tower height and affected area if the tower collapses.

i. Surrounding property owners' names and all buildings on proposed site.

j. Show any public utilities and public utility easements.

k. Scale of the plat.

l. Existing public roads and right-of-ways, including private roads.

m. Excavation, grading, concrete and structural steel notes, if any.

n. Staking, erosion and sediment control plans, if applicable.

o. Radio frequency coverage.

p. Setbacks.

q. Required fall zone shall be shown.

r. Plat shall remain on file in the Office of Planning & Zoning.

s. Any additional information deemed by the governing authority to be necessary to insure compliance with this ordinance.

D. Uses Permitted

1. Installing an antenna on an existing structure other than a tower (such as a building, sign, light pole, water tower or other free standing nonresidential structure) that is fifty (50) feet in height or greater, so long as said additional antenna adds no more than twenty (20) feet to the height of said existing structure.

2. Installing an antenna on any existing tower of any height, so long as the addition of said antenna adds no more than twenty (20) feet to the height of said existing tower.

E. Other

1. No new tower shall be permitted, unless the applicant demonstrates to the reasonable satisfaction of the governing authority that no existing tower or structure can accommodate the applicant's 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 that meet the applicant's engineering requirement.

b. Existing towers or structures are not of sufficient structural strength to support applicant's proposed antenna and related equipment.

c. Existing towers or structures do not have sufficient height to meet applicant's engineering requirements.

d. The applicant's proposed antenna would cause radio frequency interference with the existing towers or structures other antenna(s).

e. The fees, costs or contractual provisions required by the owner in order to share an existing tower or structure or to adapt an existing tower or structure for sharing are unreasonable. Cost exceeding new tower development is presumed to be unreasonable.

f. The applicant demonstrates that there are other limiting factors that render existing towers and structures unsuitable.

F. Setbacks and Separation

1. The following setbacks and separation requirements shall apply to all towers and antennas for which a special use permit is required; provided however, that the governing authority may reduce the standard setbacks and separation requirements, if the goals of this resolution would be better served by doing so.

a. Tower guy and accessory facilities must satisfy the minimum zoning district setback requirements.

b. In zoning districts, other than industrial zoning districts, towers over ninety (90) feet in height shall not be located within one-fourth (1/4) of a mile from any existing tower that is over ninety (90) feet in height.