



Nibley City
Planning Commission
Wednesday, April 15, 2015
455 W. 3200 S.
Nibley, UT

5:30 p.m. Call to Order
 Approval of Agenda
 Approval of Minutes

CONDITIONAL USE PERMIT/BUSINESS LICENSE

CRR Yard Works- discussion and consideration of a request for a conditional use permit for a home occupation (lawn maintenance) located at 1019 West 2450 South (Applicant: Cory Ricks)

Healing Harmonies- discussion and consideration of a request for a conditional use permit for a home occupation (music therapy/holistic healing) located at 1019 West 2450 South (Applicant: Cory Ricks)

FINAL PLAT

Zollinger Acres- discussion and consideration of a final plat for Phase 7 of Zollinger Acres (11 lots), a subdivision located at 1350 West 3350 South. (Applicant: MV Properties, LLC)

GENERAL PLAN UPDATE

Discussion with the Rural Planning Group regarding the status of the Nibley General Plan update

WORKSHOP

Discussion of an ordinance regulating telecom towers in Nibley City

*Planning Commission agenda items may be tabled if: 1) Additional information is needed in order to take action on the item; OR 2) The Planning Commission feels there are unresolved issues that may need further attention before the Commission is ready to make a motion. **No agenda item will begin after 10:00 p.m. without a unanimous vote of the Commission.** The Commission may carry over agenda items, scheduled late in the evening and not heard, to the next regularly scheduled meeting.*

IN COMPLIANCE WITH THE AMERICANS WITH DISABILITIES ACT, REASONABLE ACCOMMODATIONS FOR INDIVIDUALS WITH DISABILITIES WILL BE PROVIDED UPON REQUEST. FOR ASSISTANCE, PLEASE CALL 752-0431 A MINIMUM OF 24 HOURS BEFORE THE MEETING.



MEMO

4/13/15

Hi all-

This week's agenda is as follows:

You'll notice that I didn't advertise the business license as part of the approval. In a training I attended in St. George, I was reminded that business licenses are permitted uses and so the Commission is only to consider the conditional use portion of the application- that is, the conditional use of a home occupation. The business license is permitted once the conditional use is in place.

CONDITIONAL USE PERMIT/BUSINESS LICENSE

CRR Yard Works- discussion and consideration of a request for a conditional use permit for a home occupation (lawn maintenance) located at 1019 West 2450 South (Applicant: Cory Ricks)

- This application is for a home occupation lawn care business.
- Our home occupation definition is:
 - The use of a portion of a dwelling as an office, studio, or workroom for occupations which are conducted in the home and are incidental to the primary use as a home or residence; provided additionally that: 1) individuals who perform occupation related activities at the home occupation residence must also live at that residence; 2) individuals who do not live at the home occupation residence must not report to that residence for occupation related activities; and 3) the occupation shall not use any accessory building, yard, or any space outside the main building not normally associated with residential use. Applications meeting these criteria may (as determined by the appropriate land use authority) be classified a home occupation rather than being classified by the actual activity associated with the business, with the following exceptions. Child daycare/preschool for more than eight (8) children shall be classified as a commercial daycare rather than a home occupation. In addition, activities involving the sale, service, leasing and/or rental of motor vehicles shall not be classified as a home occupation.

- If a business meets the definition above, then it may be licensed as a home occupation, without regard for the type of business actually being conducted, provided that the business is legal and not otherwise specifically prohibited by ordinance.
- Mr. Ricks' application states that he will not have any outside employees, conduct any part of the business in an accessory building, will have no client visits and will also not have any business vehicles. This qualifies the business to be licensed as a home occupation.
- Because this business meets the definition of home occupation, I recommend approving the conditional use permit, with the following condition:
 - Any equipment related to the business should be parked out of the public right of way and behind the front plane of the home.

Healing Harmonies- discussion and consideration of a request for a conditional use permit for a home occupation (music therapy/holistic healing) located at 831 West 2550 South (Applicant: Tracy Wagner)

- This application is for a home occupation music therapy/holistic healing business.
- Our home occupation definition is:
 - The use of a portion of a dwelling as an office, studio, or workroom for occupations which are conducted in the home and are incidental to the primary use as a home or residence; provided additionally that: 1) individuals who perform occupation related activities at the home occupation residence must also live at that residence; 2) individuals who do not live at the home occupation residence must not report to that residence for occupation related activities; and 3) the occupation shall not use any accessory building, yard, or any space outside the main building not normally associated with residential use. Applications meeting these criteria may (as determined by the appropriate land use authority) be classified a home occupation rather than being classified by the actual activity associated with the business, with the following exceptions. Child daycare/preschool for more than eight (8) children shall be classified as a commercial daycare rather than a home occupation. In addition, activities involving the sale, service, leasing and/or rental of motor vehicles shall not be classified as a home occupation.
- If a business meets the definition above, then it may be licensed as a home occupation, without regard for the type of business actually being conducted, provided that the business is legal and not otherwise specifically prohibited by ordinance.

- Ms. Wagner’s application states that she will not have any outside employees, conduct any part of the business in an accessory building, and will also not have any business vehicles. This qualifies the business to be licensed as a home occupation.
 - She does want to have client visits. Her application states 10-20 per week, which averages out to 2-4 per day. The nature of the business is such that she would only be able to have one client at a time. She has available off-street parking for client visits. Staff does not recommend any conditions related to client visits, as the limited number will not create a burden on the neighborhood.
 - She does state that she would like a window or garden sign. Because we have an ordinance regulating signs, she doesn’t need a specific condition attached regarding her sign, but I would suggest reminding her that under 10-12-15, she is limited to a 3 sq. ft. “nameplate” sign which has to be affixed to the home.
- Because this business meets the definition of home occupation, I recommend approving the business license and have no suggested conditions.

FINAL PLAT

Zollinger Acres- discussion and consideration of a final plat for Phase 7 of Zollinger Acres (8 lots), a subdivision located at 1350 West 3350 South. (Applicant: MV Properties, LLC)

- This is the next to last phase of Zollinger Acres, consisting of 8 lots.
- These are the requirements of the lot sizes/frontages in the R-2a zone, and how the proposed plat measures up to them:
 - Required Frontage: 100’- **all lots meet the required 100’ frontage minimum**
 - You may notice that some of the lots show less than 100’ frontage. This measurement does not take into account the length of the curved portion of the lot. Where both a frontage measurement and a curve number (C4, C5, etc.) are shown, the frontage is calculated by adding the curve length (shown on the table) to the frontage shown on the plat.
 - Required Lot Size: 12,000 sq ft. minimum, 14,000 sq. avg.
 - All lots are above the 12,000 sq. ft. minimum
 - Average lot size: 16,125 sq ft.
- All required water shares have previously been turned over to the City.
- There is an incomplete retention pond from Phase 1 of the development. The retention pond was allowed to be incomplete and development continued because the pond was directly impacted by the lawsuit resolved last summer between the Nibley Blacksmith

Fork Irrigation Company and Nibley City. The developer will be required to complete the pond as part of this phase of the development.

- You will notice that the plat shows the developer building only a portion of 1350 West. South of Lot 83 is property owned by Nibley City. The City can only require developers to build that portion of the road impacted by their project and adjacent to the property owned by the developer. This developer is not required to build the portion of 1350 West adjacent to City property, as that property is not part of the development.
- This plat meets all the conditions and specifications for recommendation of approval to the City Council and it is staff's recommendation that the Commission do that.

GENERAL PLAN UPDATE

Discussion with the Rural Planning Group regarding the status of the Nibley General Plan update

- Mike Hansen with the Rural Planning Group will be here to update the Commission on the status of the General Plan update and where we go from here.

WORKSHOP

Discussion of an ordinance regulating telecom towers in Nibley City

- I have re-formatted the ordinance and made changes from the sample ordinance to make sure all municipal references are to Nibley City.
- The only suggestion I have as far as content is that I suggest removing the section on handling telecom towers as a permitted use. When we allow things as a permitted use, staff is the land use authority and does all the review and approval. I believe that any and all telecom towers should be treated as conditional uses so that the Commission has the chance to review them.

See you Wednesday!

Shari



APPLICATION FOR CONDITIONAL USE
PERMIT/BUSINESS LICENSE

Office Use Only

Date Received 3/19/2015

Fee Paid 25.00

Rec'd By Stephen Nelson

Name Cory Ricks
Address 1019 W. 2450 S.
Phone 435 753-0519 Cell 435-363-6990 Fax _____
Email Becky Ricks @ Hot Mail .com

Please describe the reason you are requesting a conditional use permit/business license:

____ Home Office ____ Sales ____ Manufacturing ____ Day Care
☒ Other (please describe): yard care

Proposed business name: C.R.R. yard works

Description of business: Lawn Aeration, Garden tilling, ^{Lawn} Powersaking, Junk removal, leaf removal

Describe how the proposed business activity will or will not affect the residential neighborhood surrounding the business location: Will not affect the residential neighborhood, will not negatively affect the environment or cause excessive noise or trash.

Do you plan to employ persons not living at this address as part of the business? Y ☒ N

Will those employees be working in your home or at another location? Please describe: NO, plan on working by myself

Do you plan to conduct any of the business in an accessory building at this address? Y ☒ N

How many clients will visit this location weekly? 0

Describe how you will provide parking for client visits (if applicable): NOT applicable

Will you have business vehicles which will require parking accommodations? Y ☒ N

If so, please describe the vehicles and parking plans: _____

How many business shipments do you anticipate sending and receiving from this location each month and how will these deliveries be shipped? NO business shipments

Will you be able to provide adequate indoor storage for these deliveries? Y ☒ N

If applicable, describe any signs at this address which will advertise the business: Advertise Logo on Truck and trailer



APPLICATION FOR CONDITIONAL USE PERMIT/BUSINESS LICENSE

Office Use Only	
Date Received	3/30/2015
Fee Paid	25.00
Rec'd By	[Signature]

Name Tracy Wagner
 Address 831 W. 2550 S.
 Phone 87811 Cell 435-890-0885 Fax _____
 Email tracy-mtbc@hotmail.com

Please describe the reason you are requesting a conditional use permit/business license:

☒ Home Office ☐ Sales ☐ Manufacturing ☐ Day Care
☐ Other (please describe): _____

Proposed business name: Harmonie Healing Harmonies

Description of business: Music Therapy, Foot Zoning, Energy Work & Essential Oils

Describe how the proposed business activity will or will not affect the residential neighborhood surrounding the business location: I don't anticipate it affecting the neighborhood or surrounding areas

Do you plan to employ persons not living at this address as part of the business? Y ☒ N

Will those employees be working in your home or at another location? Please describe: _____

Do you plan to conduct any of the business in an accessory building at this address? Y ☒ N

How many clients will visit this location weekly? 10-20

Describe how you will provide parking for client visits (if applicable): drive way, 2 on side of house or on street in front of home

Will you have business vehicles which will require parking accommodations? Y ☒ N

If so, please describe the vehicles and parking plans: _____

How many business shipments do you anticipate sending and receiving from this location each month and how will these deliveries be shipped? 2 on average from USPS each month

Will you be able to provide adequate indoor storage for these deliveries? ☒ Y ☐ N

If applicable, describe any signs at this address which will advertise the business: a window cling or garden sign

ORDINANCE 15-_____

AN ORDINANCE REGULATING TELECOMMUNICATION FACILITIES IN NIBLEY CITY

10-22 Telecommunication Facilities

- 10-22-1 Purpose
- 10-22-2 Definitions
- 10-22-3 Submissions Requirements for Conditional Use Telecommunications Facilities
- 10-22-4 Submissions Requirements for Permitted Use Telecommunications Facilities
- 10-22-5 Development Standards
- 10-22-6 Non-Maintained or Abandoned Facilities

10-22-1 Purpose. The purposes of this ordinance are:

- A. To ensure that all telecommunications facilities comply with Federal, State, County and City regulations;
- B. To regulate telecommunications services, antennas and support structures, and related electronic equipment and equipment enclosures;
- C. To provide for the orderly establishment of telecommunications facilities in the City;
- D. To minimize the number of antenna support structures and/or utility towers by encouraging the co-location of multiple antennas on a single structure, and by encouraging the location of antennas on pre-existing support structures;
- E. To establish siting, appearance and safety standards that will help mitigate potential impacts related to the construction, use and maintenance of telecommunications facilities;
- F. To comply with the Telecommunications Act of 1996 by establishing regulations that:
 - (1) Do not unreasonably discriminate among providers of functionally equivalent services;
 - (2) Do not prohibit or have the effect of prohibiting the provision of telecommunications services;
 - (3) Are not based on any claimed environmental effects of radio frequency emissions to the extent that such facilities comply with the Federal Communication Commission's regulations concerning such emissions; and

- (4) Ensure that all utility facilities/structures are located, installed, buffered/screened, and maintained in a manner that will minimize the impact of such facilities/structures on nearby landowners and will not adversely affect the rural, agricultural, small town character and scenic beauty of Nibley City.

10-22-2 Definitions. The following definitions apply to regulations on telecommunication facilities, including utility towers used for telecommunications facilities.

- A. Ancillary Support Building - A building which is associated with and subordinate to a utility tower, necessary for the normal function of the utility tower and located on the same site as the utility tower.
- B. Antenna - Any system of wires, poles, rods, arms, reflecting discs or similar devices of various sizes, materials, and shapes including but not limited to solid or wire-mesh dish, horn, spherical or bar configurations used for wireless transmission. Types of antennas include, but are not limited to the following.
- 1) Wall Mounted Antenna. Any antenna mounted directly to the fascia or outside walls of a structure, existing parapet walls, penthouses, or mechanical equipment rooms, with no portion of the antenna extending above the roofline of such structures.
 - 2) Roof Mounted Antenna. An antenna mounted directly to the roof of a building, mechanical penthouse or parapet enclosure wall, which is on the rooftop of a building.
 - 3) Top-hat Antenna. Spatial array of antennas, generally located on a freestanding structure, where the visible width of antennas and antenna mounting structures are more than two (2) feet in width as viewed looking directly at the structure.
- C. Antenna Support Structure – A structure which may also be called a utility tower, the principal purpose of which is for location of antennas. Types of antenna support structures may include:
- 1) Monopole – a standing antenna support structure placed directly on the ground to support one or more antennas.
 - 2) Lattice Tower – A multiple sided, open steel frame structure used to support one or more antennas.
 - 3) Guyed Tower – A communications tower that is supported, in whole or part, by guy wires and ground anchors.

- D. Co-Location – A telecommunications facility that includes a single antenna support structure, but more than one telecommunications provider's antennas and telecommunication equipment.
- E. Cell on Wheels (COW) – A mobile temporary telecommunications facility located in a trailer.
- F. Equipment Enclosure – A structure, shelter, cabinet, or vault used to house and protect the electronic equipment necessary for processing wireless communication signals and other telecommunication equipment.
- G. Non-Stealth Design – Any antenna or equipment enclosures not camouflaged in a manner to blend with surrounding land uses, features or architecture. Non-stealth design does not conceal the intended use of the telecommunications facility. A monopole with equipment enclosures above ground and unscreened would be considered non-stealth.
- H. Stealth Design - Antennas, antenna support structures and telecommunication equipment enclosures camouflaged or designed to blend with surrounding land uses, features, and architecture, thus minimizing the aesthetic impact on adjacent uses, thereby concealing the intended use and appearance of the telecommunications facility such as heavy landscaping, or installing telecommunications equipment within existing buildings, behind vegetative screening, or placing equipment enclosures underground, thus preserving or striving to maintain the rural aesthetics. A flush wall mount antenna that is painted the same color as the background and located on a building where the telecommunications equipment is located inside the building would be one example of stealth design. Other examples of stealth design include, but not limited to roof mount antennas, utility pole antennas, light or flagpoles, artificial rocks or trees.
- I. Telecommunications Equipment – Equipment used in a telecommunications facility other than the Antenna, Antenna Support Structure, or Equipment Enclosures. Telecommunications equipment may include, but is not limited to electronic equipment necessary for processing wireless communication signals, air conditioning, backup power supplies, and emergency generators.
- J. Telecommunications Facility- An unmanned structure, which consists of antennas, antenna support structures, telecommunications equipment, equipment enclosures as defined herein, that transmits and/or receives voice and/or data communications through radio signals such as, but not limited to "cellular" or "PCS" (Personal Communications System) communications and paging systems, whether commercially or privately operated.
- K. Utility Structure and Related Facilities – May include a building/structure that is constructed so as to provide assistance, benefit, aid, directly or indirectly to a service

such as electrical power, light and forms of communication; including telephone, telegraph, fiber optic signals, cellular service for other analog and digital signals, radio and television signals to name a few. This list is not intended to be all-inclusive.

- L. **Telecommunications Tower** – A structure typically higher than its surroundings used to support and/or hold telecommunications facilities including; telephone, telegraph, fiber optic signals, cellular services for both analog and digital signals, radio and television signals to name a few. This list is not intended to be all-inclusive.

10-22-3 Submissions Requirements for Conditional Use Telecommunications Facilities

- A. **Telecommunications Master Plan & Site Justification Study Required.** For all new telecommunication facilities or structures, the applicant shall submit a Telecommunications Master Plan along with a completed application, and a Site Justification Study for each proposed telecommunications facility or structure. A Site Justification Study and Telecommunications Master Plan shall be submitted to the Planning Department, which will provide a review of the proposed project to ensure that the provisions of the Nibley City Code are being met. If the application is a co-location or stealth, go to Submissions Requirements for Telecommunications Facilities Allowed as a Permitted Use Chapter 3-14-3 for application requirements. The Planning Commission shall perform the required Conditional Use Permit review for any application that requires a Conditional Use Permit. Any conflicts shall be submitted to the Commission. Said Planning Commission shall review, take public comment and render a decision by 1) approving the application, 2) approving the application with conditions, or 3) denying the application. The applicant shall request in written form what, if any, information submitted with application is to be kept confidential from public review.
- B. **Telecommunications Master Plan Requirements.** Each company submitting an application for a Conditional Use Permit review shall complete a Telecommunications Master Plan. The Telecommunications Master Plan shall:
 - 1) Show where the applicant's proposed, existing, and future telecommunication facilities are within five miles of Nibley City. The Telecommunications Master Plan may be amended as needed by the carrier for future site applications.
 - 2) Show the number of possible co-locations that can be obtained on the proposed cell tower.
 - 3) Contain a copy of the applicant's current FCC license to the Nibley City Planning Department.

- 4) Include an initial indication of where the road or access will be located to their proposed site. Prior to approval of a building permit, the applicant shall provide City Staff with a copy of recorded road easement(s) to the proposed site.
 - 5) Include a signed agreement, stating that the applicant will:
 - (a) Encourage co-location with other users, provided all safety, structural, and technological requirements are met. This agreement shall also state that any future owners or operators will allow co-location on the tower;
 - (b) Restore site to its former condition. (See Chapter 10-22-6 Non-Maintained or Abandoned Facilities),
 - 6) Include a security program or system that addresses unauthorized access and vandalism,
 - 7) Indicate the latitude and longitude of proposed telecommunications facility including any proposed tower location.
- C. Site Justification Study Requirements. A Site Justification Study shall be completed for each telecommunications facility site. The Study shall include the following:
- 1) Rationale
 - (a) An applicant proposing to erect a new telecommunications facility shall provide documentary evidence that a legitimate attempt has been made to locate the new telecommunications facility on existing buildings or structures or as a co-location on an existing antenna support structure. Such evidence shall include a radio frequency engineering analysis of the potential suitability of existing buildings or structures or co-location sites in the radio frequency coverage area for the proposed telecommunications facility. Efforts to secure such locations may be documented through correspondence between the applicant and the property owner(s) of the existing buildings, structures or co-location sites.
 - (b) The Site Justification Study shall also include a description of the elevations, vegetation, and rock formations in the area, a description of the telecommunications facilities proposed to be placed on the site with technical reasons for their design and the efforts made to minimize impacts on the activities found on the land. The applicant shall provide City Staff with propagation information for the proposed site. The applicant shall demonstrate that the telecommunications facility complies with the Nibley City General Plan, as well as the required setback, and landscaping requirements of the zoning district in which they are proposed to be located.

- 2) Co-location. The Study shall also examine the potential for co-location at existing or the proposed site. If co-location is not possible at an existing site or if the proposed new site is not available for co-location then the applicant shall include a written explanation of why co-location is not possible.
- 3) Equipment Enclosures The Study must include a detailed written explanation and analysis, not limited to fiscal reasons alone, of the potential for the equipment enclosures to be either:
 - (a) Located in an existing building or
 - (b) Designed whereby the incorporation of stealth design technology or other visual screening is utilized that readily conceals the appearance of the equipment enclosures, or
- 4) Visual Analysis On all new sites, applicant shall submit a detailed twenty-four by thirty-six inch (24"x 36") surveyed map, not more than one (1) inch equals one hundred (100) feet, which includes;
 - (a) The topography of the area (2 ft. elevations) in which tower and/or telecommunication facilities can be located while continuing to communicate with sister tower(s).
 - (b) Delineation of where telecommunication facilities can be placed so as to minimize:
 - (i) The placement of structures from being placed on slopes of thirty percent or greater; and
 - (ii) The intrusion of equipment enclosures from being silhouetted against the sky as seen from a public road; and
 - (c) Graphical illustration of the coverage of the proposed telecommunication facility.

Once a site is located by the applicant and City Staff the applicant shall provide an illustration which includes photo simulation(s), field mock up(s) or other techniques, which illustrate all possible visual impacts of the proposed telecommunication facility. The analysis should consider views from public areas (streets, parks, etc.) and from private residences. The applicant(s) shall identify all reasonable mitigation measures consistent with the technical aspects and requirements of the proposed facility to ensure that hill cuts for roads are minimized and, the telecommunication facility can be hidden as best as possible to preserve the rural character of the City. All costs associated with this requirement are to be borne by the applicant.

10-22-4 Submissions Requirements for Permitted Use Telecommunications Facilities

For telecommunications facilities allowed under a Permitted Use, the application shall comply with the requirements in this Chapter. Any request for telecommunications facilities differing from the standards as allowed in this section shall require a Conditional Use Permit review from the Nibley City Planning Commission, as set forth in Chapter 10-22-3 of the Nibley City Code.

Comment [SP1]: I would recommend deleting this section in its entirety. I believe that all telecomm facilities should be conditional uses so that the Commission has the opportunity to review and make recommendations on the facility. If we leave this section in, then there will be some cases where only staff reviews the facility.

- A. Telecommunications facilities must comply with the Nibley City General Plan, as well as the required setback, height requirements of the zoning district in which they are to be located, and are subject to all provisions as stated in the City's Zoning Ordinance.
- B. All permitted use telecommunication facilities listed in this section must:
 - 1) Be located on an existing antenna support structure without having to replace or extend said structure; or
 - 2) Incorporate stealth design technology or other visual screening that readily conceals the appearance of the antenna support structures, and equipment enclosures. Some examples of these may include, but not be limited to roof mounts, wall mounts, and utility, light or flag pole antennas.
- C. Telecommunications Master Plan and Site Justification. Each company submitting an application for a Permitted Use telecommunications facility shall complete a Telecommunications Master Plan following the guidelines in Chapter 10-22-3b unless an existing and applicable Telecommunications Master Plan already includes the proposed facility.
 - 1) Where the applicant's proposed, existing, and future telecommunication facilities are within Nibley City, the Telecommunications Master Plan may be amended as needed by the carrier for future site applications.
 - 2) The Telecommunications Master Plan shall contain a current copy of the applicant's current FCC license to the Nibley City Planning Department.
- D. Site Justification Study Requirements. A Site Justification Study shall be completed for each telecommunications facility site. The Study shall include the following
 - 1) Equipment Enclosures The Study must include a detailed written explanation and analysis, not limited to fiscal reasons alone, of the potential for the equipment enclosures to either:

- (a) Be located in an existing building or

- (b) Be designed whereby the incorporation of stealth design technology or other visual screening is utilized that readily conceals the appearance of the equipment enclosures or
- 2) Facility Placement. The study must show a delineation of where telecommunication facilities can be placed so as to minimize:
 - (a) The placement of structures from being placed on slopes of thirty percent or greater; and
 - (b) The intrusion of equipment enclosures from being silhouetted against the sky as seen from a public road.
- 3) Existing roads shall, whenever possible, be upgraded to the minimum amount necessary for non-public use.
- E. Review Procedure. In proposals where either the applicant or the Planning Department determine that potential issues may arise or additional comment is needed from the community even if the facility is allowed as a permitted use, a public hearing on the application may be scheduled with the Nibley City Planning Commission. Following the public hearing, the Planning Commission shall make a recommendation regarding an "approval", "approval with conditions" or denial of the application as based upon Chapter 10-22-3.

10-22-5 Development Standards

- A. Construction Standards, Building Codes and Safety Standards. To ensure the structural integrity of telecommunications facilities, the owner of a telecommunication facility shall ensure that it is constructed and maintained in compliance with standards contained in applicable local building codes and the applicable standards for such telecommunications facilities, as amended from time to time.
- B. General Requirements:
 - 1) Height shall be minimized as much as reasonably possible. Height of the telecommunication facilities shall be measured from the existing grade to the top of the antenna support structure, or to the highest point of any portion of the telecommunications facility, whichever is greater. If the proposed site is a roof mount or wall mount the City may request that the study verify that the existing or proposed screening will screen telecommunications facility from view.
 - 2) Monopoles are permitted only in the Industrial, Commercial, or Agricultural zones or in Parks and Recreation areas.

- 3) Guyed and Lattice Towers are only allowed in an Agricultural zone.
- 4) Any telecommunication facility within the Logan Cache Airport traffic zone shall demonstrate compliance with FAA requirements and receive approval from the Logan Cache Airport Authority for installation of said facility.

C. Setbacks.

- 1) In order to ensure public safety from falling ice, debris, tools or materials, the minimum distance from the base of any tower to any property line, residential property, accessory apartment, occupied business or institutional structure and/or parking area, or public recreation area shall be equal to 100 percent of the height of the tower in all zones.
- 2) Monopoles and Guyed Towers shall be setback a minimum of 1 ½ feet (one and one-half feet) for every foot of pole height from the nearest property line. The Design Review Committee may reduce the required setback from a residential zone in the design review process if practical difficulties are demonstrated by the proponent and upon a finding by the Design Review Committee that a reduced setback would adequately protect the character of the neighborhood.
- 3) Any associated mechanical or electrical equipment shall be completely screened from view from public right-of-ways and adjacent properties, with a solid screen and landscaping.
- 4) Antennas mounted to the sides of a monopole may only be allowed in the case of a co-location in accordance with Chapter 3-14-2c-2

D. Signage. Warning signs shall be limited to non-illuminated warning and equipment identification signs. Allowed signage shall be classified as "On-Site Informational Signs" and regulated as such in accordance with the City's Sign Ordinance.

E. Signs, Flags and Lights. All commercial or public service signs, flags, lights, floodlights, and attachments other than those required for emergency identifications, communications operations, structural stability, or as required for flight visibility by the FAA or FCC shall be prohibited on any antenna or antenna structure. This prohibition shall include the attachment to the antenna or tower of any flag, decorative sign, streamers, pennants, ribbons, spinners or waving, fluttering, or revolving devices, but not including weather devices. Security lighting for on-ground facilities and equipment shall be shielded so that no light rays are emitted by the installed fixtures at angles above the horizontal plane and have no more than 1 candlepower. It must be controlled by motion sensor. If signage is required consistent with this standard, such signage shall comply with the requirements of Chapter 10-12-15, Sign Regulations.

- F. Access Roads shall be limited to twenty (20) feet in clear width except where safety considerations require otherwise, and they shall have gravel or other non-paved surface, unless they are a grass surface upon which a small truck can access the site. Existing roads shall, whenever possible, be upgraded the minimum amount necessary.
- G. Intent to Use. All applicants who apply to build only a tower shall provide at least one (1) letter of intent from a telecommunications company, which will locate on the tower.

10-22-6 Non-Maintained or Abandoned Facilities. The Planning Commission shall require each non-maintained or abandoned telecommunication facility to be removed when such a telecommunication facility has not been repaired or put into use by the owner, person having control, or person receiving benefit of such structure within six (6) months after written notice of non-maintenance or abandonment is given to the owner, person having control or person receiving the benefit of such structure.