

10-7-35: TOWER; BROADCAST, CELL, TELECOMMUNICATION:

A. Documentation: The applicant shall provide the following documentation with the request for approval of a wireless communication facility:

1. Documentation from a qualified and licensed engineer showing that the proposed facility will be in compliance with the FCC Standards Regarding Radio Frequency (RF) Emissions.

2. A report from a qualified and licensed structural engineer that describes the tower height and design. The report shall include the following: a cross section of the tower, elevations that document the height above grade for all potential mounting positions for collocated antennas, and the minimum separation distances between antennas. The report must also include a description of the tower's capacity regarding the number and type of antennas that it can accommodate and what precautions the applicant will take to avoid interference with established public safety telecommunications. This report must be stamped by the structural engineer and include other information necessary to evaluate the request.

3. A statement regarding compliance with regulations administered and enforced by the Federal Aviation Administration (FAA).

4. Propagation charts showing existing and proposed transmission coverage at the subject site and within an area large enough to provide an understanding of why the facility needs to be in the chosen location.

5. A written analysis demonstrating that the proposed site is the most appropriate site within the immediate area. The analysis shall include, but is not limited to, the following:

a. Description of the surrounding area, including topography.

b. Natural and manmade impediments, if any, that would obstruct adequate wireless telephone transmissions.

c. Physical site constraints, if any, that would preclude construction of a wireless communications facility on any other site.

d. Technical limitations of the system that limit siting options.

e. Statement indicating minimal interference with existing farming operations.

B. Design Standards: All new communications towers shall meet the following minimum design standards:

1. Towers and antennas shall be required to blend into the surrounding environment by paint or other camouflaging architectural treatment, except in instances where the color is dictated by Federal or State authorities such as the Federal Aviation Administration. All metal shall be corrosive resistant or treated to prevent corrosion.

2. No part of any antenna, disk, array or other such item attached to a communications tower shall be permitted to overhang any part of the right-of-way or property line.

3. The base of all towers shall be surrounded by an eight foot (8') chain link security fence.

4. All climbing pegs within the bottom twenty feet (20') of the tower shall be removed except when the tower is being serviced.

5. All lighting on the tower, other than may be required by the FAA, shall be prohibited.

6. No signs or banners shall be attached to any portion of a wireless communications tower.

C. Setback Standards:

1. In addition to the setbacks found in sections [10-6-3](#) and [10-6-5](#) of this title, additional setback requirements shall be one fall height plus thirty feet (30'), from adjoining property lines and County road rights-of-way unless certified by an Idaho licensed engineer that the design will collapse upon itself or be designed to fall within a specific radius.

2. Only the accessory equipment building shall be permitted to be located within the fall zone.

D. Collocation Standards: A proposal for a new commercial communications tower should not be approved unless the decision making body finds that the telecommunications equipment planned for the proposed tower cannot be accommodated on an existing or approved tower.

E. Tower Designed For Additional Users: All proposed communications towers shall be designed (structurally, electrically, and in all respects) to accommodate both the applicant's antennas and comparable antennas for at least two (2) additional users if the tower is over one hundred ten feet (110') in height and for at least one additional user if the tower is over fifty feet (50') in height.

F. Abandoned Or Unused Towers Or Portions Of Towers: All abandoned or unused towers and associated facilities shall be required to be removed within one hundred eighty (180) days of cessation of use as a wireless communication facility, unless a time extension is granted by the commission. A copy of the relevant portions of a signed lease, which requires the applicant to remove the tower and associated facilities upon cessation of the use as a wireless communication facility, shall be submitted at the time of application.

G. Height Allowance; Conditional Use Permit; Notice: In accordance with Idaho Code section 67-6512, the Planning and Zoning Administrator shall notify property owners where a conditional use permit is requested by reason of height allowance that notice shall be provided individually by mail to property owners or purchasers of record within no less than three (3) times the distance of the height of the allowed height of a structure when more than one hundred feet (100') and within no less than one mile when the peak height of a structure in an unincorporated area is four hundred feet (400') or more and, when four hundred feet (400') or more, the structure's proposed location and height shall be stated in the notice.

H. Federally Licensed Amateur Radio Stations: This Chapter shall not govern any tower that is at or under seventy (70) feet in height and is owned and operated by an amateur radio operator licensed by the Federal Communications Commission (FCC). Support structures and antennas for private use on licensed frequencies may be constructed in any zone as a permitted use, however, an approved Building Permit is required.