

CHAPTER 5 WIRELESS COMMUNICATIONS FACILITIES

1.0 Performance Standards for Wireless Communication Facilities (WCF):

The purpose and intent of this section is to allow for various types of wireless communications facilities (WCF), subject to location, siting and design standards; require wireless communication facilities to be sited in a manner that reduces to the greatest extent possible, the visual impact of these facilities. The placement, use or modification of a WCF as allowed by law within unincorporated Clark County, including on state and federally administered lands by a permittee, is subject to the provisions of this ordinance.

2.0 Conditional Use Permit Required For Wireless Communication Facilities:

A conditional use permit shall be required in all zoning districts to construct, install, site or operate a new WCF, or modify, add on to, or alter an existing WCF.

3.0 Permit Exceptions for WCF:

The following categorical exclusions from a conditional permit requirement are provided:

- A. Installation of television satellite dish antennas and wireless internet antennas.
- B. Installation of amateur radio facilities that are owned and operated by a federally licensed amateur radio station operator, or used exclusively for agricultural or non-commercial use.
- C. Routine maintenance of a WCF.
- D. Collocation of new transmission equipment, removal of existing transmission equipment, or replacement of transmission equipment that does not substantially change the physical dimensions.

For the purpose of this Chapter substantially change to the physical dimensions means changes in tower height greater than 10% or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed 20 feet whichever is greater. A substantial change to the equipment shelter means changes which do not exceed two hundred and twenty five (225) square feet in size and a maximum height of ten (10) feet.

- E. Installation of a WCF by a public safety/emergency service agency needed on an emergency basis, upon a demonstration by the agency that communications needed to ensure the prompt and efficient response to public health, safety and welfare cannot be accomplished with such exclusion.

4.0 Placement, Design and Siting Standard:

A. Height Limitations:

The following table provides the height standards based on zoning district and type of facility. These heights are measured from ground level to the highest point of the WCF, including all attachments thereto.

Table 5.1 Requirements for WCF Height in Feet

Zoning District	RLZD	SCRZD	RZD	CZD	IZD
Type/Location Of WCF					
Free standing Type mounting	40	40	35	35	40
Roof or wall mounted on non- residential building	50	50	45	45	50
Utility pole mounted	Pole ht. + 10ft				
Within dense growth of trees	Ht. Of trees				

B. Visibility:

The WCF shall meet the requirements for marking as outlined in Chapter 4 Section 12 Towers.

1. Placement/Fall

- a. Locating the facility where it is back-dropped by existing structures or geographical features. Keep it down below the skyline.
- b. Mount on existing structures.
- c. An area may be required within which a hazard from falling debris or a collapsing mount could occur.

2. Lighting:

- a. A WCF shall not be artificially lighted, except for needed routine maintenance of the facility using low wattage and light fixtures whereby the light is cast downward.
- b. A WCF which is required to be illuminated by a local, state or federal agency shall be reduced in height and/or otherwise modified or located so as to not require lighting.

3. Landscaping:

- a. Erosion control and long term landscaping shall be provided.

4. Access Roads:
 - a. WCF locations shall use existing roads wherever possible and keep new roads to a minimum.
5. Alternative Analysis:
 - a. If the proposed WCF is a single-user site, the applicant shall provide a narrative explaining why the proposed WCF cannot be co-located on an existing WCF.
 - b. A narrative and graphic representation of two less visually obtrusive alternatives proposed for the WCF in terms of location, siting, height and/or design which shall be substantially different from the primary proposal but complies with the provisions of this ordinance shall be a part of the application.

5.0 Application/Review:

- A. WCF are to be processed as conditional uses as outlined in Chapter 3.
- B. Additional information must be submitted by the application to address the performance standards for Wireless Communication Facilities.
- C. Letters of review by the FAA and the Idaho Transportation, Aeronautic Division are to accompany the application.
- D. Special conditions on the project may be required.

6.0 Removal of Obsolete Towers:

Obsolete or unused towers and accessory structures shall be removed from any site within twenty four (24) months of discontinuance of the use thereof. Owner of the site shall notify the County in writing within thirty (30) days of the discontinuance of the use of such tower or facility. Failure to notify and/or remove the obsolete or unused tower or facility or failure to restore their system to operating condition within six (6) months shall be a violation of this law. If the owner is not in compliance with this section he shall be required, at his expense, to remove the tower.

7.0 Decommissioning Bond Required:

1. Applicants are required to hold a performance bond, completion bond, decommissioning bond or other financial assurance with an A rated firm in the amount of five percent (5%) of the tower's value.
2. A detailed decommissioning and reclamation plan in accordance with state and federal law. The owner/operator of commercial tower facilities is responsible for removing the towers and related facilities when no longer useful. They must remove the towers and facilities within two (2) years of the end of use unless a new plan is proposed to reuse the towers. Reclamation shall be restored to its original state before tower facility site construction.
3. Decommissioning requirements, transfer with ownership of the tower facility