

**7.5.13** Wireless Telecommunication facility= (see Chapter 11)

**4.30** WIRELESS TELECOMMUNICATION TOWER: Any structure that is designed and constructed primarily for the purpose of supporting one or more antennas for telephone, radio and other telecommunication purposes. The term includes, but is not limited to, radio, telephone, and television transmission communication towers, alternative tower structures, and the like. The term includes the structure and any support thereto, and any antenna that may be affixed to such structure. This term also applies to an antenna in the case where the antenna is affixed to a building or other structure that was not constructed primarily for the purpose of supporting an antenna.

**11.1 PURPOSE:** The purpose of these Wireless Telecommunications Facility regulations is to accommodate transmitters, towers, and antennas, for use in providing public or personal wireless services in a variety of zoned districts, contingent upon having met specified requirements, conditions, and design criteria. These regulations will help minimize the visual impact of towers and associated facilities through landscape buffering, selective design and construction, setbacks for location and the removal of such facilities when no longer in use. These regulations encourage collocation of installations on common towers whenever feasible, minimizing the need for additional towers. This process is directed at maintaining a balance between the Township's right to preserve its land use policies for health, safety, welfare and aesthetics, while allowing the Federal government to provide for, and spur competition in the telecommunications industry.

**11.2 REQUIREMENTS:**

**11.2.1 PERMIT:** Wireless telecommunications facilities shall be a permitted use in B-1 Community Business District or LI-1 Planned Light Industrial District. Wireless telecommunications facilities shall be a conditionally permitted use in the Residential/Agricultural district and shall follow the requirements of Ohio Revised Code section 519. A zoning certificate is required for all wireless communication facilities.

In order to obtain a permit for a wireless telecommunications facility, the applicant shall provide the following:

- A) A plot plan of the entire site and shall indicate on said plan all buildings, building uses, driveways, roadways, utilities, power lines, water wells, and elevations within 500 feet of the proposed facility. Aerial photos and/or renderings may augment the plot plan.
- B) A vicinity map showing the location of all towers within a 2 mile radius of the site.
- C) Written certification from an Ohio Registered Engineer that the antenna(s) and/or tower(s) to be constructed are in compliance with all applicable Federal, State, and Local regulations pertinent to the construction.

- D) A soil report showing compliance and verifying the design specifications of the foundation for the tower. Towers and antennas shall be designed to withstand sustained winds and ice accumulation as required by the Ohio Basic Building Code.
- E) All written documentation described in Section 11.2.6 “Collocation”.

**11.2.2 LOT SIZE:** Minimum lot size, Frontage three hundred fifty (350) feet.

**11.2.3 SETBACKS:** Front Yard setback: The height of the tower plus one hundred (100) feet. Side and Rear Yard setback: The height of the tower plus fifty (50) feet.

**11.2.4 HEIGHT:** Maximum height of towers shall be three hundred feet (300).

**11.2.5 LOCATION JUSTIFICATION:** Applicant shall demonstrate that the telecommunications tower must be located where it is proposed in order to service the applicant’s service area. There shall be in writing **and mapping** an explanation of why a tower **and on** this proposed site is technically necessary and that the wireless telecommunication antenna(s) reasonably service the purpose for which it is has been licensed by the FCC to operate without a significant loss of communication capability within developed areas of the Township. Where possible, an antenna for a wireless communications facility shall be attached to an exiting tower. ~~Applicant shall demonstrate in writing and mapping why the tower is needed to provide service to the area.~~

**11.2.6 COLLOCATION:** The applicant requesting permission to install a new tower shall provide evidence there is no technically suitable space for the applicant’s antenna(s) and related facilities reasonably available on an existing tower within the geographic area to be served. With the zoning certificate application, the applicant shall list the location of every tower, building, or structure that could support the proposed antenna(s) or area where it would be technically suitable to locate so as to allow it to serve its intended function. The applicant must demonstrate that a technically suitable location is not reasonably available on an existing tower. If another existing tower is technically suitable, the applicant must demonstrate that it as made a written request to collocate on the existing tower and the collocation request was rejected by the owner of the tower. In all circumstances, owners of existing towers shall promptly respond in writing to requests for collocation, but in no event shall they respond more than thirty (30) days from the date of receipt of a written request for collocation. Copies of all written requests to collocate and all written responses shall be sent to the Township Zoning Inspector. In all cases, the Township shall use its best efforts to encourage collocation.

**11.3 STRUCTURE:** When a tower is modified or additional equipment is to be located on an existing tower, the applicant shall provide written documentation from an Ohio Registered Engineer that the existing structure is capable of holding the modified or additional equipment and that the tower is structurally sound. All applicants shall be required to construct or locate on a base tower structure or structure foundation that is designed to support the intended height of the tower to be constructed. Applicant shall provide a scaled map and construction plans. Applicant must provide written certification from an Ohio Registered Engineer that the

antennas and/or tower(s) to be constructed are in compliance with all applicable Federal, State, and Local regulations pertinent to the construction. The applicant shall provide a soil report showing compliance and verifying the design specifications of the foundation for the tower. Towers and antennas shall be designed to withstand sustained winds and ice accumulation as required by the Ohio Basic Building Code.

**11.4 FENCING AND SIGNAGE:** Security fencing shall be eight feet in height and surround the tower and equipment shelter. No advertising is permitted anywhere on the facility, with the exception of one identification sign: a metal sign of no greater than four (4) square feet shall be posted on the fence showing the street address, names of companies with facilities at the site, and all 24 hour emergency telephone numbers.

**11.5 APPEARANCE, COLOR, FINISH:** Unless approved by the Township, The tower shall remain painted or finished the color or finish it was originally applied by the manufacturer and properly maintained.

**11.6 ACCESSORY BUILDINGS:** All wireless telecommunications facilities accessory buildings shall comply to all Township zoning regulations regarding setbacks, height, and size.

**11.7 MAINTENANCE:** The owner/operator of the telecommunications facility shall annually, along with renewal of Conditional Use Permit, file a declaration with the Zoning Inspector as to the continuing operation of every facility installed on the tower. The owner/operator of the telecommunications facility shall annually file with Zoning Inspector proof of inspections and compliance with current codes and standards for the tower and facility as prepared and performed by an Ohio Registered Engineer.

**11.8 REMOVAL:** Any non-functioning tower must be removed within 6 months of the cease of operation. Owner/operator must post a cash or surety bond of ~~\$30,000.00~~ **\$60,000.00** with the Township Trustees to ensure that the abandoned, obsolete, or damaged telecommunications tower is removed within the 6 month timeframe.