



Conditional Use Permit Application-Siting of Wireless Telecommunication Facilities

Required to go to Planning Commission

Fee \$300.00

Property information and location
(all lines applicable to this site must be filled in)

Parcel # _____ Address: _____

Section: _____ Township: _____ Range: _____

(For office use only)

CUP #: _____ Fee \$300.00 Receipt #: _____

Application Determination:

Approved	Denied	Conditions imposed? Yes	No
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By: _____ Date: _____

Property Owner(s) Information

(Attach property owner's information if more than one).

Name(s): _____

Address per tax rolls: _____

City/County: _____ State: _____ Zip: _____

Office/home phone: _____ Fax: _____

Mobile phone: _____ Message phone: _____

Email address: _____

Tower Owner's Information if different than Property Owner(s)

*Property Owner's Authorization notarization needed.

Name(s): _____

Address: _____

City/County: _____ State: _____ Zip: _____

Office/home phone: _____ Fax: _____

Mobile phone: _____ Message phone: _____

Email address: _____

Antenna Owner's Information if different than Property and Tower Owner(s)

*Property Owner's and Tower Owner's Authorization and notarization needed.

Name(s): _____

Address: _____

City/County: _____ State: _____ Zip: _____

Office/home phone: _____ Fax: _____

Mobile phone: _____ Message phone: _____

Email address: _____

28-1. Purpose and scope. (1) The purpose of this chapter is to establish general requirements for the siting of wireless telecommunications facilities. The intent of this chapter is to:

- (a) promote the location of facilities in nonresidential areas;
- (b) minimize the total number of monopole facilities throughout the community;
- (c) encourage joint use and collocation as a primary option rather than construction of additional facilities;
- (d) promote the functional delivery of lowpower radio communications service with lower costs and increased efficiency by promoting competition between providers of low-power radio communications service;
- (e) encourage facilities providers to use innovative design to minimize adverse visual impact, promoting careful placement and siting, and requiring landscaping, screening, and camouflage techniques;
- (f) promote the long-term viability and adequacy of low-power radio communications service by requiring development plans showing the anticipated number of facilities required to provide service for the near future;
- (g) enhance telecommunication service providers' ability to provide such services to the community quickly, effectively, and efficiently.

Each application for a conditional use permit shall have all required submittals before it is accepted as a complete application.

All required information in this application must be completely filled out, *Marked, Tabbed, Labeled, and signed* with required paperwork submitted or application will be denied.

There shall be no presumption of approval of any aspect of the process.

APPLICATION IS HEREBY MADE TO PLANNING COMMISSION REQUESTING THAT:

(Describe in as much detail as possible the kind and purpose of tower/antenna)

Total acreage of parcel: _____

Area occupied by this use: _____

Current zoning designation: _____

The planning commission may require landscaping or other screening to mitigate the visual impact of a proposed communications facility. The planning commission may reduce the required setback from a residential zone if practical difficulties are demonstrated by the applicant, such as public park location or public building.

Include the following with the application:

Applicant County

28-4. Site location master plan.

1. Site location Master Plan according to Tooele County Land Use Chapter 28-4.

28-5. Facility types and standards.

2. Provide information and standards for one of the following:

A. Wall-mounted Antenna.

- (i) Wall-mounted antennas shall not extend above the wall line of the building or structure or extend more than four feet horizontally from the face of the building or structure.
- (ii) Antennas, equipment and the supporting structure shall be painted to match the color of the building or structure or the background against which they are most commonly seen. Antennas and the supporting structures on buildings should be architecturally compatible with the building.
- (iii) Antennas mounted directly on existing parapet walls, penthouses, or mechanical equipment rooms, with no portion of the antenna extending above the roof-line of such structures, shall be considered a wall-mounted antenna.
- (iv) Wall-mounted antennas shall be located not lower than 30 feet from the ground level of the wall on which the antenna is located.
- (v) The total area for wall-mounted antennas and supporting structures combined shall not exceed a total of 100 square feet on each exterior wall of the building. The total area shall be the sum of the areas of all antennas and support structures located on that wall. The antenna area shall be determined as the area of each individual antenna face and the visible portion of the supporting structure as viewed looking directly at the wall.
- (vi) A maximum of three carriers may located antennas on one building wall. For each additional carrier a separate conditional use permit must be obtained.
- (vii) No permit to install a wall-mounted antenna shall be issued unless the owner of the building grants written permission to install the antenna.
- (viii) Non-stealth wall-mounted antennas may not be installed on a building wall or walls facing a public street or on a wall or walls constituting the building's front or main entrance.
- (ix) Stealth wall-mounted antennas are encouraged and shall be allowed to vary from the provisions of this section as determined by the planning commission. Stealth wall-mounted antennas are not required to be located with public or quasi-public uses in Multiple Use (MU), Agricultural (A), Commercial (C), and Manufacturing (m) zones.

B. Roof-mounted Antenna.

- (i) Roof-mounted antennas shall be allowed on top of existing penthouses or mechanical equipment rooms providing the antennas and antenna mounting structures shall not extend more than eight feet above the existing roof-line of the penthouse or mechanical equipment room.
- (ii) For antennas not mounted on a penthouse or mechanical equipment room and on a flat roof:
 - (a) Setback. The antennas shall be mounted at least five feet from the exterior wall or parapet wall of a building or structure.
 - (b) Height. The height shall be measured from the top of the antenna to the roof-line of the building or structure, or to the top of the parapet wall if a parapet wall exists. For antennas mounted between five and 14 feet from the exterior wall or parapet wall, the maximum height of the antenna is set back from the exterior wall or parapet wall. For antennas setback more than 14 feet, the maximum height shall be 14 feet.
- (iii) Roof-mounted antennas on a pitched roof shall be allowed provided the antennas and antenna support structures do not extend higher than the peak of the roof measured by a horizontal line from the peak extending over the roof.
- (iv) Antennas not mounted on a penthouse or mechanical equipment room shall be mounted at least five feet from

the exterior wall of a building.

- (v) For antennas mounted between five and ten feet from the exterior wall, the maximum height of a roof-mounted antenna is equal to the distance the antenna is set back from the exterior wall up to a maximum height of ten feet above the roof-line of the building to which the antenna is attached.
- (vi) Antennas shall be mounted at least five feet behind any parapet wall. For antennas mounted between five and ten feet behind a parapet wall, the maximum height of the antenna is equal to the distance the antenna is set back from the wall up to a maximum of ten feet as measured from the top of the parapet wall.
- (vii) Roof-mounted antennas shall be constructed and/or colored to match the surroundings in which they are located.
- (viii) No permit to install a roof mounted antenna shall be issued unless the owner of the building grants written permission to install the antennas.
- (ix) Non-stealth roof-mounted antennas shall not exceed a total of eight carriers for a single building's roof, including penthouses or mechanical rooms.
- (x) Stealth roof-mounted antennas are encouraged and shall be allowed to vary from the provisions of this section as determined by the planning commission. Stealth roof-mounted antennas are not required to be located with public or quasi-public used in all Multiple Use (MU), Agricultural (A), Commercial (C), and Manufacturing (m) zones.

C. Monopole.

- (i) The height limit for monopoles is 60 feet in all Rural Residential (RR), Residential (R-1) and Residential Multifamily (RM) zones, except the planning commission may allow a monopole up to 120 feet in the Multiple use (MU), Agriculture (A), Commercial (C), and Manufacturing (M) zones if it finds:
 - (a) that the monopole will blend in with surrounding structures, poles, or trees and is compatible with surrounding uses,
 - (b) the monopole will be available for co-location with other wireless telecommunications facilities, and
 - (c) the monopole will be set back at least 300 feet from any residential zone boundary. The height shall be measured from the top of the structure including antennas, to the original grade directly adjacent to the monopole.
- (ii) In all Rural Residential (RR), Residential (R-1) and Residential Multifamily (RM) zones, monopoles will only be allowed in conjunction with an existing public or quasi-public use. Such uses include but are not limited to churches, schools, utilities, and parks.
- (iii) No monopoles shall be allowed in the front yard setback of any lot.
- (iv) Monopole towers shall only be located in the rear yard of a lot.
- (v) Monopole towers shall only be located in the rear yard of a lot.
- (vi) Monopoles shall be set back from any residential structure a distance equal to its height plus ten feet.
- (vii) No permit to install a monopole facility shall be issued unless the owner of the property grants written permission to install the facility.
- (viii) Stealth monopole facilities are encouraged and shall be allowed to vary from the provisions of this section as determined by the planning commission. Stealth monopoles are not required to be located with public or quasi-public uses in Multiple use (MU) and Agricultural (A) zones.

D. Lattice Tower.

- (i) The planning commission may permit a height limit for lattice towers up to 300 feet in the Multiple use (MU), Agriculture (A), Commercial (C), and Manufacturing (M) zones if it finds:
 - (a) that the lattice tower will blend in with surrounding structures, poles, or trees and is compatible with surrounding uses,
 - (b) the lattice tower will be available for co-location with other wireless telecommunications facilities, and
 - (c) the lattice tower will be set back at least 500 feet from any residential zone boundary. The height shall be measured from the top of the structure including antennas, to the original grade directly adjacent to the lattice tower.
- (ii) Lattice towers are prohibited in all Rural Residential (RR), Residential (R-1) and Residential Multifamily (RM) zones.
- (iii) No lattice tower shall be allowed in the front yard setback of any lot.

- (iv) Lattice towers shall be set back from any residential structure a distance equal to its height plus ten feet.
- (v) No permit to install a lattice tower facility shall issued unless the owner of the property grants written permission to install the facility.
- (vi) Stealth lattice tower facilities are encouraged and shall be allowed to vary from the provisions of this section as determined by the planning commission.

- 3. Free-standing wireless telecommunications facilities shall be surrounded by a fence that is at least six feet high and constructed out of a material appropriate to the location of the facility, as approved by the Tooele County Community Development Department. Antennas that are roof or wall-mounted shall be secured from access in a manner appropriate to the location.
- 4. Climbing pegs shall be removed from the lower 20 feet of all communications towers.
- 5. All wireless telecommunication facilities shall comply with applicable laws, regulations, and approvals regarding aircraft and airport operations.
- 6. No application for a building permit to construct or install a facility, and no application for a conditional use permit for a wireless telecommunication facility, shall be processed unless the applicant provides proof of each proposed carrier's current license from the Federal Communications Commission to operate as a telecommunications carrier.
- 7. No wireless telecommunication facilities shall overhang, encroach upon, or block a public right-of-way or public sidewalk.
- 8. A permit from the Army Corps of Engineers if the facility will affect wetlands;

28-6. Collocation of antennas.

- 9. All applications for new wireless telecommunication facilities submitted after the effective date of this chapter shall be for facilities designed and constructed to be of sufficient size and capacity to accommodate two or more antennas, unless otherwise approved by the planning commission for conditional uses. Conditional use approval may include a condition that the applicant allows collocation for other personal wireless providers on such terms as are common in the industry. Each applicant shall make a good faith effort to seek collocation on existing antenna structures. All applications for new wireless telecommunication facilities submitted after the effective date of this chapter shall provide the reason or reasons why collocation on an existing structure is not feasible.

28-7. Location on residential lots prohibited.

28-8. Color.

- 10. Monopoles, lattice towers, antennas, and any associated buildings or equipment shall be painted to blend with the surroundings which they are most commonly seen. The color shall be determined on a case-by-case basis by the planning commission. Within six months after the wireless telecommunication facilities have been constructed, the planning commission may require the color be changed if it is determined that the color does not blend with the surroundings.

28-9. Sites in foothills and canyons.

- 11. Any grading for wireless telecommunication facilities, including access roads and trenching for utilities, shall comply with the Uniform Building Code. Wireless telecommunication facilities in the foothills and canyons shall utilize the natural grade, vegetation and existing utilities. Disturbance of the natural environment shall be minimized.
- 12. A computer-generated visual simulation of the proposed structures is required for all sites in the foothills and canyons. The simulation shall show all structures including but not limited to monopoles, lattice towers, antennas, and equipment buildings.
- 13. Disturbance of the visual environment shall be minimized. Site placement and color should be carefully considered to blend in with the surroundings.
- 14. Continuous outside lighting is prohibited unless required by the Federal Aviation Administration for the monopole.

28-14. Non-maintained or abandoned facilities.

- 15. The applicant shall post a site-specific bond when a permit is issued to guarantee removal of the

facility and site restoration. The type of bond and amount shall be determined upon review by county staff. No bond shall be required for roof or wall-mounted facilities.

****ADDITIONAL INFORMATION MAY BE REQUIRED****

I (We) as the owner(s) of this property have read and do hereby agree to and understand the above terms and conditions without reservation and place my signature below as an act of such agreement. It is further agreed and understood that should I (we) violate any of the above conditions, this permit shall become null and void without further process and such use will not be permitted upon the property. This permit is issued site specific and not transferable to another property but may be transferred to a new owner.

I (We) understand that the Zoning Administrator shall not authorize a conditional use permit unless the evidence presented is such as to establish that such use will not, under the circumstances of the particular case, be detrimental to the health, safety or general welfare of persons residing or working in the vicinity, and the proposed use will comply with the regulations and conditions specified in the Tooele County Land Use Ordinance for such use.

PROPERTY OWNER'S SIGNATURE

DATE

TOWER OWNER'S SIGNATURE

DATE

ANTENNA OWNER'S SIGNATURE

DATE

AFFIDAVIT

PROPERTY OWNER'S AUTHORIZATION

I (we), _____ the owner(s) of the real property located as follows: _____ and further described in the attached application, have reviewed the plans for the proposed facility, understand the type of facility that is being installed and the obligations the owners are undertaking, and granting permission for the applicant to install and maintain the facility. I (We) do authorize the applicant listed in this application permissions to use this property as listed in this CUP application and act as representative for us on matters pertaining to this CUP application. Any violations regarding this CUP will be addressed with the property owner.

(Property Owner)

(Property Owner)

(Property Owner)

(Property Owner)

Notary

STATE OF UTAH)

:ss

County of Tooele)

Dated this _____ day of _____, 20 _____, the property owners above personally appeared before me and acknowledged that he/she signed the above Notice and that the statements contained therein are true.

My Commission Expires

Notary Public

AFFIDAVIT

TOWER OWNER'S AUTHORIZATION

I (we), _____ the owner(s) of the tower located
as follows: _____ and further
described in the attached application, have reviewed the plans for the proposed facility, understand the type
of facility that is being installed and the obligations the owners are undertaking, and granting permission for
the applicant to install and maintain the facility. I (We) do authorize the owner of the antenna(s) listed in this
application permissions to use this facility as listed in this CUP application and act as representative for us on
matters pertaining to antenna's application. Any violations regarding this CUP will be addressed with the
property owner.

(Tower Owner)

Notary

STATE OF UTAH)

:ss

County of Tooele)

Dated this _____ day of _____, 20 _____, the tower owners above, personally
appeared before me and acknowledged that he/she signed the above Notice and that the statements
contained therein are true.

My Commission Expires

Notary Public