

CHAPTER 25: ZONING

ARTICLE 20. RADIO AND TELEVISION TOWER DISTRICT

Sec. 25-201 Purpose.

The Oakdale Code of Ordinances is hereby amended to provide for the construction and maintenance of radio and television antennae and supporting towers and accessory structures by rezoning to a Tower District.

Sec. 25-202 Uses in the Tower District; Definitions.

- 1) **Antenna:** That portion of any communication equipment located on the exterior or outside of any structure used for continuous or standby transmission or reception of radio or television waves.
- 2) **Tower:** A structure upon which communication equipment is mounted or attached and including support devices such as cables, braces, etc.
- 3) **Accessory Structures:** A structure located on the tower or antenna site, necessary to the receiving or transmitting of radio or television programs.

Sec. 25-203 Submittal Material.

- 1) In submitting an application for a rezoning for the construction and maintenance of radio and television antennae, and accessory structures, the applicant shall provide sufficient information to indicate that construction, installation, and maintenance of the antenna and tower will not create a hazard to the health, safety, and general welfare of surrounding property owners.
- 2) This information shall include an outside consultant conducting an independent study at the cost of the applicant, demonstrating that the tower complies with (structural standards for steel antenna towers and antenna supporting structures), Engineering Department, Electronic Industries Association (EIA); describing the capacity of the tower, including the number and type of antenna that it can accommodate and the basis for the calculation of capacity; and demonstrating that the application complies with FAA, FCC, and if applicable, State Aeronautics Division requirements.
- 3) A site plan drawn to scale and identifying the site boundary; towers; guy wire anchors; existing and proposed structures; vehicular parking and access; existing vegetation to be retained, removed, or replaced; and uses, structures, and land use designation on the site and abutting parcels.
- 4) A plan drawn to scale showing proposed landscaping, including species type, size, spacing and other features.

Sec. 25-204 Procedure.

The procedure for rezoning shall be as described in Section 25-12 of the Zoning Ordinance. Furthermore, any changes or additions, aside from normal maintenance, that involve increases in the number of height of one or more towers, will require City Council approval.

Sec. 25-205 Requirements on Construction and Maintenance.

All antenna, towers, and accessory structures erected, constructed or located on any property, and all supporting devices thereof shall comply with the following requirements:

- 1) The tower shall not exceed 500 feet above grade or less, as authorized by law.
- 2) Antenna and/or tower setbacks shall be such that the distance from the base to the nearest property line or non- owned structure is not less than the calculated structural collapse radius plus 5% of the height of the tower, or twenty (20) feet, whichever is greater.
- 3) No part of any antenna or tower, nor any lines, cable, equipment or wires, or braces in connection with either shall at any time extend across or over any part of the right-of-way, public street, highway, sidewalk, or property line.
- 4) Towers with antennae shall be designed to withstand a uniform wind loading as prescribed by the State Building Code and the Electronic Industries Association recognized national standards, whichever is more restrictive.
- 5) Antenna and metal towers shall be properly protected against direct strike by lightning, either by adequate grounding or suitable circuits designed to provide such protection. The installation shall comply with all applicable electrical wiring codes, statutes, regulations and standards.
- 6) All signal and remote control conductors of low energy extending horizontally above the ground between the tower or antenna and structure, or between towers, but not buried underground, shall be at least twelve (12) feet above the ground at all points.
- 7) The base of the tower and all anchors shall be surrounded with a six (6) foot high galvanized chain-link fence with the appropriate warning signs posted on all sides.
- 8) No accessory structures shall be permanently affixed except as required to accomplish the license service for which the antenna or tower is authorized by the FCC.
- 9) The applicant is responsible for supplying the City with a copy of the annual FAA inspection report.
- 10) If use of the tower is discontinued for a period of six (6) months, it shall be removed.

Sec. 25-206 Broadcast Interference.

The applicant shall be responsible to investigate all and remedy legitimate complaints by residents regarding interference to consumer electronic equipment alleged to be caused by signals from the broadcast facility.

Sec. 25-207 Advisory Commission.

The City Council may also establish an Advisory Commission to hear disputes that cannot be resolved between the broadcast representative and residents.

Sec. 25-208 Tower Use Fee.

The City Council may require an annual use fee in lieu of taxes.