Chapter 5-7. Telecommunication Facilities

Box Elder Zoning Ordinance as Adopted _____ 2015

Sections

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5-7-010: Purpose.

The purpose of this Chapter is to provide policies, standards, requirements, and procedures to regulate and control the placement, construction, and modification of all telecommunication facilities, but particularly wireless telecommunication towers and facilities as defined herein and ensure that all such facilities are consistent with the General Plan and are constructed and operated in a manner that will promote public health, safety, general welfare and the physical, social and economic development of the area.

5-7-020: Scope.

The provisions of this chapter shall apply to all zoned and un-zoned areas of unincorporated Box Elder County.

5-7-030: Definitions.

As used in this chapter:

A. **Abandoned:** A tower or project shall be considered abandoned when, once installed fails to operate for 24 months.

B. **Collocation:** A telecommunications facility includes a single antenna support structure, but more than one telecommunications provider's antennas and telecommunication equipment.

L. **Utility Tower:** A structure typically higher relative to surrounding structures that provides a service in the form of electrical power, light, or forms of communication, limited to telephone, telegraph and fiber optic signals. Utility towers do not include towers used exclusively for wireless communications.

5-7-040: General Regulations.

A. All telecommunications facilities shall comply with federal, state and county regulations.

B. Collocation is strongly encouraged to minimize the number of antenna support structures by collocation of multiple antennas on a single structure, and by encouraging the location of antennas on preexisting structures.

C. Comply with the Telecommunications Act of 1996 by establishing regulations that:
   1. Do not unreasonably discriminate among providers of functionally equivalent services;
   2. Do not prohibit or have the effect of prohibiting the provision of telecommunications services;
   3. Are not based on any claimed environmental effects of radio frequency emissions to the extent that such facilities comply with the Federal Communication Commission's regulations concerning such emissions;
   4. Ensure that all utility facilities and structures are located, installed, buffered, screened and maintained in a manner that will minimize the impact of such facilities and structures on nearby landowners and will not adversely affect the rural, agricultural, small town character and scenic beauty of Box Elder County.

D. Types of Permits:
   1. New telecommunications facilities require a Conditional Use Permit;
   2. Collocation on existing structures require an Administrative Conditional Use Permit;
   3. Telecommunications site adjustment requires a Building Permit.

E. Setbacks: All telecommunication facilities shall be setback at a distance equal to 110% of the total height of the tower from all property lines, inhabited structures, overhead utility lines, and public roads or public right-of-ways.