

Clinton Township - Communication Towers Regulations [DRAFT]

612 Communication Structures.

612.1 Special Definitions.

Antenna - A device used to collect or transmit telecommunications or radio signals. This definition is not meant to include home television or amateur radio apparatus.

Telecommunications Facility - Consists of the equipment and structures involved in receiving or transmitting telecommunication or radio signals, but limited to those facilities with respect to which the State and Federal governments have not, under public utility laws, strictly pre-empted the Township from regulating.

Tower - A structure that is intended to support equipment used to transmit and/or receive telecommunications signals. Examples of such structures includes monopoles and lattice construction steel structures.

612.2 Design and location standards. The following design and location standards shall apply to all telecommunications facilities:

- A. The location of the tower and equipment building shall comply with all-natural resource protection standards of this ordinance.
- B. An evergreen screen consisting of a row of evergreen trees planted ten (10) feet on center maximum, shall be located around the perimeter of the security fence. The Township may, however, modify or waive screening requirements if the site is entirely or partially wooded to provide existing screening.
- C. An eight (8) foot high security fence shall surround the tower (and guy wires if used) and equipment building.
- D. The tower and antenna shall be designed and constructed to all applicable standards of the American National Standards Institute.
- E. A soil report prepared by a Professional Engineer shall be submitted to the Township to support the design specifications of the foundation for the tower, and anchors for the guy wires, if used.
- F. Telecommunications facilities shall be subject to the following subdivision and land development standards:
 - 1. Minimum facility lot size = Minimum necessary for setbacks
 - 2. Minimum setback = Tower height plus twenty-five (25) feet
- G. A telecommunications facility shall be permitted on a property with an existing use subject to the following conditions:
 - 1. The telecommunications facility shall be fully automated and unattended daily and

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shall be visited only for periodic maintenance.

2. **Minimum lot area.** The minimum lot area shall apply to the area designated for tower use. Land remaining shall comply with the minimum lot size otherwise applicable
 3. **Minimum setbacks.** The two hundred (200) feet minimum setback required above shall apply to the area designated for tower use.
 4. **Access roads.** The vehicular access to the facility shall, whenever feasible, be provided along the circulation driveways of the existing use and incorporate storm water management measures. All such roads shall be constructed to Township specifications per Section 607 hereof.
- H. **The applicant shall demonstrate the tower for the communications facility is the minimum height necessary for the service area and the site chosen is the one affording the opportunity to construct the lowest height tower possible, taking into consideration all lands available within a reasonable distance.**
- I. **The applicant shall demonstrate that the proposed tower adequately addresses all aspects of aviation safety in view of known local aviation traffic as well as FAA requirements.**
- J. **Proximity of the communications structure to existing or platted residential properties shall be considered in applying such requirements. Existing trees providing a natural buffer shall be preserved unless required to be removed for purposes of access or safety.**
- K. **The applicant shall provide visual depictions or studies to indicate how the facility will appear once constructed in relation to the surrounding natural environment and from the perspective of adjacent or nearby residents.**
- L. **Free-standing pole-type communications structures shall be given preference over towers supported by guy wires.**
- M. **All communications structures shall be lighted for safety, if required, in a manner consistent with industry best practices and additional setbacks may be imposed to shield adjacent properties from the effects of such lighting.**
- N. **Should any tower cease to be used as a communications facility, the owner or operator or then owner of the land on which the tower is located, shall be required to remove the same within one (1) year from the abandonment of use. Failure to do so shall authorize the Township to remove the facility and charge back the cost of removal to the foregoing parties. The Township may also file a municipal lien against the land to recover the costs of removal and fees. A financial guarantee for the same shall be required to cover 115% the cost and shall be updated every three years with costs subject to review by the Township Engineer and the form of the agreement subject to review of the Township Solicitor, the agreement to be approved by the Township Board of Supervisors.**
- O. **An applicant for approval of a communications structure shall include with the application**

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evidence of written contact with all wireless service providers who supply service within the Township for the purpose of assessing the feasibility of co-located facilities and co-location shall be mandatory wherever physically feasible.

- P. The Township may require an applicant to provide accessibility to its facilities for emergency purposes by community organizations responsible for emergency communications.**

- Q. The Township may consider any other factor relative to public health, safety and welfare in reviewing an application and may impose conditions with respect to screening, noise generation, traffic, lighting or any other criteria contained herein and the Township may, for these purposes, require full disclosure of the uses of the facilities and the specifications with regard to all apparatus and require updates as may be appropriate when equipment is added or modified.**