

street parking requirements. Outdoor eating areas shall not be designated in required parking areas.

N. Kennel

Dog kennels shall comply with the standards of this section.

1. No outdoor kennel shall be permitted in any zoning district.
2. The kennel shall be located not less than 300 feet from a residential structure that is located on any property in separate ownership. for the purpose of this section, measurement of the 300-foot distance shall be made in a straight line, without regard to intervening structures or objects, from the nearest portion of an existing habitation to the nearest portion of the kennel.
3. No outdoor exercise run area shall be permitted less than 50 feet from any land zoned residential.
4. All cages, pens, grooming areas shall be maintained with a completely enclosed, soundproof building; the facility shall conform to the noise restrictions of Sec. 4.12.3.
5. All facilities shall be designed and constructed in a manner that eliminates any emission of odor offensive to persons owning, occupying or patronizing properties adjacent to the use.

O. Telecommunications Tower and Facility

Telecommunications towers and facilities may be permitted, subject to the following requirements:

1. Minimum Lot Area

Notwithstanding other provisions to the contrary, the minimum lot area for such uses shall include all lands within the diameter of the fall zone, the radius of which shall be the height of the tower.

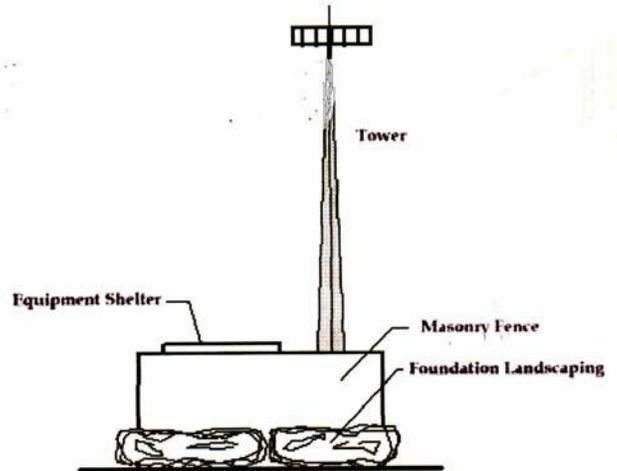
2. Co-Location Requirements

A proposal for a new telecommunication towers shall not be approved unless the County Council finds that the equipment planned for the proposed tower cannot be accommodated on an existing or approved tower or building within Spanish Valley, or within a 5 mile search of the proposed tower outside of Spanish Valley, due to one (1) or more of the following reasons:

- a. The planned equipment would exceed the structural capacity of the existing or approved tower or building, as documented by a qualified and licensed professional engineer, and the existing or approved tower cannot be reinforced, modified, or replaced to accommodate planned or equivalent equipment at a reasonable cost;
- b. Existing or approved towers and buildings within Spanish Valley or the search radius cannot accommodate the planned equipment at a height necessary to function reasonably as documented by a qualified and licensed professional engineer;
- c. All telecommunication towers shall be designed (structurally, electrically, and in all respects) to accommodate both the applicant's antennas and comparable antennas for at least 2 additional users if the tower is to be over 60 feet in height, or for 4 additional users if the tower is over 100 feet in height; and towers must be designed to allow for future rearrangement of antennas upon the tower and to accept antennas mounted at varying heights;
- d. Other unforeseen reasons make it unfeasible to locate the planned tele-communications equipment upon an existing or approved tower or building.

3. Tower and antenna Design

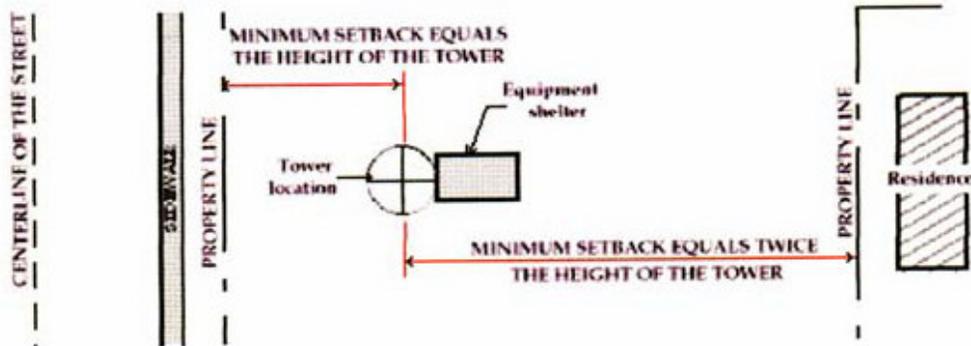
Proposed or modified towers and antennas shall meet the following design requirements:



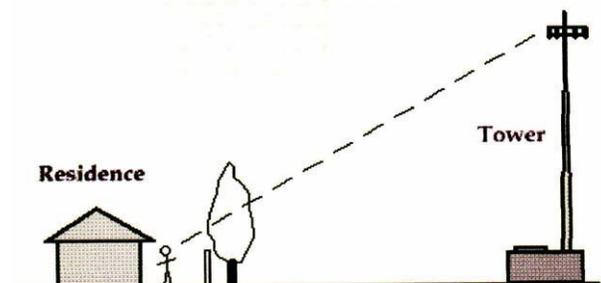
Title 16. Article 3. Use Regulations

Sec. 3.2. Use-specific Standards

- a. Towers and antennas shall be designed to blend into the surrounding environment through the use of color and camouflaging architectural treatment, except in instances where the color is dictated by federal or state authorities such as the Federal Aviation Administration.
 - b. Towers and antennas shall be of monopole design unless the County Council determines that an alternative design would be more appropriate to or better blend in with the surrounding environment.
- 4. Accessory Structure and Building Design**
The design of accessory or related structures or control buildings shall be architecturally designed to blend in with the surrounding buildings and environment, and they shall meet the minimum setback requirements of the underlying zoning district.
- 5. Landscaping and Screening**
- a. Ground- and rooftop-mounted mechanical equipment shall be screened from view off-site in accordance with the requirements of Sec. 6.4.3F, Screening Standards.
 - b. Perimeter trees, landscaping and other screening devices shall be used to help screen the tower from residences in accordance with the requirements of Sec. 6.4.3F, Screening Standards.
- 6. Tower Siting**
All towers shall be subject to the Ridgeline Standards of Sec. 4.9.8. Towers shall not be located between a principal or accessory structure and a public road or street, except in the LI, Light industrial and the HI, Heavy industrial Zone Districts where towers may be placed within a side yard abutting an internal industrial street.
- 7. Tower Setbacks**
All towers shall conform to the minimum setback requirements of the underlying zoning district, or as modified below:
- a. The minimum setback for a tower shall be equal to the height of the tower; provided, however, the minimum setback for a tower from the property line of a property with a residence shall be twice the height of the tower.



- b. Towers in the LI, Light industrial and the HI, Heavy industrial Zone Districts may encroach into the rear setback area, provided that the rear property line abuts another industrially zoned property and the tower does not encroach upon any easements.
- c. Notwithstanding other provisions to the contrary, a tower's setback may be reduced or its location in relation to a public street varied at the sole discretion of the County Council, in



order to mitigate visual impacts or to allow the integration of a tower into an existing or proposed structure such as a church steeple, light standard power line support device or similar structure.

8. Tower Height

The maximum height of all commercial wireless antennas and supporting towers shall not exceed the minimum that is technically necessary to serve the design purpose; provided, however:

- a. The maximum height of all commercial wireless antennas and supporting towers shall not exceed the distance to the nearest lot or parcel boundary on the subject lot or parcel or 150 feet, whichever is less.
- b. No tower shall be in excess of a height equal to the distance from the base of the antenna and tower to the nearest overhead electrical power line, less 5 feet.
- c. Co-location requirements notwithstanding, co-location shall not automatically be considered justification or grounds for a proposed height. In all cases, the County reserves the right to limit height of a proposed tower as necessary to insure compatibility with the neighborhood.

9. Lights and Other Attachments

- a. Towers shall not be artificially illuminated or display strobe lights unless the Federal Aviation Administration or other federal or state authority for a particular tower specifically requires such lighting when incorporated into the approved design of the tower, light fixtures used to illuminate ball fields, parking lots, or similar areas may be attached to the tower.
- b. No tower shall have constructed on, or attached to, any additional platform, catwalk, crow's nest, or like structure (other than those required by industry Standards or Federal Regulations), except during periods of construction or repair.

10. Signs and Advertising

The use of any portion of a tower for signs other than warning or equipment information signs is prohibited.

11. Interference with Public Safety Telecommunications

No telecommunications service shall interfere with public safety telecommunications. All applications for new service shall be accompanied by an inter-modulation study, which provides a technical evaluation of existing and proposed transmissions and indicates all potential interference problems. Before the introduction of new service or changes in existing service, telecommunication providers shall notify the Council at least 10 calendar days in advance of such changes and allow the Council to monitor interference during the testing process. At the Council's discretion, such new service or changes may be required to obtain a new permit.

12. Performance Standards

All towers must conform to the applicable Operational Performance Standards of Sec. 6.12.

13. Tower Construction Requirements

All towers erected, constructed or located within the County, and all wiring therefore, shall comply with the requirements of all current Construction Codes.

14. Annual inspections

After approval of a permit for a telecommunications or microwave tower, the tower owner shall promptly submit copies of any and all inspection reports that may be required by the FCC.

15. Additional Submittal Requirements

In addition to the information required elsewhere in this LUC, development applications for towers shall include a report from a qualified and licensed professional engineer that:

- a. Includes any and all technical information and design requirements, including co-location requirements, necessary to evaluate the request;
- b. Describes the tower height and design including a cross section and elevation;

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- c. Documents the height above grade for all potential mounting positions for co-located antennas and the minimum separation distances between antennas;
- d. Describes the tower's capacity, including the number and type of antennas that it can accommodate;
- e. Documents what steps the applicant will take to avoid interference with established public safety telecommunication;
- f. Includes an engineer's stamp and registration number;
- g. A letter of intent committing the tower owner and his or her successors to allow the shared use of the tower if an additional user agrees in writing to meet reasonable terms and conditions of shared use; and
- h. Proof that the proposed tower complies with regulations administered by Federal Aviation Administration.

P. Telecommunications Towers and Facilities on an Existing Tower or Other Structure

Telecommunications towers and facilities may be installed on an existing tower or structure, subject to the following requirements.

1. The antenna(s) shall be no higher than the existing tower or structure; provided, however, that if the antenna is installed on top of an interstate power transmission tower, such an antenna and tower may be up to 150 feet in height;
2. Such antenna(s) shall be subject to all terms and conditions imposed on the existing tower or structure;
3. All towers shall be subject to the Ridgeline Standards of Sec. 4.9.8; and
4. The impacts of the new antenna(s) on the surrounding neighborhood shall be no greater than the existing tower or structure.

Q. Telecommunications and Facilities in a Tower Campus

Telecommunications towers and facilities may be permitted in the tower campus on Bald Mesa, subject to the following requirements:

1. Towers shall be installed in close proximity, at a similar height, and in a manner similar to that of existing towers and antennas in the immediate area; and
2. Such towers exempt from the Ridgeline Standards of Sec. 4.9.8.

R. Utility Substation

Electricity regulating substations, gas pressure control stations or similar utility substations shall be subject to the following standards.

1. Any structure shall be set back not less than 25 feet from all property lines or the minimum setback requirements of the applicable zoning district, whichever is greater.
2. The uses shall be enclosed by a screen and landscaped as required by Sec. 4.4F.
3. The storage of equipment on the premises shall be shielded from view offsite.

3.2.4 Industrial Use Standards

A. Asphalt or Concrete Batch Plant

Asphalt or concrete batch plants shall comply with the standards of this section.

1. Minimum Lot Area: 5 acres
2. Minimum Setbacks (All Sides): 600 feet
3. The above minimum setback shall be from any residential zoning district or lot containing a residential use for all activity areas, including driveways and on-site roads.
4. The County may specify the times of operation.
5. All internal roads shall be maintained in a dust-free condition. The access drive from the site shall be paved with a surface of asphalt or concrete for a distance of at least 100 feet from the right-of-way of the public road from which access is taken. Provisions shall also be made to remove dust, dirt, mud or other debris from the vehicles before they leave the site.