

MILLVILLE CITY CODE
TITLE 17 - ZONING
CHAPTER 17.34 - COMMUNICATION TOWERS

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17.34.010: CONDITIONAL USE

These structures may be permitted as a conditional use in all zones in the city. (Ord. 2008-1, 2008)

17.34.020: APPLICATION FOR PERMIT; REQUIREMENTS

The application for a permit for these structures shall contain the following requirements:

- A. At the time of construction, the tower will not be allowed between any property and the primary view from a home or business (i.e., dike land, mountains, and waterways).
- B. The tower will only be allowed on property that is larger than the minimum size lot in the zone.
- C. The space designed for the tower must additionally provide at least the minimum size lot for any residential building remaining on the property.
- D. Photo simulations are required of any proposed tower from the four (4) cardinal compass points and/or abutting rights of way, whichever provides the most accurate representation of the proposal from a variety of vantage points.

- E. The city may require information regarding electromagnetic impacts if the city engineer deems it appropriate.
- F. Information as to why this proposal is necessary as opposed to collocating it with another existing facility.
- G. Information provided by a qualified engineer as to potential interference with other communications, communication devices and/or systems. Assurances must be given that no negative impacts will be present if a tower is constructed and used. (Ord. 2008-1, 2008)

17.34.030: LIGHTING

Prior to approval of a conditional use permit and its condition sighting shall be obtained and provided to the city. It is the intent of the city to not allow any structure with overly bright strobe type lighting. (Ord. 2008-1, 2008)

17.34.040: CONDITIONS OF PERMIT

The permit for these structures shall contain at least the following conditions:

- A. Communications towers shall be located on city owned property. The city may at its discretion collocate various devices on communication towers that do not interfere with the intended use of the tower.
- B. Appropriate screening, landscaping, parking, setbacks and security shall be provided. If part or all of screening is from abutting trees and/or other off site plant life, a provision shall be made to require on site plantings or guarantees of maintenance of off site screening to remain or be replaced in kind (size and species).
- C. Appropriate painting of tower and facilities, to blend in with screening and/or background shall be required.
- D. Lighting shall be deflected away from adjoining property and street rights of way. Any FAA required lighting shall not shine into residential homes nor interfere with traffic on public streets.
- E. Changing requirements by FAA or other state or federal agencies regarding a change or modification of height or lighting standards requires the applicant to submit the change for additional conditions by the city.

- F. The applicant must return the site to a natural condition after a six (6) month abandonment of the tower and attached antenna facilities. (Ord. 2008-1, 2008)