

Sec. 7-26. - Tower and wireless communications equipment and facilities.

- (a) Permit applications to construct, erect, install, enlarge, alter, repair, move, remove, replace, or change all or part of an existing or proposed television, radio, or wireless communication support structure (including buildings), tower, equipment, equipment compound, or facility shall include the following construction documents and site plan information:
- (1) Identification of the dates, nature, and conditions of any zoning ordinance approvals or permits for the proposed work, with documentation of how requirements or conditions of those approvals or permits have been or will be satisfied, or if there have not been any such zoning approvals or permits, a written explanation of why such approvals or permits should not be required.
  - (2) If the proposed work is to place or install wireless communication equipment on an existing structure and/or in an existing wireless communication equipment area (compound), written certification from the planning division of the city community development department that:
    - a. The existing structure and/or compound, as applicable, is currently in compliance with the zoning ordinance, or if not, is in compliance with a prior approval under the zoning ordinance; and
    - b. Whether there has been a prior final approval under the zoning ordinance of the existing structure and/or compound, as applicable, and if so, that the proposed placement or installation complies with that approval.
  - (3) If the proposed work will increase the height of a wireless support structure, documentation of the original (when first erected), current, and proposed height.
  - (4) If the proposed work will increase the width of a wireless support structure, documentation of the purpose and that the increase is the minimum necessary for that purpose.
  - (5) If the proposed work will increase the area surrounding or adjacent to a wireless support structure within which wireless communication equipment is located (compound), documentation of the existing and proposed new areas of the compound expressed in terms of square feet.
  - (6) If the proposed work is for a new wireless support structure or to place or install wireless communication equipment on an existing structure, a structural analysis and certification by a registered professional engineer of compliance with the Code.
  - (7) The building permit application site plan shall be consistent with the last approved zoning ordinance site plan, if any, shall include and depict matters for which documentation is required in subsections 3, 4 and 5, and shall include information

necessary for the building official to determine conformity of the proposed work with the zoning ordinance.

- (b) Regardless of whether the proposed work has been separately approved or permitted under the zoning ordinance, the following conditions shall be attached to and part of every permit or certificate of occupancy issued for that work:
- (1) The work shall at all times be subject to and in compliance with zoning ordinance requirements applicable to the property upon which it is located.
  - (2) The work shall at all times be subject to and in compliance with the requirements and conditions of any prior and specifically identified zoning ordinance special land use, site plan, or other approval or permit for the property upon which it is located.
  - (3) That upon invalidation of any state or federal law that allowed or required permit and/or certificate issuance for the work without a separate approval or permit otherwise required by the zoning ordinance, the building official may, by written notice:
    - a. Amend or modify the permit or certificate to require the zoning approval or permit to be applied for, obtained, and complied with.
    - b. Suspend or revoke the permit or certificate as necessary to enforcement of the amendment or modification of the permit or certificate.

(Ord. No. 13-134.03, Pt. I, 2-11-13)