

Section 6-311
Wireless Communication Facilities

EXHIBIT 'A'

SECTION 6-311 WIRELESS COMMUNICATION FACILITIES

- A. **Purpose and Intent.** To ensure the health, safety and welfare of the residents of the Village, all wireless communication facilities in the Village must comply with the following standards and regulations.
- B. **Definition.** Wireless communication facility means infrastructure such as antenna, support structures, equipment, accessory buildings, parking, and other uses associated with and ancillary to wireless communication transmission.
- C. **Exceptions.** Dish antennas less than one meter in diameter, private residence antennas, and private residence amateur radio equipment are not regulated by this Code Section.
- D. **Authorization.** No person, firm, partnership, corporation, trust or other legal entity shall install or modify a wireless communication facility without obtaining Village authorization as described below.
- E. **Application.**
1. Village authorization for a wireless communication facility is initiated through a pre-application conference with Development Services Staff. Based on the scope of the proposal and the provisions of this Code section, the petitioner will be advised on the required process: either an Appearance Review approval that is conducted internally by staff; or a Special Use Permit or Site Plan Approval that requires Village Board Approval. (See Development Review Code Section 5-101 for process details) The required petition must then be filed with all required documentation plus but not limited to:
 - a. As-built plat of survey of the subject lot showing the exact location and dimensions of the proposed wireless communication facility;
 - b. Complete description of the proposal.
 - c. A scaled elevation drawing showing all proposed visible equipment.
 - d. Structural Plans stamped by a licensed Structural Engineer. No approvals or permits shall be issued until the Structural Plans have been approved by the Village. All plans must comply with the Village Code Title 5 Chapter 1 for Radio and Television Towers and revised Reference Standards in Chapter 35.
 - e. A statement by the applicant of ownership (or a letter of written permission from the owner) that the applicant will comply with all applicable Village Codes and ordinances in the construction of the facility.
 2. Additionally, all applicable building codes must be met, and building permits obtained, prior to construction or installation of the wireless communication facility.

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F. General Standards of Wireless Communication Facilities.

1. The use of stealth technology in the location and construction of wireless facilities is required whenever and wherever possible. Stealth technology means using the least visually and physically intrusive facility that is not technologically or commercially impracticable under the facts and circumstances, to employ methods to minimize adverse aesthetic and visual impacts on the land, property, buildings, and other facilities adjacent to, surrounding, and in generally the same area as the requested location of such wireless telecommunications facilities.
2. Additional landscaping and fencing will be required to help mitigate the effects of any additional wireless communications facilities or equipment as determined through approval process.
3. Wireless communication facilities shall comply with all site and structural requirements as outlined in the Land Development Code unless otherwise stated in this Code section, and shall be compatible in terms of architecture and site characteristics with the surrounding neighborhood.
4. No equipment shall be operated so as to produce noise levels above 45 dB as measured from the nearest property line of the lot on which the wireless communication facility is located.
5. Wireless communication facilities shall not be artificially lighted or marked except as required by law.
6. Wireless communication facilities shall be neutrally colored to blend with their surroundings.

G. Location and Standards of Wireless Communication Facilities.

1. Wireless communication facilities may be located as a permitted use on any existing Village communication tower, existing non-Village communication tower, public utility transmission tower, or water tower in any zoning district with Village authorization and providing that all building code safety and structural requirements are met. Additional telecommunication equipment shall not extend more than fifty feet (50') higher than the existing structure.
 - a. Placement of additional equipment on a non-conforming tower shall not be considered an expansion of the non-conforming use or structure providing all building code safety and structural requirements are met. The exception to this is if the tower is non-conforming due to being located within 500' of a residential building, then the height can not be increased.
2. Wireless communication facilities may be located as a permitted use on any non-residential

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building or non-residential village street light with Village authorization in any Zoning District with the exception of the Old Orland Historic District and with the exception of landmarked buildings in any Zoning district, providing that all building code safety and structural requirements are met.

- a. No wireless communication antenna or equipment shall increase the height of the building or street light on which it is mounted by more than ten feet (10'). (Ord. 3281 - 8/16/99)
 - b. Wireless communication equipment shall match existing building materials and colors as closely as possible, and shall not be visible to the casual observer.
3. A new freestanding wireless communication facility may be located as a Special Use on any parcel located in the VCD, BIZ, MFG, COR, or ORI District, or on institutional parcels in any Zoning District.
- a. The parcel must meet the minimum lot size requirement of the Zoning District in which it will be located. (Ord. 3837 – 12/1/03)
 - b. Freestanding wireless communication facilities must meet all setback requirements of the Zoning District in which they will be located.
 - c. Freestanding wireless communication facilities can not be located in the required landscape buffers of the Zoning District in which they will be located.
 - d. Freestanding wireless communication facilities must be a minimum of 500 feet from any residential building.
 - e. Freestanding wireless communication towers shall be no higher than 100 feet. Co-location of one (1) or more facilities on a pole shall be no higher than 150 feet.
 - f. All new wireless communication towers shall be self-supporting monopoles. Guyed or lattice towers are prohibited. All towers shall be constructed with at least one release point so as to bend and fold over on themselves when necessary.
 - g. Freestanding wireless communication facilities shall be screened with an 8' tall solid, opaque fence constructed of masonry, wood, or neutral colored non-white vinyl, and be landscaped with a buffer yard 'C' as outlined in the Land Development Code. If a Type 'C' buffer yard can not be accommodated, other incremental site improvements will be required to help mitigate the visual impact of the facility on the surrounding area as determined through the approval process.
 - h. Existing on site vegetation shall be preserved or enhanced where possible, and disturbance of existing topography shall be minimized, unless such disturbance would result in the reduction of impact on the surrounding area.
4. No special use permit for a new freestanding wireless communication facility shall be granted unless the Board of Trustees find that the planned wireless communication

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equipment cannot be accommodated on an existing or approved tower or structure due to one or more of the following reasons:

- a. The planned wireless communication equipment would exceed the structural capacity of an existing or approved tower or structure within the search radius, as documented by a qualified and licensed professional structural engineer, and the existing or approved tower or structure cannot be reinforced, modified, or replaced to accommodate the planned or equivalent equipment at a reasonable cost;
 - b. The planned wireless communication equipment would cause interference impacting the usability of other existing or planned wireless infrastructure, as documented by a qualified and licensed professional engineer, and the interference cannot be prevented at a reasonable cost;
 - c. Existing or approved towers and structures within the search radius cannot accommodate the planned wireless communication equipment at a height necessary to function reasonably, as documented by a qualified and licensed professional engineer; or,
 - d. Other unforeseen reasons make it infeasible to locate the planned wireless communication equipment upon an existing or approved tower or structure within the search radius, including but not limited to, lack of availability of any tower or structure, or availability on terms which are not commercially reasonable (such as a lease rate above the current market rate for a similar lease).
5. Freestanding wireless communication towers and accessory structures shall avoid environmentally sensitive areas and historically, culturally, naturally, or architecturally significant areas and their associated view-sheds.

H. Removal of Facility

1. The Village, through proper legal procedures, may require the owner of a wireless communication facility or owner of the land where the facility is located to remove it upon occurrence of any of the following events:
 - a. The facility was not constructed in accordance with Village requirements.
 - b. The facility has deteriorated from lack of maintenance.
 - c. The facility has been inactive for a period of at least six months.

DRAFT. 11.24.08

SECTION 6-201 E-1 Estate Residential District;

C. **Special Uses.** The following uses may be established as special uses in the E-1 District, in accordance with the procedures and standards set forth in Section 5-105:

(Add to list of Special Uses :)

11. Wireless Communication Facilities located on institutional parcels per Code Section 6-311.

SECTION 6-202 R-1 Residential District:

C. **Special Uses.** The following uses may be established as special uses in the R-1 District, in accordance with the procedures and standards set forth in Section 5-105:

(Add to list of Special Uses :)

8. Wireless Communication Facilities located on institutional parcels per Code Section 6-311.

SECTION 6-203 R-2 Residential District;

C. **Special Uses.** The following uses may be established as special uses in the R-2 District, in accordance with the procedures and standards set forth in Section 5-105:

(Add to list of Special Uses :)

8. Wireless Communication Facilities located on institutional parcels per Code Section 6-311.

SECTION 6-203.5 R-2A Residential District;

C. **Special Uses.** The following uses may be established as special uses in the R-2A District, in accordance with the procedures and standards set forth in Section 5-105:

(Add to list of Special Uses :)

8. Wireless Communication Facilities located on institutional parcels per Code Section 6-311.

SECTION 6-204 R-3 Residential District;

C. **Special Uses.** The following uses may be established as special uses in the R-3 District, in accordance with the procedures and standards set forth in Section 5-105:

(Add to list of Special Uses :)

11. Wireless Communication Facilities located on institutional parcels per Code Section 6-311.

SECTION 6-204.5 R-3A Residential District;

C. **Special Uses.** The following uses may be established as special uses in the R-3A District, in accordance with the procedures and standards set forth in Section 5-105:

(Add to list of Special Uses :)

11. Wireless Communication Facilities located on institutional parcels per Code Section 6-311.

SECTION 6-205 R-4 Residential District

C. **Special Uses.** The following uses may be established as special uses in the R-4 District, in accordance with the procedures and standards set forth in Section 5-105:

(Add to list of Special Uses :)

14. Wireless Communication Facilities located on institutional parcels per Code Section 6-311.

All OF ORDINANCE NO. 2084, ENTITLED "THE LAND DEVELOPMENT CODE OF THE VILLAGE OF ORLAND PARK, ILLINOIS."