

**Wireless Communications Tower Facilities
Concerns and Opportunities
New River-Desert Hills Community Association (NR/DHCA)
Rev. July 14, 2010**

This paper, approved by the New River-Desert Hills Community Association (NR/DHCA) board in June 2010, presents a variety of concerns and opportunities to be considered by other concerned residents and the Maricopa County Planning and Development Department.

Location:

1. Avoid scenic corridors and proposed scenic corridors.
2. Require the "setback" from where adjacent property lines meet existing ordinance for the zoning: do not allow variances from setback requirements.
3. Do not allow cell towers or their accompanying industrial equipment (cabinets, etc.) on existing non-conforming lot (created prior to ordinance that prohibits the creation of non-conforming lot) if the setbacks requirements cannot be met.
4. Encourage placement of cell towers and their accompanying industrial equipment in industrial and commercial zones.
5. Prohibit cell towers or their accompanying industrial equipment (cabinets, etc.) in residential zoning.
6. Notify adjacent property owners within more than the current 300 feet since the visibility and impact of the cell towers and their accompanying industrial equipment are greater (e.g. one half mile would be good) than the average building and therefore affects a wider area.
7. Site should have sufficient space for the industrial facility plus the parking space for at least one maintenance vehicle inside the leased area.
8. Any "plant disguise" should be appropriate for the area (i.e. native plants).
9. Require Security Fencing; a block wall may be the preferred as it would add additional shielding for any lights or noise.
10. No rolled barbed wire security measures should be allowed.
11. Require that the cell tower be built for a licensed wireless carrier (e.g. Verizon, Nextel, Sprint, AT&T, T-Mobile, etc.).
12. Mandate that new towers are not built until it is demonstrated that no existing towers or structures (such as rooftops, water towers) can accommodate the wireless carrier's equipment. Co-locating is preferable. Utilizing existing vertical locations is preferable whenever possible and good faith efforts to determine such locations need to be documented.

Ingress/Egress Easement

1. Should have legally recorded ingress/egress easement to facility for construction, operation, and maintenance from a public or private road.
2. Should be adequate for emergency vehicles (e.g. fire and ambulance vehicles).
3. Should be clearly marked on the SUP site plan
4. Should be maintained.

Construction

1. Lighting should be fully shielded and aimed down; LED or LPS is recommended.
2. Lighting should be turned off after 10:00 PM, except for emergency maintenance/
3. Lighting should be used ONLY for the required maintenance safety.
4. Lighting height should be between 4 feet and 10 feet mounted on the interior of the fence or wall facing to the industrial equipment cabinet.
5. Noise levels should be low enough so as to not to be the cause of public nuisance. Any equipment noise should be muted (e.g. fans and other motors).

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6. No odor (e.g. gas, diesel, ozone odors, etc.) should be emitted so as to not to be the cause of public nuisance.
7. Height should meet ordinance requirements (avoid variances).
8. Tower facility should be built to allow multiple carriers (collocating).
9. Color of facility should blend in with surrounding natural environment.

Note: Some would like to add "and if possible the surrounding residences."

10. No vegetation be required, but that care should be taken to preserve existing vegetation during construction to the extent that is possible.
11. Parking (1 space minimum) must be inside the lease area.

Special Use Permits

1. If possible, Special Use Permits should be for a limited time such as 10, 15, or 20 years. Thereafter a reapplication must be submitted for a similar period of time or the industrial equipment cabinet and tower must be removed within 30 days or fines will be assessed on a daily basis.

Maintenance

1. Visitation to the site for operation, maintenance, or check, should be standardized to daytime hours such as 8 AM to 6 PM, Monday – Friday except during emergencies.
2. Need to meet the requirements of the Abatement Ordinance (PM-11) which covers weed controls; there should be weed control of the disturbed areas after construction or it will further become an eye sore. That should be considered part of the "maintenance" schedule

Other items of concern

1. There should be a bond posted to cover the cost of removal.
2. Maximum limitation to site size (standardize).
3. An understanding that sites chosen by may not be allowed to be built on if over 50% of 300' adjacent property owners are against the chosen location.

Notes:

There are concerns about the health effects. However, the Telecommunications Act of 1996 prohibits local jurisdictions from denying a tower application on the basis that it is "unhealthy". As long as the tower meets FCC regulations and guidelines, it is presumed to be safe.