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Planning Department

Wireless Communications Tower Checklist

- Ordinary Maintenance:** Work that is considered to be ordinary maintenance is exempt from administrative review and approval by the Planning Division. Ordinary maintenance includes the following:
 - Inspections, testing and modifications that maintain functional capacity and structural integrity; for example, the strengthening of a wireless support structure's foundation or of the wireless support structure itself.
 - Replacing antennas of a similar size, weight, shape, color and accessory equipment within an existing equipment compound and relocating the antennas to different height levels on an existing monopole or tower upon which they are currently located.
 - Work that is not defined as a substantial modification.
- Work that require administrative review and approval:** The following types of applications are subject to the review process as provided in Section 8.1-3 of the Land Development Ordinance. No other type of zoning review beyond what is listed in Section 8.1-3 is necessary:
 - New wireless support structures that are less than one hundred (100) feet in height, in any Industrial District, with a no-hazard determination made by the Federal Aviation Administration (FAA).
 - Concealed wireless facilities that are forty (40) feet or less in height, in any residential or commercial district, with a no-hazard determination made by the FAA.
 - Monopoles or replacement poles located on public property other than street or alley right-of-way.
 - Monopoles or replacement poles within utility easements or rights-of-way, in any zoning district; with poles in right-of-way refer to Article VII, Encroachments, Division 3, Wireless Telecommunications Facility Encroachments in the Minot Municipal Code.
 - Collocations applied under FCC Statute 6409(a) that are not substantial modifications (see the below definition).
- Work that requires a Conditional Use Permit (CUP):**
 - Any application for wireless facilities and/or wireless support structures not subject to administrative review and approval pursuant to this Ordinance shall be permitted in any district upon the granting of a conditional use permit from the Approving Body in accordance with the standards for granting a conditional use permit set forth in Section 9.1-4, Conditional Use Permits, and Section 8.1-4 of this chapter. Valid conditions include but are not limited to drainage, landscaping, maintenance, lighting, fencing, access, indemnification and compliance with all generally applicable laws. Any application submitted under FCC State 332(c)(7) shall be reviewed for a conditional use permit.
- Substantial Modifications:** The mounting of a proposed wireless facility or wireless facilities on a wireless support structure that substantially changed the physical dimensions of the supports structure. A mounting is presumed to be a substantial modification if it meets any one or more of the following criteria:
 - Increases the existing vertical height of a wireless support structure by more than ten (10) percent or one additional antenna array not more than twenty (20) feet higher for towers not within a public right-of-way.
 - Increased the existing width of a wireless support structure by more than twenty (20) feet or the tower width at the level of the appurtenance, whichever is greater, for towers not within public right-of-way.
 - The request defeats the existing concealment elements of a tower or base station.
 - The request violates a prior condition of approval that does not conflict with the other standards for a substantial change.

Wireless Communications Tower Requirements

Requirements for the submission of work that requires administrative review:

- Administrative review application form signed by applicant.
- Copy of lease or letter of authorization from property owner evidencing applicant's authority to pursue application. Such submissions need not disclose financial lease terms.
- Site plans detailing proposed improvements. Drawings must depict improvement related to the applicable requirements including property boundaries, setbacks, topography, elevation sketch and dimensions of improvements.
- Documentation from a qualified professional engineer licensed to practice in North Dakota of the calculation of the fall zone and certification that the wireless support structure has sufficient structural integrity to accommodate the required number of additional users as provided in this ordinance.
- FAA Airspace Analysis Form 7460 with no hazard determination or FAA notice criteria tool demonstrating that Airspace Analysis Form 7460 is not requested.

Requirements for submission for a Conditional Use Permit (CUP) application:

- Conditional Use Permit application form signed by applicant.
- Copy of lease or letter of authorization from the property owner evidence applicant's authority to pursue zoning application. Such submissions need not disclose financial lease terms
- Written description and scaled drawings of the proposed wireless support structure or wireless facility, including structure height, ground, design and proposed materials.
- Number of proposed antennas and their height above ground level, including the proposed placement of antennas on the wireless support structure.
- Line-of-sight diagram or photo simulation, showing the proposed wireless support structure set against the skyline and viewed from at least four (4) directions within the surrounding areas.
- A statement that the proposed wireless support structure will be made available for collocation to other service providers at commercially reasonable rates, provided space is available and consistent with Section 8.1-8(A)(1) of this ordinance.
- Notification of surrounding property owners and posting as required by Section 9.1-4 and Section 9.2-1.
- FAA Airspace Analysis Form 7460 with no hazard determination or FAA notice criteria tool demonstrating that Airspace Analysis Form 7460 is not requested.