

City of Farmington Hills, Planning Office
31555 W. Eleven Mile Road
Farmington Hills, MI 48336-1165
www.fhgov.com, (248) 871-2540, Fax: (248) 871-2521

Cellular Tower – Certificate of Appropriateness

ITEM NO: _____ DATE: _____ RECEIVED/CHECKED BY PLANNING: _____

I (We) the undersigned, do hereby make application to the Planning Department of the City of Farmington Hills to develop the property herein described as and in support of this application the facts below are shown. *Petitions must be filed with the Planning Office by 3:30 p.m. on the 18th day of the month to be heard at the Regular Hearing of the following month. If the 18th falls on a weekend or holiday, plans must be submitted by 12:00 noon on the following business day*

REQUIREMENTS FOR APPLICATION SUBMITTAL

- Eight (8) copies of Site Plan (All plans must be folded 8 ½" X 11" letter size – architects seal up)
- One copy of Site Plan sent by email to: egardiner@fhgov.com
- Fifteen (15) reduced copies of Site Plan (11" x 17")
- Proof of Ownership: Title Insurance; Purchase Agreement; Names of Principal Owners involved in any Corporation, Partnership, etc.
- Hazardous Substances Form
- Certificate of Need- Submission of all materials referred to in Chapter 34-4.24
- Tree Survey (Section 34-5.18, p. 5-34), Three (3) copies Tree Survey; plus (2) copies superimposed.

Required Tree Survey Fee..... # of Trees: 6" or Larger: _____ Fee: \$_____

Required Site Plan Fee: (Contact the Planning Office for all fee's)

Base \$_____ + Engineering \$135 + Acreage Fee \$_____ Acres: _____ Total: \$_____

NOTIFICATION OF AFFECTED PROPERTY OWNERS. When provision of the approval requires, all property owners within 300 feet of petitioner's property must be notified by first class mail five to fifteen days prior to the hearing. Please add to the base fees, an additional **mailing fee of \$300.** An additional **\$1.25** will be billed to you after submission for each notice sent over 25 notices.

..... Total Fees due: \$_____

MAY BE REQUIRED AT A LATER DATE:

Six (6) copies of Landscape Plan/Open Space Plan, plus Fifteen (15) (11 x 17) copies.
Required Landscape Plan/Open Space Plan Fee: \$600.00 plus \$15.00/acre minimum.

SITE CHARACTERISTICS

Subject Property Address: _____

Sidwell/Tax I.D.: #22-23-_____ Zoning District: _____

Proposed Use of Property: _____

Propose number of Employees: _____ Bldg. Sq. Footage: _____

THE PROPERTY IS OWNED BY:

Name: _____

Address: _____

City/State: _____ Zip: _____

Phone: _____ E-mail: _____

* Signature of Owner: _____

APPLICANT:

Name: _____ Address: _____

City/State: _____ Zip: _____ Phone: _____ Fax: _____

Applicants interest in property (if other than the owner).

* Signature of Applicant: _____

ACTION BY PLANNING COMMISSION: APPROVED: _____ DENIED: _____

APPLICATION CELLULAR TOWER and ANTENNAE
EXCEPTIONS TO CONDITIONS

Requests for exceptions to conditions set forth for Cellular Towers and Cellular Antennae will be heard by City Council and City Council must find conditions set forth as detailed in the Zoning Ordinance.

STATEMENT OF EXPLANATION: PLEASE EXPLAIN WHAT EXCEPTION IS REQUESTED; ATTACH A STATEMENT OF EXPLANATION THAT ADDRESSES THE CONDITIONS OUTLINED ABOVE:

CONSENT FORM: ATTACH THE CONSENT FORM FOR APPROVAL OF 60% OF AFFECTED PROPERTY OWNERS WITHIN THE AREA SPECIFIED IN THE ZONING ORDINANCE.

CELLULAR TOWER AND ANTENNAE PROPERTY OWNER CONSENT FORM

Requests for exceptions to conditions set forth for Cellular Tower Ordinance and Cellular Antennae Ordinance in the instance of setback requirements from residentially zoned property, 60% of the property owners of record whose property lies within the area specified by the Zoning Ordinance must consent in writing to the proposed exception.

Applicant Name: _____

Subject Property Address: _____

Sidwell/ Tax ID: #23- _____ **Zoning District:** _____

PROVIDE A DESCRIPTION OF WHAT EXCEPTION IS REQUESTED:

34-4.24 CELLULAR TOWER^m

AND CELLULAR ANTENNAE^m

1. The maximum height shall not exceed one hundred (100) feet, measured from the grade at the base of the tower when occupied by one telecommunications provider. In the event the tower provides antennae for more than one provider, the maximum height may be increased to not more than one hundred twenty (120) feet measured from the grade at the base of the tower.
2. The base of the tower shall have a minimum setback of five hundred (500) feet to any lot line located in an RA, RC, MH, RP or SP-1 district.
3. The base of the tower and any other structures connected therewith shall provide the minimum setback required by the district; provided, that the setback shall not be fewer than fifty (50) feet from any private or public street right-of-way and thirty (30) feet from any other lot line or freeway right-of-way.
4. If located on the same zoning lot with another permitted use, such tower and any other structures connected therewith shall not be located in a front yard or in a side yard abutting a street.
5. The antennae and any accessory equipment shall be concealed within or upon the building or structures of the principal use.
6. Cellular antennae and supporting structures shall be permitted to be attached to buildings in the OS, B, ES, IRO and LI-1 districts, whether or not they are accessory, subject to the following conditions.
 - A. The principal use is a conforming use and the building is a conforming structure.
 - B. If connected directly to the main building, antennae may be attached to any portion of the building. Such antennae may exceed the height permitted in the district by not more than twenty-two (22) feet.
 - C. A structure that supports antennae may exceed the maximum height of the district in which it is located by not more than ten (10) feet; provided that, the distance between the base of and top of the supporting structure does not exceed the height of the building on which it is located.
 - D. Any structure that supports antennae shall be setback from the outer most vertical wall or parapet of the building, a distance equal to at least two (2) times the height of such supporting structure.
- E. The base of the antenna shall have a minimum setback of three hundred (300) feet to any lot line located in an RA, RC, MH, RP or SP-1 district.
7. Cellular antennae may be attached to a cellular tower, wireless transmission tower or water tower that is in existence at the date of the adoption of this amendment or to a cellular tower that has been approved subsequent to the effective date of Ordinance No. C-12-97.
8. Standards for Cellular Towers. The following conditions shall be applicable to cellular towers located in any use district, in addition to other requirements set forth herein.
 - A. The applicant shall obtain a certificate of need for one or more proposed sites after a public hearing by city council following the receipt of a report of the planning commission following its public hearing. The certificate of need for one or more proposed sites shall be issued by council upon the applicant's demonstration that:
 - i. The proposed facility is needed because of proximity to an interstate highway or major thoroughfare, or its proximity to areas of population concentration, or concentrations of commercial, industrial and/or business centers; or
 - ii. The proposed facility is needed because there are areas where signal interference has occurred due to tall buildings, masses of trees or other obstructions; and
 - iii. The proposed facility is needed because the telecommunications provider is unable to co-locate its proposed facility with another provider; and
 - iv. The proposed facility is needed to complete its grid as it relates to the needs of Farmington Hills and its surrounding communities and that there are no suitable sites in any of said surrounding communities.
 - v. The proposed facility is designed to operate within the requirements for radio frequency emissions of the Federal Communications Commission and applicant has operated similar facilities within these requirements consistently.

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Introduction

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- B. If equipment buildings are located on a site with other principal buildings, the exterior building facade shall be of the same finish material as the front facade of the main building. All exterior building material shall be recognized as finish material. Cinder of cement block and metal, other than aluminum siding, shall not be permitted.
- C. Freestanding cellular towers shall not be a lattice-type construction unless located in the LI-1 district, towers shall be painted gray unless otherwise required by state or federal regulations.
- D. The area at the base of the tower and around any building accessory to the tower, shall be landscaped in accordance with landscape design principals adopted for such purposes by the planning commission. A landscape plan prepared in accordance with Section 34-5.14 of the Zoning Ordinance shall be submitted for review of the planning commission.
- E. A condition of every approval of a wireless communication facility shall be adequate provision for removal of all or part of the facility by users and owners when the facility has not been used for one hundred eighty (180) days or more. For purposes of this section, the removal of antennas or other equipment from the facility, or the cessation of operations (transmission and/or reception of radio signals) shall be considered as the beginning of a period of nonuse.
- F. The applicant shall deposit with the city a performance guarantee in an amount established by council resolution as security for the removal of the tower if abandoned for use of cellular facilities.
- 9. Exceptions to the conditions set forth above may only be granted by city council. The Zoning Board of Appeals shall not have authority to vary the provisions of these conditions. The city council shall not grant an exception to the conditions until it has found:
 - A. The applicant faces practical difficulties in compliance with the provisions of the ordinance due to conditions unique to the site;
 - B. In the instance of setback requirements from residentially zoned land, that a site within ordinance requirements cannot reasonably meet the coverage and/or capacity needs of the applicant;

- C. In the instance of setback requirements from residentially zoned land, that sixty (60) percent property owners of record in the assessment rolls of the city whose property lies within five hundred (500) feet of the base of a cellular tower or three hundred (300) feet of the base of a cellular antenna, have consented in writing to the proposed exception upon a form prepared for that purpose by the Department of Planning and Community Development. In the case of properties owned by more than one person, the approval of one person shall be deemed sufficient indication of consent.

34-4.25 LAUNDRY, DRYCLEANING ESTABLISHMENTS, OR PICKUP STATIONS

Central dry-cleaning plants serving more than one retail outlet shall be prohibited.

34-4.26 VETERINARY HOSPITAL, CLINIC, OR COMMERCIAL KENNEL

- 1. In the B-1, B-2 and B-4 districts, veterinary hospitals or clinics for small animals, dogs, cats, birds and the like are permitted subject to the following conditions:
 - A. Such hospital or clinic including all treatment rooms, cages, pens or runways shall be located within a completely enclosed building so that sound will be kept within the building.
 - B. The building shall have and maintain central air conditioning so that windows will not be open.
 - C. The use shall be operated in such a way as to produce no objectionable odors or noise outside its walls.
 - D. Main buildings shall have a minimum setback of one hundred (100) feet from an RA district unless separated from the use by a major or secondary thoroughfare.
 - E. Customer service entrances to such use shall not be from an area which serves as a common entrance to other uses, such as a pedestrian mall, i.e., entrances shall be separated from entrances to other uses.
- 2. In the B-3 district, veterinary hospitals or commercial kennels are permitted subject to the following conditions:

