

1 **BEFORE THE BOARD OF COMMISSIONERS**

2 **FOR LINCOLN COUNTY, OREGON**

3 **ORDINANCE #415**

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5  
6 **Relating to land use planning; amending LCC 1.1630; and declaring an emergency.**  
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8 The Lincoln County Board of Commissioners ordains as follows:

9 **SECTION 1.**

10 LCC 1.1630 is amended to read:

11 1.1630 Standards and Procedures Governing Conditional Uses

12 In addition to the standards of the zone in which the conditional use is located and  
13 the other standards of this chapter, conditional uses shall meet the following standards:

14 (1) General standards:

15 In addition to the other applicable standards of this section, all conditional uses,  
16 except for dwellings authorized in the T-C and A-C zones, shall comply with the following  
17 requirements:

18 (a) The site under consideration is suitable for the proposed use considering:

19 (i) The size, design and operating characteristics of the use.

20 (ii) The adequacy of transportation access to the site.

21 (iii) The natural and physical features of the site such as general topography, natural  
22 hazards, natural resource values, and other features.

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NOTE: Matter in **boldfaced** type in an amended section is new; matter [*italic and bracketed*] is existing ordinance to be omitted. New sections are in **boldfaced** type.

1 (b) The proposed use is compatible with existing and projected uses on surrounding  
2 lands, considering the factors in paragraph (a) of this subsection.

3 \* \* \* \* \*

4 **(29) Standards for Wireless Communication Facilities:**

5 **All wireless communication facilities to be authorized as conditional uses shall**  
6 **comply with the following standards:**

7 **(a) As used in this subsection, "wireless communication facility" means an**  
8 **unstaffed facility for the transmission and/or reception of radio frequency signals,**  
9 **usually consisting of an equipment cabinet or other enclosed structure containing**  
10 **electronic equipment, a support structure, and antennae or other transmission and**  
11 **reception devices.**

12 **(b) Wireless communication facilities shall be sited in accordance with the**  
13 **following priorities, in order of their preference:**

14 **(A) Co-location by placement of antennae or other transmission and reception**  
15 **devices on an existing tower, building or other structure such as a utility pole or tower,**  
16 **water tank or similar facility.**

17 **(B) Use of mini cell or similar alternate technology whereby transmission and**  
18 **reception devices are placed on existing structures or placed on new structures which**  
19 **are consistent in height with and sited similarly to types normally found in the**  
20 **surrounding area, such as telephone, electrical, or light poles.**

1           **(C) Siting of a new tower in a visually subordinate manner. As used in this**  
2 **subparagraph, “visually subordinate” means the relative visibility of a wireless**  
3 **communication facility where that facility does not noticeably contrast with the**  
4 **surrounding landscape. Visually subordinate facilities may be partially visible, but not**  
5 **visually dominant in relation to their surroundings as viewed from residences,**  
6 **highways or other public vantage points.**

7           **(D) Siting of a new tower in a visually dominant location, but employing**  
8 **concealment technology. As used in this subparagraph, “concealment technology”**  
9 **means technology through which a wireless communication facility is designed to**  
10 **resemble an object present in the natural environment or to resemble a building of a**  
11 **type typically and customarily found in the area.**

12           **(c) Applicants proposing the siting of wireless communication facilities through**  
13 **means other than co-location shall demonstrate why higher priority alternatives for**  
14 **providing the specific, proposed wireless service are not feasible. As used in this**  
15 **paragraph, “not feasible” means that the proposed wireless communication service**  
16 **cannot be provided in a reasonable, practicable and cost effective manner. Factors**  
17 **that may render an alternative not feasible may include:**

18           **(A) Existing buildings or towers are structurally inadequate to accommodate**  
19 **the proposed facility, and cannot be reasonably retrofitted.**

1           **(B) The alternative would cause radio frequency interference that would**  
2 **materially impair the functioning of existing or planned equipment at the tower or site,**  
3 **and such interference cannot be reasonably mitigated.**

4           **(C) The alternative cannot provide the radio frequency coverage required to**  
5 **provide the proposed service.**


6           **(D) The alternative is precluded by law, rule, regulation, contract or other legal**  
7 **authority.**

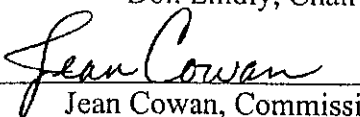
8           **SECTION 2.**

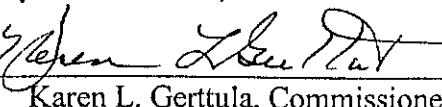
9           This Ordinance being necessary for the immediate preservation of the public peace,  
10 health and safety, an emergency is declared to exist and this Ordinance shall take effect upon  
11 its passage.

DATED this 20th day of March, 2002.

LINCOLN COUNTY BOARD OF COMMISSIONERS

  
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Don Lindly, Chair

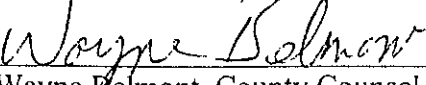
  
\_\_\_\_\_  
Jean Cowan, Commissioner

  
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Karen L. Gerttula, Commissioner

ATTESTED TO:

  
\_\_\_\_\_  
Zola Brophy, Recorder

APPROVED AS TO FORM:

  
\_\_\_\_\_  
Wayne Belmont, County Counsel

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