

**Harmoni Towers – ID0003867\_Naples**  
**Communication Tower—Conditional Use Permit**

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**II. INTRODUCTION**

Verizon Wireless (“Verizon”) is in the process of expanding and upgrading its wireless communication network to include 5G and LTE (Long Term Evolution) technology in Idaho and many other western states.

In order to improve these services, Verizon is expanding and upgrading its wireless network in parts of Idaho and other western states. Verizon’s network works by splitting a region into smaller geographic areas called cells, each cell is served by a transmitter and receiver or base station. As a caller moves across the landscape, the call is passed, or “handed-off”, from one base station to another. Each base station is connected to a mobile telephone switching office, which is linked to the land based phone network serving your home or office.

Individual base station site locations, such as the proposed site, are selected based on a number of considerations related to topography, distance from other base stations, network signal strength and capacity, proximity to traffic corridors and customers, and other technical features. Verizon’s engineers utilize computer modeling and radio testing to determine potential sites. Because each base station consists of very low powered transmitters, which cover a relatively small geographic area, there is limited flexibility in site selection.

The proposed wireless communication facility is located at 211 Cindy Lane, Sandpoint. The proposed communication tower and 5G/LTE wireless facility will increase the coverage strength of Verizon’s network, including indoor signal strength in the surrounding area, and the tower will be designed to support additional wireless carriers, reducing the need for additional towers in the area. With the wireless use trends increasing rapidly, additional wireless facilities are a necessity for Bonner County. This facility is essential to improve public safety with improved access and reliability to emergency services, as well as ensure the user population in the surrounding area receive as good as, or better wireless services as customers in the rest of Verizon’s network.

**III. PROPOSAL DESCRIPTION**

**Proposal Description**

The tower owner, Harmoni Towers (“Harmoni”), proposes to construct a new communication tower and fenced area at the base of the tower capable of supporting Verizon’s equipment and antennas, as well as the collocation of additional future wireless carriers which will reduce the need for additional towers in the area. As illustrated in the attached drawings (Exhibit A), Verizon’s proposed wireless facility will include panel antennas and radio equipment mounted at the top Harmoni’s proposed tower and associated ground mounted equipment cabinets located within a fenced enclosure at the base of the support structure. Verizon’s wireless facility is needed to improve Verizon’s coverage to improve the quality of voice and data service as well as access to emergency services, and indoor service to the user population within the intended

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service area.

The proposed 140-foot tall wireless facility on the A/f-10 zoned property is allowed as a Conditional Use (Per BCRC 12-335, Table 3-5). The subject property is agriculturally developed with a wetland covering the majority of the property. Properties to the north, south, and west are zoned A/f-10 and agriculturally or forestry developed. Properties to the east, on the opposite side of Highway 95 and the railroad tracks, are zoned R-5 and residentially developed. Access to the site will be provided through a new driveway off Cindy Lane to the south. Because maintenance visits occur approximately once a month, there will be virtually no transportation impact to the surrounding area.

**IV. REQUESTED LAND USE REVIEW**

Harmoni is requesting Conditional Use Permit (“CUP”) approval based on BCRC 12-335, Table 3-5 which allows “Communication Towers” as a conditional use in the A/f-10 zone.

**V. RESPONSE TO THE CONDITIONAL USE PERMIT APPROVAL CRITERIA**

The following paragraphs are a response to the required information for a CUP of a new Communication tower per BCRC Sections 12-335, 12-488 and 12-222.

**12-335: PUBLIC USE TABLE:**

*TABLE 3-5*

*PUBLIC USE TABLE*

<i>Use</i>	<i>Zoning District</i>								
	<i>F</i>	<i>A/F</i>	<i>R</i>	<i>S</i>	<i>C</i>	<i>I</i>	<i>RSC</i>	<i>REC</i>	<i>AV</i>
<i>Communication towers</i>	<i>C (3)</i>	<i>C (3)</i>	<i>C (3)</i>	<i>C</i>	<i>C</i>	<i>C</i>	<i>C</i>	<i>C</i>	<i>C</i>

**Response:** Per Table 3-5, the proposed communication tower on the A/f-10 zoned property is a Conditional Use. The use is permitted subject to the conditional use provisions specified in chapter 2, subchapter 2.2.

A response to the conditional use provisions specified in BCRC 12-222 is on Page 6 of this narrative.

**12-488: COMMUNICATION TOWERS:**

*A. Communication towers and attendant facilities shall be enclosed by a fence not less than six feet (6') in height.*

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**Response:** As illustrated in the attached drawings (Exhibit A), the proposed wireless facility will be enclosed with a six-foot tall chain link fence.

*B. The base of any tower shall not be closer to any property line than a distance equal to the tower height.*

**Response:** As illustrated in the attached site plan drawing (Exhibit A, sheet A1.0), the base of the 140-foot tall facility will be located a minimum of 140 feet from the nearest property lines.

*C. The Zoning Commission shall consider the public convenience and necessity of the communication tower and any adverse effect the facility would have upon properties in the vicinity and may require such reasonable restrictions and conditions of development as to uphold the purpose and intent of this title and the comprehensive plan.*

**Response:** The service provided by Verizon’s proposed facility will benefit the people and businesses in the surrounding coverage area with improved wireless services that are as good as or better than other areas in Verizon’s network, which will promote orderly development and economic growth opportunities.

The proposed facility is a passive, unoccupied use which will be engineered to meet or exceed local building code safety requirements, ensuring a safe facility which will not be a hazard to surrounding properties or the public. The facility will only generate an average of one vehicle trip a month for maintenance via a new driveway off Cindy Lane. The monthly maintenance visit will not impact local streets or traffic. Its only interaction with other uses in the area is providing reliable wireless telecommunication services to customers in the area. There are no activities associated with the site that will produce smoke, odors, pests or dust. All equipment and materials needed to operate the site will be located within the proposed fenced area at the base of the support structure. Use of generators will be limited to emergency purposes and occasional testing.

Additionally, the proposed wireless facility will improve public health and safety for customers living, working and traveling through the coverage area by improving reliable access to emergency services and 911. This is increasingly important as the number of homes without landline phones increases, and when traditional landline phones are inaccessible or not working. This is often the case for stranded motorists, after a severe storm or the result of other types of emergencies. Law enforcement agents, neighborhood watch programs and individuals use wireless phones in emergency situations to improve emergency service with reduced notification times, improved response times, improved

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knowledge for emergency response teams and an increased number of life-saving outcomes. As a result, this facility will provide a net positive impact on the surrounding vicinity.

*D. Communication towers shall be built to telecommunication industry association/electronic industry association (TIA/EIA) 222 revision F standards, or as amended, for steel antenna support structures.*

**Response:** The proposed communication tower will be designed and built to meet building code requirements. An engineer's stamped structural report will be provided as part of the building permit application.

*E. Communication towers shall be constructed to accommodate other future communication services where technically feasible ("collocation").*

**Response:** The proposed tower will be designed to accommodate the collocation of future wireless communications equipment.

*F. Communication towers shall meet all operational, construction and lighting standards of the federal aviation administration.*

**Response:** The proposed tower will meet all FAA required operational, construction and lighting standards. The FAA determination can be provided as a condition of approval.

*G. Communication towers shall not penetrate any airspace surface on or adjacent to any public or private airfields as set forth at subchapter 5.2 of this title.*

**Response:** According to the attached TOWAIR Determination in Exhibit B (TOWAIR is a service of the FCC to identify impacts of towers on aircraft and airports), there are no airports within 5 miles of the proposed communication tower and does not require registration with the FAA. The FAA determination can be provided as a condition of approval.

*H. Upon termination of use of a communication tower for a period of not less than one year, the landowner and/or tower operator/applicant shall remove the tower along with all supporting equipment, apparatus and foundation.*

**Response:** As stated in the attached tower removal letter (Exhibit C), the tower will be removed upon termination of use.

*I. Flammable material storage shall be in accordance with international fire code standards.*

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**Response:** The applicant agrees any flammable material storage will be in accordance with international fire code standards.

*J. Communication towers shall not be used for signage, symbols, flags, banners or other devices or objects attached to or painted or inscribed upon any communication facility for the purposes of displaying a message of any kind, except as required by a governmental agency. (Ord. 501, 11-18-2008; amd. Ord. 661, 3-18-2022)*

**Response:** The applicant agrees the proposed tower will not be used for signage (beyond FCC identification signage at the fenced compound), symbols, flags, banners or other devices or objects attached to or painted or inscribed upon any communication facility for the purposes of displaying a message of any kind, except as required by a governmental agency.

**12-222: APPLICATION, CONTENTS:**

*An application for a conditional use permit must be submitted to the Planning Department. At a minimum, the application shall contain the following information:*

*A. Name, address and phone number of applicant.*

**Response:** Applicant: Harmoni Towers  
6210 Ardrey Kell Road, Suite 450  
Charlotte, NC 28277-4864  
Bryan Mullen, Harmoni Project Manager  
Cell: 503-849-3288

Co-Applicant: Verizon Wireless  
Attn: Chritine Bradford  
5430 NE 122nd Avenue  
Portland, OR 97230  
503-509-9034

*B. Authorized signature of at least one owner of the property for which the conditional use permit is proposed.*

**Response:** The property owner's signature is included in the attached letter of authorization (Exhibit D).

*C. Legal description of property.*

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**Response:** Bonner County’s online interactive GIS map lists the following legal description:

9-59N-1W TAX 19 1995 FUQUA 25 X 67 RP

*D. Applicant's interest in title.*

**Response:** A copy of the deed is included in Exhibit E.

*E. Description of existing use.*

**Response:** The property is currently agriculturally used.

*F. Zoning district in which property is located.*

**Response:** The property is zoned A/f-10 (Agricultural/forestry 10).

*G. Description of proposed conditional use or nature of variance requested.*

**Response:** Harmoni proposes to construct a new 140-foot communication tower and fenced area at the base of the tower capable of supporting Verizon’s equipment and antennas. As illustrated in the attached drawings (Exhibit A), Verizon’s proposed wireless facility will include panel antennas and radio equipment mounted at the top Harmoni’s proposed tower and associated ground mounted equipment cabinets located within a fenced enclosure at the base of the support structure. Verizon’s wireless facility is needed to improve Verizon’s coverage to improve the quality of voice and data service as well as access to emergency services, and indoor service to the user population within the intended service area.

*H. A narrative statement that addresses:*

*1. The effects of elements such as noise, glare, odors, fumes and vibrations on adjoining property.*

**Response:** The proposed facility is a passive, unoccupied use. The facility will only generate an average of one vehicle trip a month for maintenance via a new driveway off Cindy Lane to the south. The monthly maintenance visit will not impact local streets or traffic. Its only interaction with other uses in the area is providing reliable wireless telecommunication services to customers in the area. There are no activities associated with the site that will produce odor, vibration, heat, glare, radioactive materials, or noxious and toxic material. All equipment and materials needed to operate the site will be located within the proposed fenced area at the base of the support structure.

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The only noise generating equipment is the emergency back-up generator which will be limited to emergency purposes and occasional testing. The emergency generator is vital to provide service during power outages when communication is needed most. The large distances to the nearest property lines will minimize potential noise impacts.

The antenna support structure will be engineered to meet or exceed local building code safety requirements, ensuring a safe facility which will not be a hazard to surrounding properties or the public.

2. *The compatibility of the proposal with the adjoining land uses.*

**Response:** The proposed wireless communication facility is an unoccupied, passive use which is compatible with the adjoining land uses. The site is located at 211 Cindy Lane, on a 20-acre parcel zoned Agricultural/forestry (A/f-10). Adjoining rights-of-way to the east are developed with US Highway 95, overhead utilities, and three sets of railroad tracks. Adjoining properties to the north, south, and west are zoned A/f-10 and agriculturally and forestry developed. Properties located over 400 feet away to the east, on the opposite side of Highway 95 and the railroad tracks, are zoned R-5 and rural-residentially developed. Bonner County currently allows for uses related to agricultural production on the surrounding A/f-10 zoned properties, and small scale farming and forestry activities and tourism and recreation uses on the R-5 zoned properties east of Highway 95 and the railroad tracks. As stated below, the proposed wireless communication facility will be compatible with the adjoining land uses.

The proposed facility is a passive, unoccupied use which will only generate an average of one vehicle trip a month for maintenance via a new driveway off Cindy Lane to the south. The monthly maintenance visit will not impact local streets or traffic. Its only interaction with other uses in the area is providing reliable wireless telecommunication services to customers in the area. There are no activities associated with the site that will produce smoke, odors, pests or dust. All equipment and materials needed to operate the site will be located within the proposed fenced area at the base of the support structure. Use of the emergency generator will be limited to emergency purposes and occasional testing.

Furthermore, existing and permitted uses on adjoining properties will not limit the use of the proposed wireless communication facility. Activities associated with Highway 95 and the railroad track are limited to auto, truck, tractor and train traffic, which generate noise, dust, pollution, and a small amount of vibration. The existing utility poles are a passive use. Existing and permitted farming practices associated with the subject and surrounding properties may generate additional noise, dust, smoke and truck traffic with the potential to produce a

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certain amount of dust, air and water borne fertilizers, herbicides and pesticides. Each of these uses will have little or no impact on the proposed facility.

The tower's narrow cross section will present only a narrow object on the landscape. The narrow profile of the proposed facility ensures the facility will present only a brief, narrow obstruction in this large viewshed. The galvanized steel gray finish reduces the pole's visibility and helps it blend in with the sky. By locating several hundred feet from the nearest residences to the north and east, potential views of the pole will be less significant because the pole occupies a smaller portion of the view. Where visible, the significance of views of the facility will vary inversely with distance from the site. That is, the farther away the viewer, the less significant the monopole, because it occupies a smaller portion of the person's view as that person moves farther from the site.

*3. The relationship of the proposed use to the comprehensive plan.*

**Response:** The proposed wireless communication facility in compliance with the "Economic Development" and "Public Services, Facilities and Utilities" sections of the Bonner County Comprehensive Plan by providing critical telecommunication services to the residents of Bonner County. The service provided by Verizon's proposed facility will benefit the people and businesses in the surrounding area with improved wireless services that are as good as or better than other areas in Verizon's network, which will promote economic growth opportunities.

*I. A plan of the site, drawn to scale, showing location of all existing and proposed buildings, parking and loading areas, traffic access and circulation, undisturbed areas, open spaces, landscaping, refuse and service areas, utilities, signs and yards. (Ord. 501, 11-18-2008)*

**Response:** Site plan and elevation drawings are included in Exhibit A.

*J. Reserved. (Ord. 583, 12-5-2018)*

**Response:** No response necessary.

*K. A "vicinity map", as defined in section 12-822 of this title, sufficient to show the impact of the proposal commensurate with the scale of the project.*

**Response:** A copy of the one-mile radius map is include in Exhibit F.

*L. Other information that the Planning Director or Governing Body requires to determine if the proposed conditional use meets the intent and requirements of this title, such as information regarding utilities, traffic, service connections,*



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*natural resources, unique features of the land or off site features affecting the proposal. (Ord. 501, 11-18-2008)*

**Response:** No additional information has been requested.

**VI. RESPONSE TO THE WETLAND APPROVAL CRITERIA**

Per the attached wetland delineation (Exhibit G), the proposed wireless communication facility complies with the wetland requirements in BCRC 12-7.3.

**12-732: WETLANDS DELINEATION REQUIRED:**

*A professional wetlands delineation shall be submitted at the time of application for:*

A. *All subdivisions featuring lots containing a wetland based on a wetlands reconnaissance as required in section 12-731 of this subchapter. Exception: Subdivisions where all building sites are delineated on the plat are outside of a wetland based on the wetlands reconnaissance.*

**Response:** Not applicable. No subdivisions are proposed as part of this application.

B. *All development sites and land disturbing activities that are within a wetland based on the wetlands reconnaissance.*

**Response:** Per the attached wetland delineation (Exhibit G), and the attached site plan drawings (Exhibit A), the proposed wireless communication facility is not located within the wetland, is set back more than 40 feet from the edge of the wetland, and is in compliance with the buffer and setback requirements in BCRC 12-733.

**VII. CONCLUSION**

Considering the foregoing analysis and findings, the applicant requests approval of the proposed CUP application. The application meets all applicable criteria for approval.

**VIII. EXHIBITS**

- A. Site Plans & Elevations
- B. TOWAIR Determination
- C. Tower Removal Letter
- D. Letter of Authorization
- E. Deed
- F. Vicinity Map
- G. Wetland Delineation