

1. Agenda

Documents:

[2023-04-04 PLANNING COMMISSION - PUBLIC AGENDA-1794.PDF](#)

2. Meeting Materials

Documents:

[2023-04-04 PLANNING COMMISSION - FULL AGENDA-1794.PDF](#)

AGENDA

Regular Meeting of the
Nichols Hills Planning Commission
Tuesday, April 4, 2023 at 5:30 PM
City Hall, 6407 Avondale Drive
Nichols Hills, OK 73116

If special assistance is needed for this meeting by any person wishing to attend, please contact the City Clerk's office no later than 48 hours prior to the meeting, and such assistance will be provided.

Official action may be taken by the Planning Commission only on items that appear on this Agenda. The Planning Commission may dispose of the business set out on this Agenda by accepting, approving, adopting, rejecting, amending, or postponing action as to each item, as determined by the Planning Commission.

1. Call to Order
2. Roll Call
3. Citizens Desiring to be Heard

The purpose of this time is to allow members of the public to speak to the Planning Commission on any matter that is not otherwise set for consideration on this Agenda.

4. Minutes
 - a. March 7, 2023 Minutes
5. Public Hearings

Consideration of adoption, approval, acceptance, rejection, amendment, and/or postponement of the following:

- a. PUBLIC HEARING: The issuance of a special permit to Crown Castle USA, Inc., represented by Donna Davis, for the purpose of replacing and/or adding new antennas and other equipment on existing monopole tower located in the 6706 North Pennsylvania Avenue, Nichols Hills, Oklahoma.
- b. PUBLIC HEARING: An Ordinance adopting outdoor lighting regulations; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

- c. PUBLIC HEARING: An Ordinance amending Chapter 50 of the Nichols Hills City Code regarding Solar Energy Systems; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

6. Adjournment

I certify that the forgoing was filed in the Office of the City Clerk at 10:03 AM on the 31st day of March, 2023 and posted in prominent view on the window at City Hall, 6407 Avondale Drive, at 10:20 AM on the 31st day of March, 2023; posted to the City of Nichols Hills website at <http://www.nicholshills.net> at 5:00 PM on the 31st of March, 2023; and transmitted by email at 5:00 PM on the 31st day of March, 2023 to those persons who have requested to be included on such notices pursuant to the Open Meeting Act and to those who have requested such notice.



City Clerk
City of Nichols Hills, Oklahoma

AGENDA

Regular Meeting of the
Nichols Hills Planning Commission
Tuesday, April 4, 2023 at 5:30 PM
City Hall, 6407 Avondale Drive
Nichols Hills, OK 73116

If special assistance is needed for this meeting by any person wishing to attend, please contact the City Clerk's office no later than 48 hours prior to the meeting, and such assistance will be provided.

Official action may be taken by the Planning Commission only on items that appear on this Agenda. The Planning Commission may dispose of the business set out on this Agenda by accepting, approving, adopting, rejecting, amending, or postponing action as to each item, as determined by the Planning Commission.

1. Call to Order
2. Roll Call
3. Citizens Desiring to be Heard
The purpose of this time is to allow members of the public to speak to the Planning Commission on any matter that is not otherwise set for consideration on this Agenda.
4. Minutes
 - a. March 7, 2023 Minutes
5. Public Hearings

Consideration of adoption, approval, acceptance, rejection, amendment, and/or postponement of the following:

- a. PUBLIC HEARING: The issuance of a special permit to Crown Castle USA, Inc., represented by Donna Davis, for the purpose of replacing and/or adding new antennas and other equipment on existing monopole tower located in the 6706 North Pennsylvania Avenue, Nichols Hills, Oklahoma.
- b. PUBLIC HEARING: An Ordinance adopting outdoor lighting regulations; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

- c. PUBLIC HEARING: An Ordinance amending Chapter 50 of the Nichols Hills City Code regarding Solar Energy Systems; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

6. Adjournment

I certify that the forgoing was filed in the Office of the City Clerk at 10:03 AM on the 31st day of March, 2023 and posted in prominent view on the window at City Hall, 6407 Avondale Drive, at 10:20 AM on the 31st day of March, 2023; posted to the City of Nichols Hills website at <http://www.nicholshills.net> at 5:00 PM on the 31st of March, 2023; and transmitted by email at 5:00 PM on the 31st day of March, 2023 to those persons who have requested to be included on such notices pursuant to the Open Meeting Act and to those who have requested such notice.



City Clerk
City of Nichols Hills, Oklahoma

MINUTES

Regular Meeting of the
Nichols Hills Planning Commission
Tuesday, March 7, 2023 at 5:30 PM
City Hall, 6407 Avondale Drive
Nichols Hills, OK 73116

**Original agenda filed in the Office of the City Clerk at 10:27 AM
on the 3rd day of March, 2023.**

1. Call to Order
2. Roll Call

Attendee Name	Title	Status	Arrived
Ron Byrne		Present	
Mike Biddinger		Present	
Doug Franklin		Present	
Tim Cheek		Absent	
Barbara Gilbert		Present	
John McCaleb	Chairman	Present	

3. Citizens Desiring to be Heard

The purpose of this time is to allow members of the public to speak to the Planning Commission on any matter that is not otherwise set for consideration on this Agenda.

No one expressed a desire to be heard.

4. Minutes
 - a. February 7, 2023 Minutes

MOTION: Franklin moved to approve the February 7, 2023 minutes as presented. Biddinger seconded the motion.

Attachment: March 7 2023 Minutes (6443 : March 7, 2023 Minutes)

RESULT:	APPROVED [4 TO 0]
MOVER:	Doug Franklin
SECONDER:	Mike Biddinger
AYES:	Biddinger, Franklin, Gilbert, McCaleb
ABSTAIN:	Byrne
ABSENT:	Cheek

5. Public Hearings

Consideration of adoption, approval, acceptance, rejection, amendment, and/or postponement of the following:

- a. PUBLIC HEARING: The issuance of a special permit to Crown Castle USA, Inc., represented by Donna Davis, for the purpose of replacing and/or adding new antennas and other equipment on existing monopole tower located in the 6706 North Pennsylvania Avenue, Nichols Hills, Oklahoma.

MOTION: Gilbert moved to continue agenda item 5a to a date certain of April 4, 2023, the next scheduled meeting. Franklin seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Barbara Gilbert
SECONDER:	Doug Franklin
AYES:	Byrne, Biddinger, Franklin, Gilbert, McCaleb
ABSENT:	Cheek

- b. PUBLIC HEARING: An application to rezone property generally located at 6600 NW Grand Boulevard in Nichols Hills, Oklahoma from the E-2 "Urban Estate" Residential Zoning District to the R-1-75 Single Family Residential Zoning District.

Mr. Chris Candelaria, owner/representative of the property, presented the application to the Planning Commission.

Following discussion among Planning Commission members and staff, Chairman McCaleb opened the Public Hearing.

Mr. Stephen Sherman, representing Mrs. Karen Samis, discussed the restrictive covenants of a forty-foot front yard setback, and a maximum of 8,000 square foot home, that Mr. Candelaria proposed.

Mr. Scott Spradling, representing Mr. Candelaria, also discussed the proposed restrictive covenants with the Planning Commission, Mr. Stephen Sherman, and the applicant.

Mr. Henry Hood spoke in favor of the proposed application with the restrictive covenants that Mr. Candelaria has proposed.

No others expressing a desire to be heard, the public hearing was closed.

MOTION: Gilbert moved to recommend approval of agenda item 5b to the City Council subject to: 1) The understanding that at least the parties who have been noticed and that have appeared before the commission have agreed that they are going to extend the front yard setback to a forty foot front yard setback; 2) That they are going to agree that the home sizes will be 8,000 square feet or less; and 3) That they may make other agreements that are restrictive as to what can occur on these lots. Franklin seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Barbara Gilbert
SECONDER:	Doug Franklin
AYES:	Byrne, Biddinger, Franklin, Gilbert, McCaleb
ABSENT:	Cheek

- c. PUBLIC HEARING: An Ordinance amending Chapter 50 of the Nichols Hills City Code regarding Secondary Buildings, Accessory Buildings, Accessory Structures, and Accessory Uses; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

Mrs. Carla Sharpe, attorney for the City, presented the proposed ordinance to the Planning Commission members.

Following discussion among Planning Commission members and staff, Chairman McCaleb opened the Public Hearing.

Mr. Scott Spradling, attorney representing the Oklahoma City Golf and Country Club, asked for clarification of the gate in Sec.50-47(c)(2)(a)(2) E-1 Estate District and sport courts in Sec. 50-169.

No others expressing a desire to be heard, the public hearing was closed.

MOTION: Franklin moved to recommend the City Council approve agenda item 5c as presented. Biddinger seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Doug Franklin
SECONDER:	Mike Biddinger
AYES:	Byrne, Biddinger, Franklin, Gilbert, McCaleb
ABSENT:	Cheek

- d. PUBLIC HEARING: An Ordinance amending Chapter 50 of the Nichols Hills City Code regarding outdoor lighting; repealing all conflicting ordinances or parts of ordinances; providing for severability; and declaring an emergency.

MOTION: Gilbert moved to continue agenda item 5d to a date certain of April 4, 2023, the next scheduled meeting. Franklin seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Barbara Gilbert
SECONDER:	Doug Franklin
AYES:	Byrne, Biddinger, Franklin, Gilbert, McCaleb
ABSENT:	Cheek

6. Adjournment

MOTION: There being no further business, Byrne moved to adjourn the meeting. Franklin seconded the motion.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Ron Byrne
SECONDER:	Doug Franklin
AYES:	Byrne, Biddinger, Franklin, Gilbert, McCaleb
ABSENT:	Cheek

Chairman
Planning Commission
City of Nichols Hills, Oklahoma

City Manager
Planning Commission
City of Nichols Hills, Oklahoma

City Clerk
City of Nichols Hills, Oklahoma

Attachment: March 7 2023 Minutes (6443 : March 7, 2023 Minutes)



CITY OF NICHOLS HILLS, OKLAHOMA
Application for Special Permit
Communication Device

Staff use only

Case # _____

Date filed _____

Fee receipt # _____

Twelve original sets and one electronic version of this completed application (including 12 original sets of the required attachments listed below) and the required fee should be submitted to the Nichols Hills City Clerk, 6407 Avondale Drive, Nichols Hills, Oklahoma 73116.

Applicant is encouraged to consult Sec. 50-127, *Communications Tower and Antenna Regulations*, of the Nichols Hills City Code when completing this Application. Note that Sec. 50-127 does not require a special permit for all communication devices.

This Application requires recommendation for approval by the Nichols Hills Planning Commission and approval of the Nichols Hills City Council.

Attach a separate sheet to provide complete answers if necessary.

Applicant's name: Donna Davis - Agent of Crown Castle USA, Inc. Cell Tower Owner

Primary contact: Donna Davis - Site Acquisition Specialist

Mailing address: 370 Mallory Station Road, Suite 505, Franklin TN 37067

Telephone number(s): 931-247-7954 Cell / 615-771-1553 Office

Email address(es): donna.davis@crowncastle.com

This is an application to: [check all that apply]

- ☐ Construct a communication tower
- ☐ Locate an at-grade dish antenna(s) with a diameter exceeding two meters
- ☐ Locate an antenna or antenna array within a structure as an architectural element
- ☐ Install an additional antenna(s) or antenna array on an existing communications tower, sign structure, or municipal water tower
- ☒ Replace an antenna(s) or antenna array on an existing communications tower, sign structure, or municipal water tower
- ☐ Use the City's utility pole(s) (traffic signal poles, street light poles, and flag poles) associated with a distributed antenna system

Address or descriptive location of proposed device(s) ¹: 6706 North Pennsylvania Ave., Nichols Hills, OK 73159

The following must be attached to this Application:

1. **Proof of authority.** Proof of applicant's authority to make this Application as to the property for which the special permit is desired by attaching a copy of the applicable deed evidencing applicant's ownership, a copy of the applicable lease evidencing applicant's leasehold interest, or an affidavit regarding ownership (a form for which is attached to this Application).
2. **Survey and site map.** Certified survey and detailed site map.

¹ If metes and bounds description, please attach.

3. **Project plans.** Detailed and certified project plans.
4. **Structural engineer review.** If a tower or architectural element is included, certified review by a licensed structural engineer.
5. **Scope of proposed work.** A narrative of the need for the proposed device(s) and proposed scope of work in non-technical language in sufficient detail for analysis by the City's Planning Commission and City Council.
6. **List of Owners of Abutting Property.** A report developed from the current records of the Oklahoma County Assessor and/or the Oklahoma County Clerk within the last 30 days, stating the names, addresses, and contact information for the owners of property abutting the proposed site. If the report is not certified by a licensed and bonded abstractor, Applicant will be responsible for the accuracy and completeness of the information in the report.

This Application will be considered officially submitted and filed only after it is examined by the Director of Public Works and the City Clerk and found to have met the applicable requirements of Sec. 50-127 and those set out in this Application and after the fee of \$750 as required by Sec. 50-327 of the Nichols Hills City Code has been paid. At that time, the City Clerk will set the Application for hearing before the Nichols Hills Planning Commission and the Nichols Hills City Council. Applicant will be advised of the date and time for those hearings. It is highly recommended that applicant attend (or have a representative attend) the hearings and be prepared to answer questions.

The above statements in this Application and all attachments to it are true and correct.

Submitted and agreed to this 10th day of October, 2022.

Signature: Donna Davis

Print applicant's full legal name: Donna Davis

Print signatory party's title if applicant is a legal entity: Site Acquisition Specialist

Form of affidavit regarding ownershipAffidavit

STATE OF _____

COUNTY OF _____

[Full legal name], being first duly sworn, stated:

1. My name is *[full legal name]*. My address is *[full address]*. I am over the age of 18. I am a resident of the State of *[state]*. I have personal knowledge of the matters stated in this Affidavit.
2. I am the applicant for a special permit for a communication device pursuant to the Nichols Hills City Code.
3. I am the current and legal owner of the property in the City of Nichols Hills with the address of *[insert address]* and more particularly described as:

[Insert legal description]

4. This address and legal description accurately describe the property for which the special permit for a communication device is requested.

I declare to the best of my knowledge and belief that the information in this Affidavit is true, correct, and complete.

Executed this _____ day of _____, 202__.

*[Full legal name]*Notary Acknowledgment

Subscribed and sworn to before me this _____ day of _____, 202__.

Notary Public

My Commission Expires: _____

Comm. No. _____

This conveyance was approved on the _____ day of _____, 202__, by the City Council of the City of Nichols Hills, Oklahoma, pursuant to the Nichols Hills Subdivision Regulations as adopted by the Nichols Hills City Code.

By: _____

Printed name: _____

Title: _____



370 Mallory Station Road dSuite 505
Franklin, TN 37067

Phone: (615) 771-1553
www.crowncastle.com

5.a.a

October 10, 2022

OK-CITY OF NICHOLS HILLS
Planning & Zoning
6407 AVONDALE DRIVE
NICHOLS HILLS, OK 73116

Via Mail

*****NOTICE OF ELIGIBLE FACILITIES REQUEST*****

RE: Request for Minor Modification to Existing Wireless Facility – Section 6409

Site Address: 6706 North Pennsylvania Ave., Nichols Hills, OK 73159

Crown Site Number: 822901 / Crown Site Name: Camden

Customer Site Number: OK01296F / Application Number: 624581

Attention Planning & Zoning:

On behalf of T-Mobile Central LLC (“T-Mobile” or “Applicant”), Crown Castle USA Inc. (“Crown Castle”) is pleased to submit this request to modify the existing wireless facility noted above through the collocation, replacement and/or removal of the Applicant’s equipment as an eligible facilities request for a minor modification under Section 6409¹ and the rules of the Federal Communications Commission (“FCC”).²

The proposed scope of work for this project includes:

Add or replace antennas, ancillary equipment and ground equipment as per plans for an existing carrier on an existing wireless communication facility. No changes to the height of the tower.

At the end of this letter is a checklist of the applicable substantial change criteria under Section 6409. Additionally, please find enclosed the following information in support of this request:

- (1) City of Nichols Hills Application for Special Permit Communication Device**
- (2) \$750.00 Check for the plans review fees Check #2814749**
- (3) Lease Agreement between Crown Castle and City of Nichols Hills**
- (4) Construction Drawings;**
- (5) Structural Analysis; and**
- (6) Section 6409 Substantial Change Checklist.**
- (7) List of Abutting Property Owners**

¹ Middle Class Tax Relief and Job Creation Act of 2012, Pub. L. No. 112-96, § 6409 (2012) (codified at 47 U.S.C. § 1455).

² *Acceleration of Broadband Deployment by Improving Wireless Facility Siting Policies*, 29 FCC Rcd. 12865 (2014) (codified at 47 CFR § 1.6100); and *Implementation of State & Local Governments’ Obligation to Approve Certain Wireless Facility Modification Requests Under Section 6409(a) of the Spectrum Act of 2012*, WT Docket No. 19-250 (June 10, 2020).

³ See 47 CFR § 1.6100 (c)(3). ⁴ See 2020 Upgrade Order at paragraph 16.

The Foundation for a Wireless World

CrownCastle.com

Attachment: Crown Castle Packet (6445 : Crown Castle - Special Permit Application)



370 Mallory Station Road dSuite 505
Franklin, TN 37067

Phone: (615) 771-1553
www.crowncastle.com

5.a.a

As these documents indicate, (i) the modification involves the collocation, removal or replacement of transmission equipment; and (ii) such modification will not substantially change the physical dimensions of such tower or base station. As such, it is an "eligible facilities request" as defined in the FCC's rules to which the 60-day deadline for approval applies. Accordingly, Applicant requests all authorization necessary for this proposed minor modification under Section 6409.

Section 6409 mandates that state and local governments must approve any eligible facilities request for the modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station. Under Section 6409, to toll the review period, if the reviewing authority determines that the application is incomplete, it must provide written notice to the applicant within 30 days, which clearly and specifically delineates all missing documents or information reasonably related to whether the request meets the federal requirements.³ Additionally, if a state or local government, fails to issue any approvals required for this request within 60 days, these approvals are deemed granted. The FCC has clarified that the 30-day and 60-day deadlines begins when an applicant: (1) takes the first step required under state or local law; and (2) submits information sufficient to inform the jurisdiction that this modification qualifies under the federal law⁴. Please note that with the submission of this letter and enclosed items, the thirty and sixty-day review periods have started. Based on this filing, the deadline for written notice of incomplete application is November 9, 2022, and the deadline for issuance of approval is December 9, 2022.

Our goal is to work with you to obtain approvals earlier than the deadline. We will respond promptly to any request for related information you may have in connection with this request. Please let us know how we can work with you to expedite the approval process. We look forward to working with you on this important project, which will improve wireless telecommunication services in your community using collocation on existing infrastructure. If you have any questions, please do not hesitate to contact me.

Regards,

Donna Davis

Donna Davis

Site Acquisition Specialist

Crown Castle, Agent for Applicant

(615) 771-1553

Donna.Davis@crowncastle.com

The Foundation for a Wireless World

CrownCastle.com

Attachment: Crown Castle Packet (6445 : Crown Castle - Special Permit Application)



370 Mallory Station Road dSuite 505
Franklin, TN 37067

Phone: (615) 771-1553
www.crowncastle.com

5.a.a

Section 6409 Substantial Change Checklist
Towers Outside of the Public Right of Way

The Federal Communications Commission has determined that a modification substantially changes the physical dimension of a wireless tower or base station under 47 U.S.C. § 1455(a) if it meets one of six enumerated criteria under 47 C.F.R. § 1.6100.

Criteria for Towers Outside the Public Rights of Way

YES/NO NO	Does the modification increase the height of the tower by more than the greater of: (a) 10% (b) or, the height of an additional antenna array plus separation of up to 20 feet from the top of the nearest existing antenna?
YES/NO NO	Does the modification add an appurtenance to the body of the tower that would protrude from the edge of the tower more than 20 feet or more than the width of the tower structure at the level of the appurtenance, whichever is greater?
YES/NO NO	Does the modification involve the installation of more than the standard number of new equipment cabinets for the technology involved or add more than four new equipment cabinets?
YES/NO NO	Does the modification entail any excavation or deployment outside the current site by more than 30 feet in any direction, not including any access or utility easements?
YES/NO NO	Does the modification defeat the concealment elements of the eligible support structure?
YES/NO NO	Does the modification violate conditions associated with the siting approval with the prior approval the tower or base station other than as specified in 47 C.F.R. § 1.6100(c)(7)(i) – (iv)?

If all questions in the above section are answered “NO,” then the modification does not constitute a substantial change to the existing tower under 47 C.F.R. § 1.6100.



370 Mallory Station Road dSuite 505
Franklin, TN 37067

Phone: (615) 771-1553
www.crowncastle.com

5.a.a

PLEASE SEE BELOW THE LIST OF ABUTTING PROPERTY OWNERS

Owner: OKLA CITY GOLF & COUNTRY CLUB

Account Number: R169711495
Physical Address: 7000 NW GRAND BLVD NICHOLS HILLS
Owner Name1: OKLA CITY GOLF & COUNTRY CLUB
Owner Name2:
Owner Name3:
Mailing Address1: 7000 NW GRAND BLVD
City: NICHOLS HILLS
State: OK
ZipCode: 73116-4199
Tax District: 500
Tax District Name: Oklahoma City #89

Owner: SROUJI NABIL E & PENELOPE TRS

Account Number: R169862000
Physical Address: 1820 DRURY LN NICHOLS HILLS
Owner Name1: SROUJI NABIL E & PENELOPE TRS
Owner Name2: SROUJI NABIL E REV TRUST
Owner Name3:
Mailing Address1: 1820 DRURY LN
City: NICHOLS HILLS
State: OK
ZipCode: 73116-5312



370 Mallory Station Road dSuite 505
Franklin, TN 37067

Phone: (615) 771-1553
www.crowncastle.com

5.a.a

Tax District: 500

Tax District Name: Oklahoma City #89

Owner: RICHARDSON RONALD L 2008 REV TRUST

Account Number: R169862100

Physical Address: 1829 DEVONSHIRE ST NICHOLS HILLS

Owner Name1: RICHARDSON RONALD L 2008 REV TRUST

Owner Name2:

Owner Name3:

Mailing Address1: 1829 DEVONSHIRE ST

City: NICHOLS HILLS

State: OK

ZipCode: 73116

Tax District: 500

Tax District Name: Oklahoma City #89

Owner: LAMBERT WILLIAM D IV

Account Number: R169863300

Physical Address: 1824 DEVONSHIRE ST NICHOLS HILLS

Owner Name1: LAMBERT WILLIAM D IV

Owner Name2: LAMBERT ALLYSON BANDY

Owner Name3:

Mailing Address1: 1824 DEVONSHIRE ST

City: NICHOLS HILLS

State: OK

ZipCode: 73116

The Foundation for a Wireless World

CrownCastle.com

Attachment: Crown Castle Packet (6445 : Crown Castle - Special Permit Application)



370 Mallory Station Road dSuite 505
Franklin, TN 37067

Phone: (615) 771-1553
www.crowncastle.com

5.a.a

Tax District: 500

Tax District Name: Oklahoma City #89

Owner: STOCKYARD PROPERTY LLC

Account Number: R169577259

Physical Address: 6621 N HILLCREST AVE NICHOLS HILLS

Owner Name1: STOCKYARD PROPERTY LLC

Owner Name2:

Owner Name3:

Mailing Address1: 11201 SE 44TH ST

City: OKLAHOMA CITY

State: OK

ZipCode: 73150

Tax District: 500

Tax District Name: Oklahoma City #89

Attachment: Crown Castle Packet (6445 : Crown Castle - Special Permit Application)

2021052101088742 B: 14748 P: 84
 05/21/2021 10:04:16 AM Pgs: 4
 Fee: \$24.00
 David B. Hooten, County Clerk
 Oklahoma County - State of Oklahoma



WHEN RECORDED RETURN TO:

T-Mobile USA Tower LLC
 c/o Post Closing – Recording
 1220 Augusta Drive
 Houston, TX 77057

Prepared by:
 Weiss Brown, PLLC
 6263 N. Scottsdale Rd., Suite 340
 Scottsdale, AZ 85250

Space above this line for Recorder's Use

A.P.N. City property - not assigned

Prior recorded document(s) in Oklahoma County, Oklahoma:
 Original Lease Unrecorded

**MEMORANDUM OF FIRST AMENDMENT TO
 AGREEMENT**

This Memorandum of First Amendment to Agreement is made effective this 9th day of March, 2021 by and between CITY OF NICHOLS HILLS, OKLAHOMA, a municipal corporation (hereinafter referred to as "Lessor") and T-MOBILE USA TOWER LLC, a Delaware limited liability company, by and through its Attorney In Fact, CCTMO LLC, a Delaware limited liability company (hereinafter referred to as "Lessee").

1. Lessor and Lessee, as successor in interest to Western PCS I Corporation, a Delaware corporation entered into an Agreement dated January 14, 1997 (the "Agreement") whereby Original Lessee leased certain real property, together with access and utility easements, located in Oklahoma County, Oklahoma from Lessor (the "Leased Premises"), all located within certain real property owned by Lessor ("Lessor's Property"). The Leased Premises is more particularly described on Exhibit A attached hereto.

2. The Agreement commenced on January 15, 1997 and will expire on January 14, 2022.

3. Lessor and Lessee have entered into a First Amendment to Agreement (the "First Amendment"), of which this is a Memorandum, wherein the term of the Agreement was extended to January 14, 2024.

4. The terms, covenants and provisions of the First Amendment shall extend to and be binding upon the respective executors, administrators, heirs, successors and assigns of Lessor and Lessee.

5. This Memorandum does not contain the social security number of any person.

6. A copy of the First Amendment is on file with Lessor and Lessee.

IN WITNESS WHEREOF, hereunto and to duplicates hereof, Lessor and Lessee have caused this Memorandum to be duly executed on the day and year first written above.

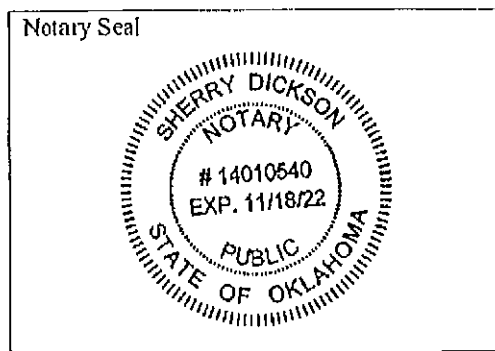
LESSOR:
CITY OF NICHOLS HILLS, OKLAHOMA,
a municipal corporation

By: Sody H. Clements
Print Name: Sody Clements
Title: Mayer

STATE OF Oklahoma)
)ss.
COUNTY OF Oklahoma)

On this 9th day of March 2021, before me, the subscriber, a Notary Public in and for said State and County, personally appeared Sody Clements, the Mayer of CITY OF NICHOLS HILLS, OKLAHOMA, known or identified to me to be the person whose name is subscribed to the foregoing Memorandum of First Amendment to Agreement, and in due form of law acknowledged that he/she is authorized on behalf of said company to execute all documents pertaining hereto and acknowledged to me that he/she executed the same as his/her voluntary act and deed on behalf of said company.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my seal in said State and County on the day and year last above written.



Sherry Dickson
(Signature of Notary)

My Commission Expires: 11-18-22

LESSEE:

T-MOBILE USA TOWER LLC, a Delaware
limited liability company

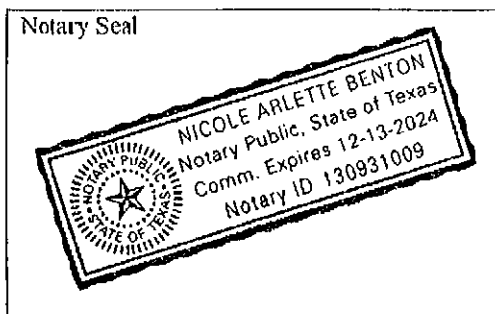
By: CCTMO LLC, a Delaware limited
liability company
Its: Attorney In Fact

By: *Helen V. Smith*
Print Name: Helen V. Smith
Title: Director

STATE OF Texas)
COUNTY OF Harris) ss.

On this 31 day of March 2021, before me, the subscriber, a Notary Public in and for said State and County, personally appeared Helen V. Smith, the Director of CCTMO LLC, known or identified to me to be the person whose name is subscribed to the foregoing Memorandum of First Amendment to Agreement, and in due form of law acknowledged that he/she is authorized on behalf of said company to execute all documents pertaining hereto and acknowledged to me that he/she executed the same as his/her voluntary act and deed on behalf of said company.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my seal in said State and County on the day and year last above written.



Nicole Arlette Benton
(Signature of Notary)

My Commission Expires: _____

EXHIBIT A
(Legal Description of Leased Premises)

LEASED PREMISES

A tract of land lying in the Northeast Quarter of Section 6, Township 12 North, Range West of the Indian Meridian, Oklahoma County, Oklahoma, and being described as follows:

COMMENCING at the Southeast corner of Lot 2, Block 88 NICHOLS HILLS SUBDIVISION as recorded in Oklahoma County, Oklahoma; THENCE North 30°46'23" West a distance of 224.68 feet to the POINT OF BEGINNING; THENCE North 11°24'50" East a distance of 20.00 feet; THENCE South 78°35'10" East a distance of 20.00 feet; THENCE South 11°24'50" West a distance of 20.00 feet; THENCE North 78°35'10" West a distance of 20.00 feet to the POINT OF BEGINNING.

Said tract contains 400 square feet or 0.0092 acres, more or less.

ACCESS AND UTILITY EASEMENT

A tract of land lying in the Northeast Quarter of Section 6, Township 12 North, Range West of the Indian Meridian, Oklahoma County, Oklahoma, and being described as follows:

A 20.00 foot easement for Ingress and Egress lying 10.00 feet each side of the following described center line. COMMENCING at the Southeast corner of Lot 2, Block 88 Oklahoma County, Oklahoma, THENCE North 07°52'32" West a distance of 353.05 feet to the POINT OF BEGINNING; THENCE North 90°00'00" West a distance of 69.31 feet; THENCE South 08°45'51" West a distance of 144.44 feet; THENCE South 81°14'09" East a distance of 27.02 feet to the POINT OF TERMINATION.

Date: August 08, 2022



Crown Castle
2000 Corporate Drive
Canonsburg, PA 15317
(724) 416-2000

Subject: Structural Analysis Report

Carrier Designation: T-Mobile Co-Locate
Site Number: OK01296F

Crown Castle Designation: BU Number: 822901
Site Name: Camden
JDE Job Number: 724324
Work Order Number: 2136495
Order Number: 624581 Rev. 5

Engineering Firm Designation: Crown Castle Project Number: 2136495

Site Data: 6706 North Pennsylvania Ave., Nichols Hills, Oklahoma County, OK
Latitude 35° 32' 42.875", Longitude -97° 33' 0.789"
70 Foot - Monopole Tower

Crown Castle is pleased to submit this "Structural Analysis Report" to determine the structural integrity of the above-mentioned tower.

The purpose of the analysis is to determine acceptability of the tower stress level. Based on our analysis we have determined the tower stress level for the structure and foundation, under the following load case, to be:

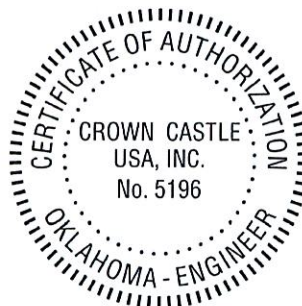
LC7: Proposed Equipment Configuration

Sufficient Capacity

This analysis utilizes an ultimate 3-second gust wind speed of 115 mph as required by the 2015 International Building Code. Applicable Standard references and design criteria are listed in Section 2 - "Analysis Criteria".

Structural analysis prepared by: Blake Jacobsen, EIT / JKK

Respectfully submitted by:



Terry P Styran
2022.08.08
13:47:59 -04'00'

Terry P. Styran, P.E., S.E.
Senior Project Engineer

TABLE OF CONTENTS

1) INTRODUCTION

2) ANALYSIS CRITERIA

Table 1 - Proposed Equipment Configuration

Table 2 - Other Considered Equipment

3) ANALYSIS PROCEDURE

Table 3 - Documents Provided

3.1) Analysis Method

3.2) Assumptions

4) ANALYSIS RESULTS

Table 4 - Section Capacity (Summary)

Table 5 - Tower Component Stresses vs. Capacity - LC7

4.1) Recommendations

5) APPENDIX A

tnxTower Output

6) APPENDIX B

Base Level Drawing

7) APPENDIX C

Additional Calculations

1) INTRODUCTION

This tower is a 70 ft Monopole tower designed by Valmont.

2) ANALYSIS CRITERIA

TIA-222 Revision: TIA-222-H
 Risk Category: II
 Wind Speed: 115 mph
 Exposure Category: C
 Topographic Factor: 1
 Ice Thickness: 1.5 in
 Wind Speed with Ice: 40 mph
 Service Wind Speed: 60 mph

Table 1 - Proposed Equipment Configuration

Mounting Level (ft)	Center Line Elevation (ft)	Number of Antennas	Antenna Manufacturer	Antenna Model	Number of Feed Lines	Feed Line Size (in)
67.0	67.0	3	commscope	FFHH-65C-R3 w/ Mount Pipe	2	1-1/2
		2	commscope	HCS 2.0 Part 1		
		3	nokia	AEHC w/ Mount Pipe		
		3	nokia	AHFIG_TMO		
		3	nokia	AHLOA		
		1	alt	2122S-5(3)		

Table 2 - Other Considered Equipment

Mounting Level (ft)	Center Line Elevation (ft)	Number of Antennas	Antenna Manufacturer	Antenna Model	Number of Feed Lines	Feed Line Size (in)
70.0	70.0	1	federal signal	MOD3012	-	-
57.0	57.0	1	Perfect Vision	PV-MPM-SFA	1	2
		3	commscope	NNH4-65C-R3B-V1 w/ Mount Pipe		
		1	raycap	RCMDC-6627-PF-48		
		3	samsung telecommunications	MT6407-77A w/ Mount Pipe		
		3	samsung telecommunications	RF4439D-25A		
		3	samsung telecommunications	RF4440D-13A		

3) ANALYSIS PROCEDURE

Table 3 - Documents Provided

Document	Reference	Source
4-GEOTECHNICAL REPORTS	3514687	CCISITES
4-TOWER FOUNDATION DRAWINGS/DESIGN/SPECS	3514686	CCISITES
4-TOWER MANUFACTURER DRAWINGS	3771030	CCISITES

3.1) Analysis Method

tnxTower (version 8.1.1.0), a commercially available analysis software package, was used to create a three-dimensional model of the tower and calculate member stresses for various loading cases. Selected output from the analysis is included in Appendix A. When applicable, Crown Castle has calculated and provided the effective area for panel antennas using approved methods following the intent of the TIA-222 standard.

3.2) Assumptions

- 1) Tower and structures were maintained in accordance with the TIA-222 Standard.
- 2) The configuration of antennas, transmission cables, mounts and other appurtenances are as specified in Tables 1 and 2 and the referenced drawings.

This analysis may be affected if any assumptions are not valid or have been made in error. Crown Castle should be notified to determine the effect on the structural integrity of the tower.

4) ANALYSIS RESULTS

Table 4 - Section Capacity (Summary)

Section No.	Elevation (ft)	Component Type	Size	Critical Element	P (K)	SF*P_allow (K)	% Capacity	Pass / Fail
L1	70 - 31.0833	Pole	TP21.9x14.9x0.25	1	-9.473	1035.695	34.3	Pass
L2	31.0833 - 0	Pole	TP27x20.696x0.313	2	-13.748	1649.529	43.2	Pass
							Summary	
						Pole (L2)	43.2	Pass
						Rating =	43.2	Pass

Table 5 - Tower Component Stresses vs. Capacity - LC7

Notes	Component	Elevation (ft)	% Capacity	Pass / Fail
1	Anchor Rods	0	62.7	Pass
1	Base Plate	0	35.8	Pass
1	Base Foundation (Structure)	0	29.8	Pass
1	Base Foundation (Soil Interaction)	0	8.8	Pass

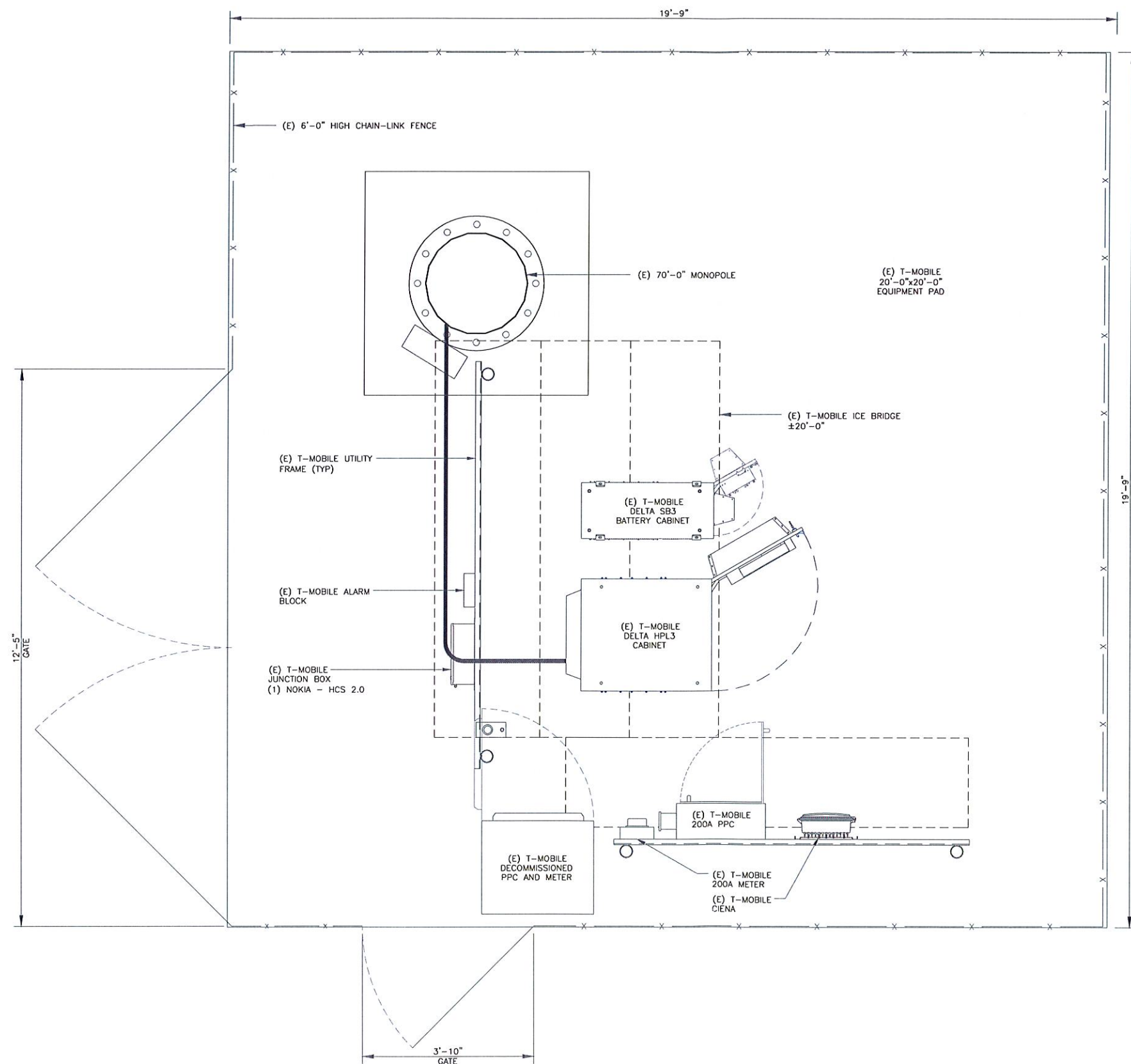
Structure Rating (max from all components) =	62.7%
---	--------------

Notes:

- 1) See additional documentation in "Appendix C – Additional Calculations" for calculations supporting the % capacity consumed.

4.1) Recommendations

The tower and its foundation have sufficient capacity to carry the proposed load configuration. No modifications are required at this time.



1 SITE PLAN
SCALE: 3/4"=1'-0" (FULL SIZE)
3/8"=1'-0" (11x17)

T-Mobile

312 ELM STREET, 10TH FLOOR
CINCINNATI, OH 45202

CROWN CASTLE

1500 CORPORATE DRIVE
CANONSBURG, PA 15317

B+T GRP

1717 S. BOULDER
SUITE 300
TULSA, OK 74119
PH: (918) 587-4630
www.blgrp.com

T-MOBILE SITE NUMBER:
OK01296F

BU #: 822901
CAMDEN

6706 NORTH
PENNSYLVANIA AVE.
NICHOLS HILLS, OK, 73159

EXISTING 70'-0"
MONOPOLE

ISSUED FOR:

REV	DATE	DRWN	DESCRIPTION	DES/QA
0	8/16/22	MEH	CONSTRUCTION	LR
1	8/18/22	YX	CONSTRUCTION	LR

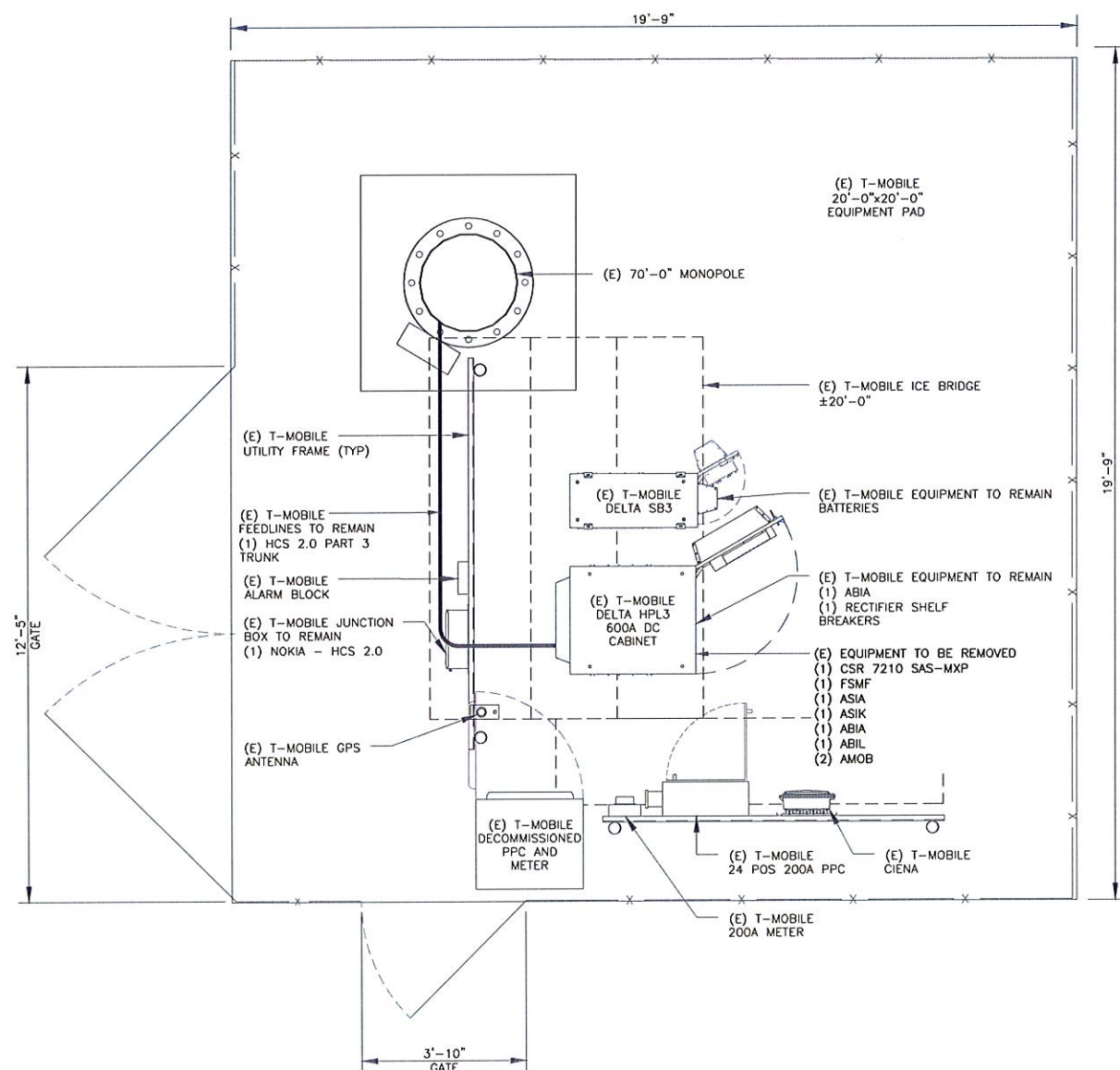


B&T ENGINEERING, INC.
CA 3590 (PE)
Expires 6/30/24

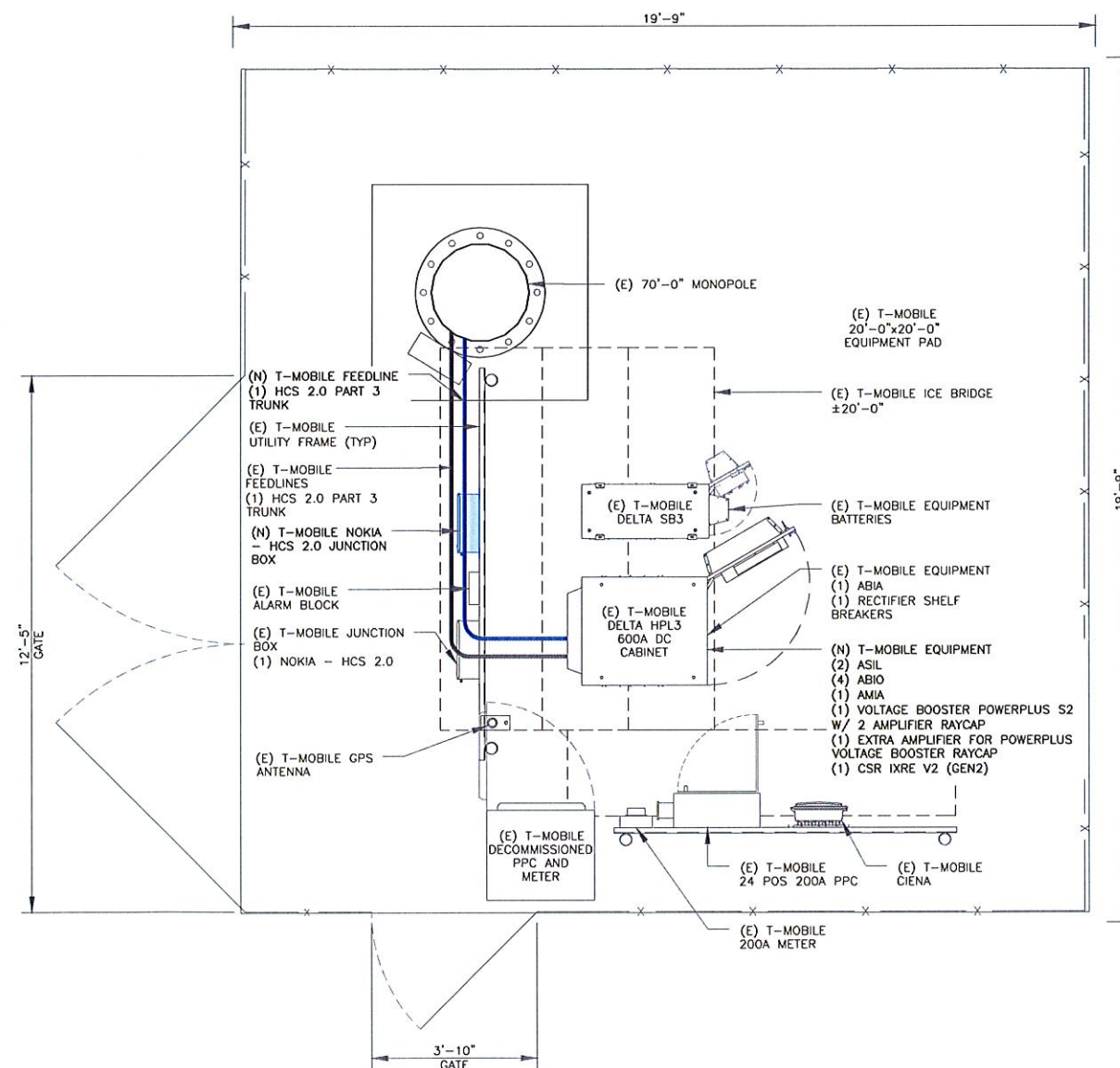
IT IS A VIOLATION OF LAW FOR ANY PERSON,
UNLESS THEY ARE ACTING UNDER THE DIRECTION
OF A LICENSED PROFESSIONAL ENGINEER,
TO ALTER THIS DOCUMENT.

SHEET NUMBER:
C-1.1

REVISION:
1



1 EXISTING EQUIPMENT PLAN
SCALE:  1/2" = 1'-0" (FULL SIZE)
1/4" = 1'-0" (1/4" = 1' x 17)



2 FINAL EQUIPMENT PLAN

SCALE:  1/2" = 1'-0" (FULL SIZE)
1/4" = 1'-0" (11x17)



1

STRUCTURE W/ HIGHEST APPURTENANCE
ELEV. = 77'-0"

HEIGHT OF MONOPOLE
ELEV. = 70'-0"

EXISTING T-MOBILE ANTENNA CENTERLINE
ELEV. = 67'-0"

EXISTING T-MOBILE MOUNT CENTERLINE
ELEV. = 67'-0"

3/C-2

INSTALL ALT - 2022S-5 MOUNT KIT WITH
MODIFICATIONS PER MOUNT MODIFICATION
DESIGN BY INFINGY DATED AUGUST 1, 2022

(E) T-MOBILE FEEDLINES
(1) HCS 2.0 PART 3 TRUNK

NEW T-MOBILE FEEDLINE
(1) NOKIA - HCS 2.0 PART 3 (1-1/2")
(125'-0" LONG)
(ROUTED PER STRUCTURAL ANALYSIS)

(E) 70'-0" MONOPOLE

1 EXISTING ELEVATION
SCALE: NOT TO SCALE

EQUIPMENT LEGEND:

- EXISTING
TO BE RELOCATED/REMOVED
NEW

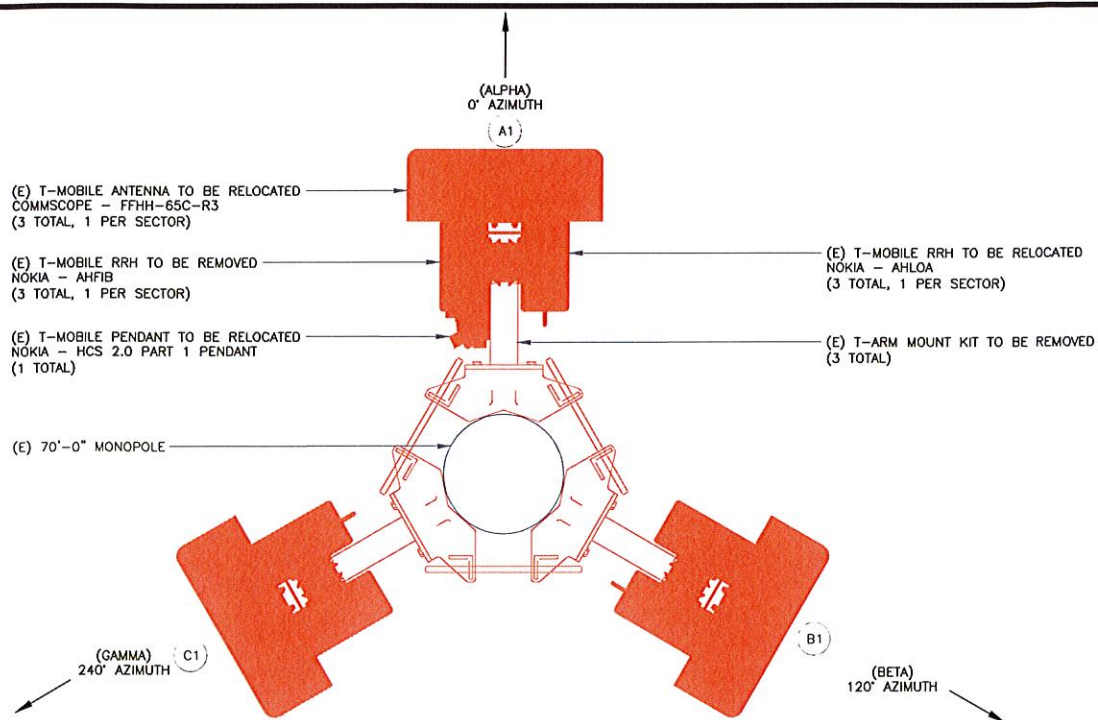
MOUNT ANALYSIS NOTES:

1. THE DESIGN DEPICTED IN THESE DRAWINGS IS VALID WHEN ACCOMPANIED BY A CORRESPONDING PASSING MOUNT ANALYSIS.
2. CONSTRUCTION MANAGER / GENERAL CONTRACTOR SHALL REVIEW THE MOUNT ANALYSIS FOR ANY CONDITIONS PRIOR TO INSTALLATION.
3. ANY REQUIRED MOUNT MODIFICATION DESIGN OR MOUNT REPLACEMENT SHALL BE APPROVED BY EOR.

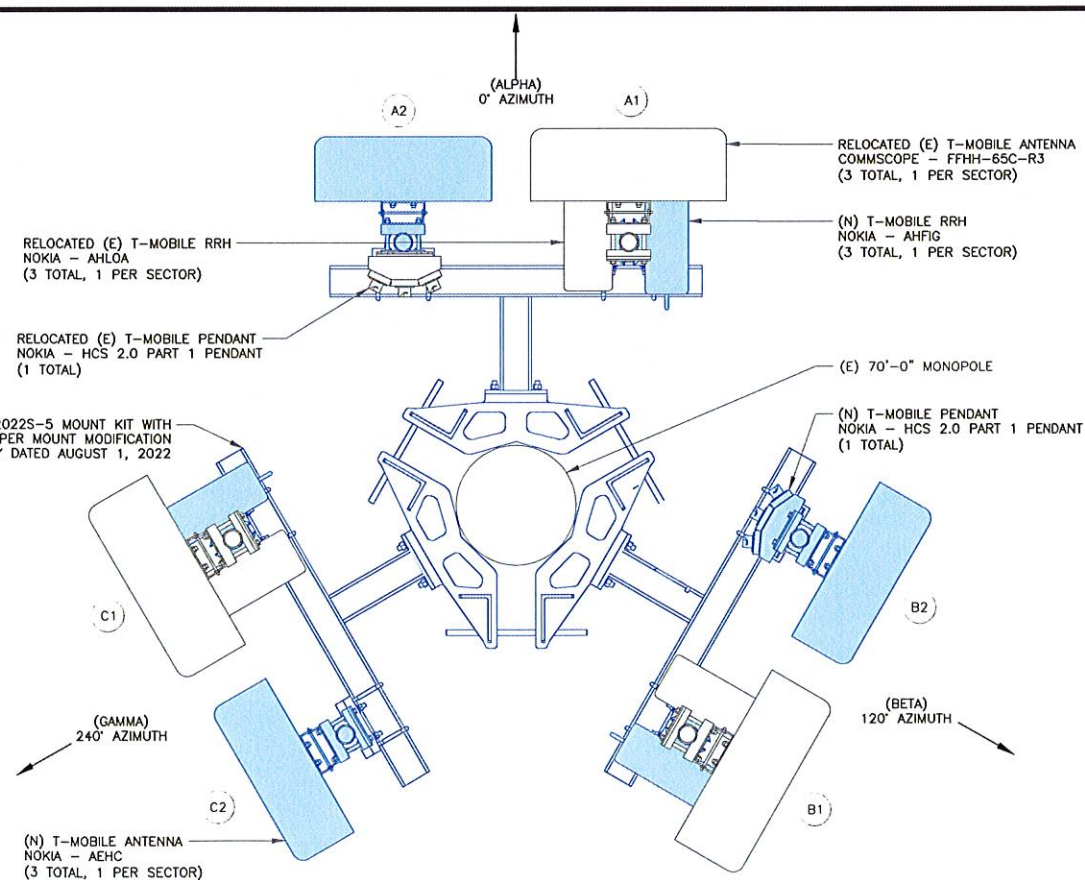
INSTALLER NOTE:

NO PROPOSED LOADING TO BE ADDED UNTIL MOUNT SWAP IS COMPLETE AND MOUNT MODIFICATIONS ARE INSTALLED PER MOUNT MODIFICATION DESIGN BY INFINGY DATED AUGUST 1, 2022.

INSTALL ALT - 2022S-5 MOUNT KIT WITH
MODIFICATIONS PER MOUNT MODIFICATION
DESIGN BY INFINGY DATED AUGUST 1, 2022



2 EXISTING ANTENNA PLAN
SCALE: NOT TO SCALE



3 FINAL ANTENNA PLAN
SCALE: NOT TO SCALE

T-Mobile

312 ELM STREET, 10TH FLOOR
CINCINNATI, OH 45202

CROWN CASTLE

1500 CORPORATE DRIVE
CANONSBURG, PA 15317

B+T GRP

1717 S. BOULDER
SUITE 300
TULSA, OK 74119
PH: (918) 587-4630
www.btgrp.com

T-MOBILE SITE NUMBER:
OK01296F

BU #: 822901
CAMDEN

6706 NORTH
PENNSYLVANIA AVE.
NICHOLS HILLS, OK, 73159

EXISTING 70'-0"
MONOPOLE

ISSUED FOR:

REV	DATE	DRWN	DESCRIPTION	DES/QA
0	8/16/22	MEH	CONSTRUCTION	LR
1	8/18/22	YX	CONSTRUCTION	LR



B&T ENGINEERING, INC.
CA 3590 (PE)
Expires 6/30/24

IT IS A VIOLATION OF LAW FOR ANY PERSON,
UNLESS THEY ARE ACTING UNDER THE DIRECTION
OF A LICENSED PROFESSIONAL ENGINEER,
TO ALTER THIS DOCUMENT.

SHEET NUMBER:

C-2

REVISION:

1

T-Mobile

312 ELM STREET, 10TH FLOOR
CINCINNATI, OH 45202

CROWN
CASTLE

1500 CORPORATE DRIVE
CANONSBURG, PA 15317

B+T GRP
1717 S. BOULDER
SUITE 300
TULSA, OK 74119
PH: (918) 587-4630
www.btgrp.com

T-MOBILE SITE NUMBER:
OK01296F

BU #: 822901
CAMDEN

6706 NORTH
PENNSYLVANIA AVE.
NICHOLS HILLS, OK, 73159

EXISTING 70'-0"
MONOPOLE

ISSUED FOR:

REV	DATE	DRWN	DESCRIPTION	DES./QA
0	8/16/22	MEH	CONSTRUCTION	LR
1	8/18/22	YX	CONSTRUCTION	LR



B&T ENGINEERING, INC.
CA 3590 (PE)
Expires 6/30/24

IT IS A VIOLATION OF LAW FOR ANY PERSON,
UNLESS THEY ARE ACTING UNDER THE DIRECTION
OF A LICENSED PROFESSIONAL ENGINEER,
TO ALTER THIS DOCUMENT.

SHEET NUMBER:

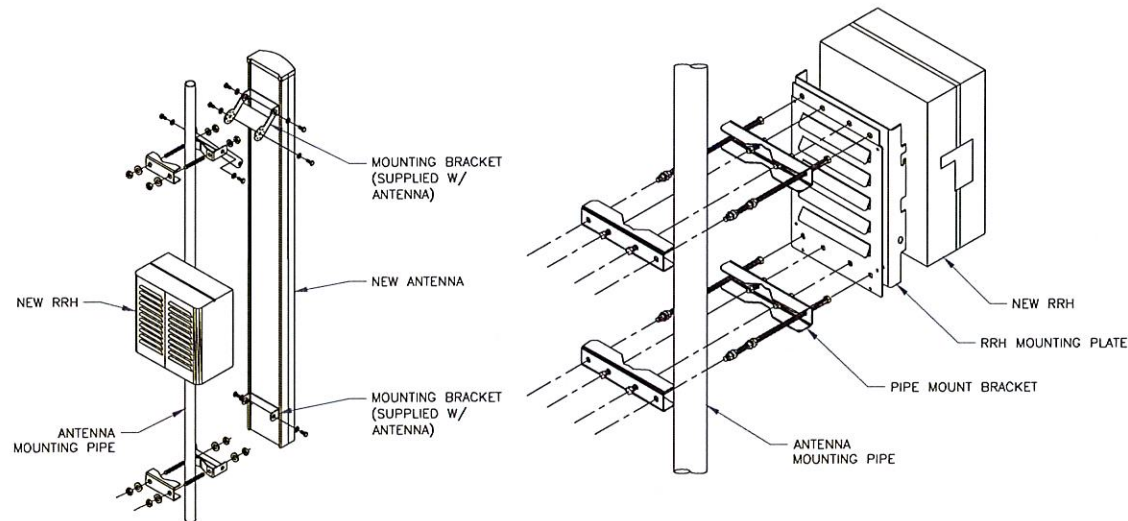
C-3

REVISION:

1

INSTALLER NOTES:

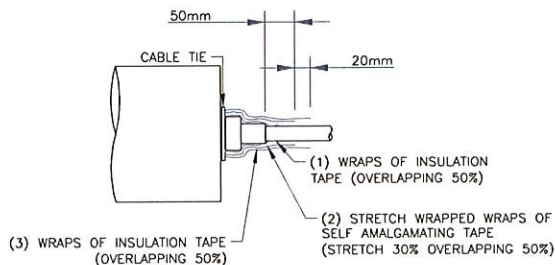
1. COMPLY WITH MANUFACTURERS INSTRUCTIONS TO ENSURE THAT ALL RRHs RECEIVE ELECTRICAL POWER WITHIN 24 HOURS OF BEING REMOVED FROM THE MANUFACTURER'S PACKAGING.
2. DO NOT OPEN RRH PACKAGES IN THE RAIN.
3. ALL PIPES, BRACKETS, AND MISCELLANEOUS HARDWARE TO BE GALVANIZED UNLESS NOTED OTHERWISE.



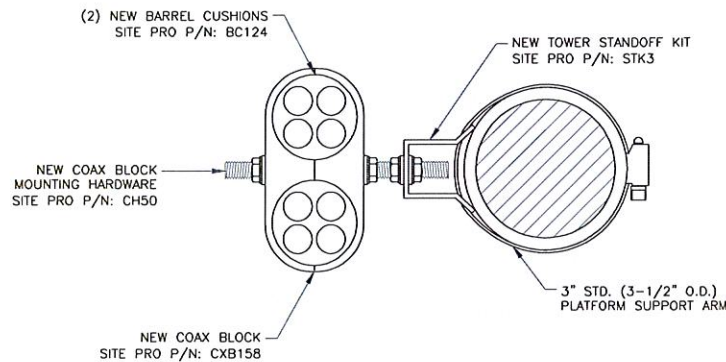
1 ANTENNA WITH RRH MOUNTING DETAIL
SCALE: NOT TO SCALE

INSTALLER NOTE:

JUMPERS TO BE TORQUED TO 221.27 IN/LBS



3 RF JUMPER CONNECTION
SCALE: NOT TO SCALE



2 RF JUMPER DETAIL
SCALE: NOT TO SCALE

Coax Color Coding

- Antennas will be labeled (back of antenna view) right to left 1 - 4 ports
- Coax/jumper lines will be identified by sector color and by number of bands around the coax/jumper

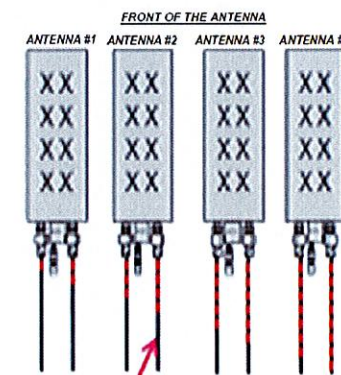
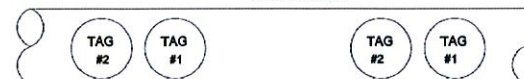
SECTOR A	RED
SECTOR B	GREEN
SECTOR C	BLUE
SECTOR D	YELLOW
SECTOR E	WHITE
SECTOR F	PURPLE
LMU	BROWN + SECTOR COLOR BANDS (1 & 2)
FIBER ID	GRAY
UNUSED COAX	PINK
MICROWAVE	ORANGE
DWE T-1'S + GPS DOWNLINK CABLE	ID W/ LABEL MAKER

COLOR CODING NOTES:

color	GSM
color	UMTS 1900
color	UMTS AWS
color	LTE
color	FIBER CABLE

METALLIC TAG NOTES:

1. TWO METALLIC TAGS SHALL BE ATTACHED AT EACH END OF EVERY CABLE LONGER THAN (3) THREE FEET
2. CABLE LESS THAN (3) THREE FEET WILL HAVE TWO METALLIC TAGS ATTACHED AT THE CENTER OF THE CABLE
3. TAGS WILL BE FASTENED WITH STAINLESS STEEL ZIP TIES APPROPRIATE FOR CABLE DIAMETER
4. STANDARDIZED METALLIC TAG KIT WILL BE ASSEMBLED WITH TAGS ALREADY ENGRAVED TO ACCOMMODATE ALL CONFIGURATIONS



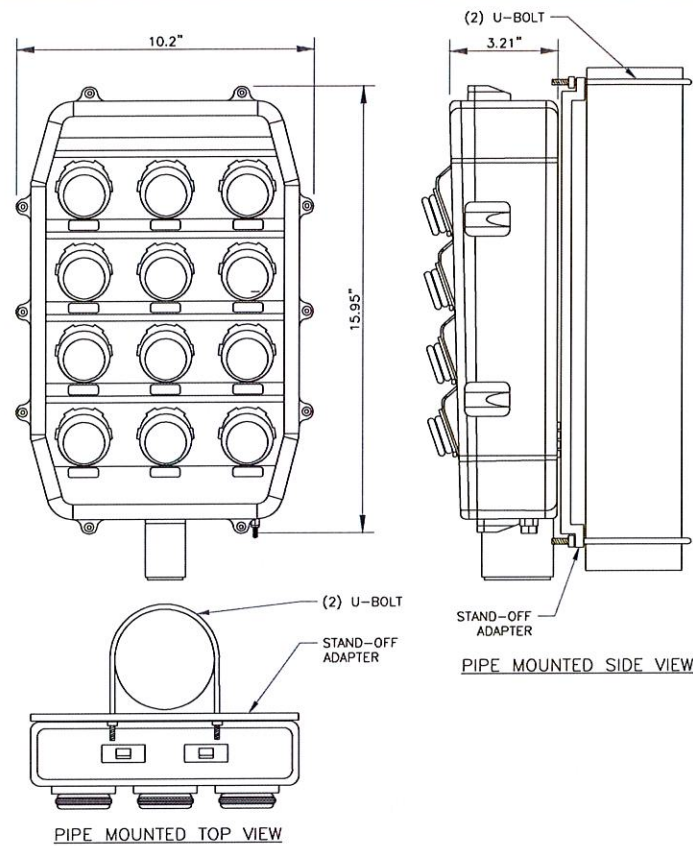
EXAMPLE: COAX WITH FOUR BANDS OF RED TAPE WILL REPRESENT ALPHA SECTOR AND THE 4TH PORT OF ANTENNA

ANTENNA AND COAXIAL CABLE SCHEDULE

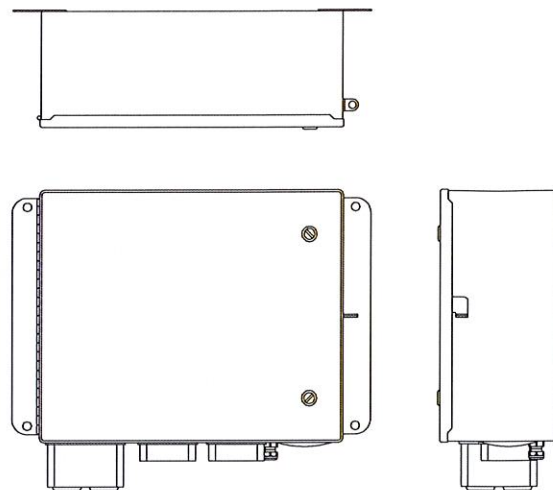
1. ALL ANTENNAS SHALL BE FURNISHED WITH DOWNTILT BRACKETS. CONTRACTOR SHALL COORDINATE REQUIRED MECHANICAL DOWNTILT FOR EACH ANTENNA WITH RF ENGINEER. ANTENNA DOWNTILT SHALL BE SET AND VERIFIED BY A SMART LEVEL.
2. CONTRACTOR SHALL INSTALL COLOR CODE RINGS ON EACH OF THE HYBRID CABLES AND JUMPER CABLES WITH UV RESISTANT TAPE. ALL CABLE SHALL BE MARKED AT TOP AND BOTTOM WITH 2\"/>

5 COAX COLOR CODING
SCALE: NOT TO SCALE

4 NOT USED
SCALE: NOT TO SCALE

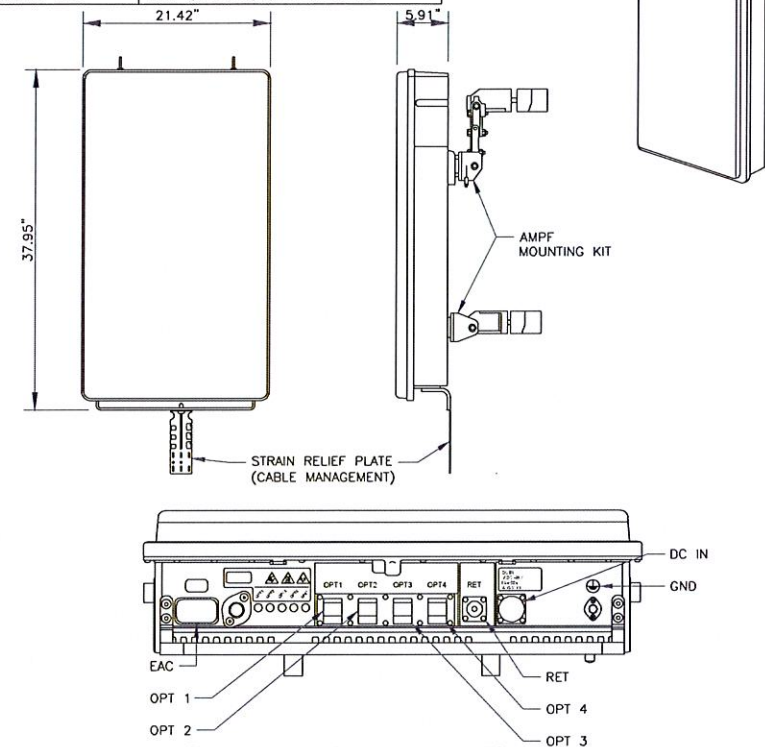


1 HCS 2.0 PENDANT DETAIL
SCALE: NOT TO SCALE



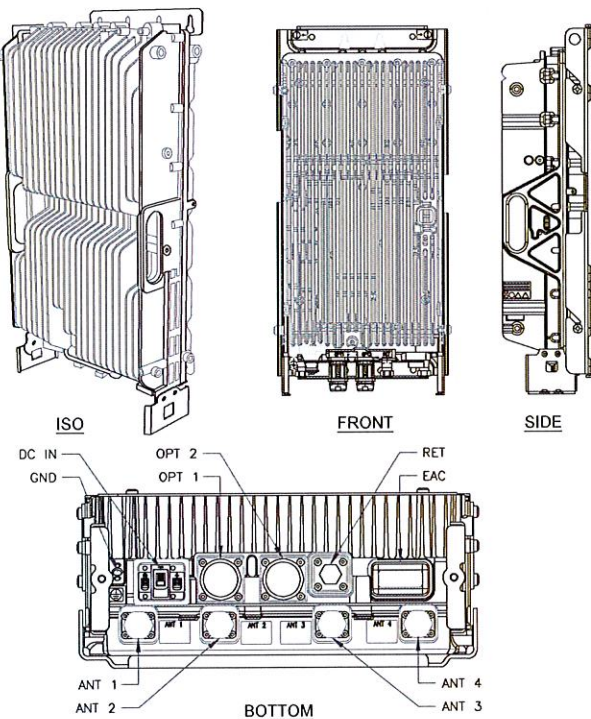
2 NOKIA - HCS 2.0 JUNCTION BOX
SCALE: NOT TO SCALE

MANUFACTURER:	NOKIA
MODEL:	AEHC
DIMENSIONS (HxWxD):	37.95"x21.42"x5.91"
WEIGHT:	108 LBS
BAND:	B41/n41
MOUNTING KIT:	AMPF (475188A) (NOT INCLUDED)



3 NOKIA AEHC ANTENNA SPEC
SCALE: NOT TO SCALE

MANUFACTURER:	NOKIA
MODEL:	AHFIG
DIMENSIONS (HxWxD):	28.7"x12.9"x5.6"
WEIGHT:	70.5 LBS



4 NOKIA AHFIG RRH
SCALE: NOT TO SCALE

5 NOT USED
SCALE: NOT TO SCALE

6 NOT USED
SCALE: NOT TO SCALE

T-Mobile
312 ELM STREET, 10TH FLOOR
CINCINNATI, OH 45202

CROWN CASTLE
1500 CORPORATE DRIVE
CANONSBURG, PA 15317

B+T GRP
1717 S. BOULDER
SUITE 300
TULSA, OK 74119
PH: (918) 587-4630
www.btgrp.com

T-MOBILE SITE NUMBER:
OK01296F

BU #: 822901
CAMDEN

6706 NORTH
PENNSYLVANIA AVE.
NICHOLS HILLS, OK, 73159

EXISTING 70'-0"
MONOPOLE

ISSUED FOR:				
REV	DATE	DRWN	DESCRIPTION	DES./QA
0	8/16/22	MEH	CONSTRUCTION	LR
1	8/18/22	YX	CONSTRUCTION	LR



B&T ENGINEERING, INC.
CA 3590 (PE)
Expires 6/30/24

IT IS A VIOLATION OF LAW FOR ANY PERSON,
UNLESS THEY ARE ACTING UNDER THE DIRECTION
OF A LICENSED PROFESSIONAL ENGINEER,
TO ALTER THIS DOCUMENT.

SHEET NUMBER:	REVISION:
C-4	1

T-Mobile

312 ELM STREET, 10TH FLOOR
CINCINNATI, OH 45202

CROWN
CASTLE

1500 CORPORATE DRIVE
CANONSBURG, PA 15317

B+T GRP

1717 S. BOULDER
SUITE 300
TULSA, OK 74119
PH: (918) 587-4630
www.btgrp.com

T-MOBILE SITE NUMBER:
OK01296F

BU #: 822901
CAMDEN

6706 NORTH
PENNSYLVANIA AVE.
NICHOLS HILLS, OK, 73159

EXISTING 70'-0"
MONOPOLE

ISSUED FOR:

REV	DATE	DRWN	DESCRIPTION	DES/QA
0	8/16/22	MEH	CONSTRUCTION	LR
1	8/18/22	YX	CONSTRUCTION	LR



B&T ENGINEERING, INC.
CA 3590 (PE)
Expires 6/30/24

IT IS A VIOLATION OF LAW FOR ANY PERSON,
UNLESS THEY ARE ACTING UNDER THE DIRECTION
OF A LICENSED PROFESSIONAL ENGINEER,
TO ALTER THIS DOCUMENT.

SHEET NUMBER:

E-1

REVISION:

1

EXISTING PANEL SCHEDULE								
LOAD	POLES	AMPS	BUS		AMPS	POLES	LOAD	
			L1	L2				
SURGE	2	60A	1	2	20A	1	REC	
			3	4				
			5	6				
			7	8	20A		1	INVERTER
			9	10				
			11	12				
			13	14				
			15	16				
SSC	4	200A	17	18				
			19	20				
			21	22				
			23	24				

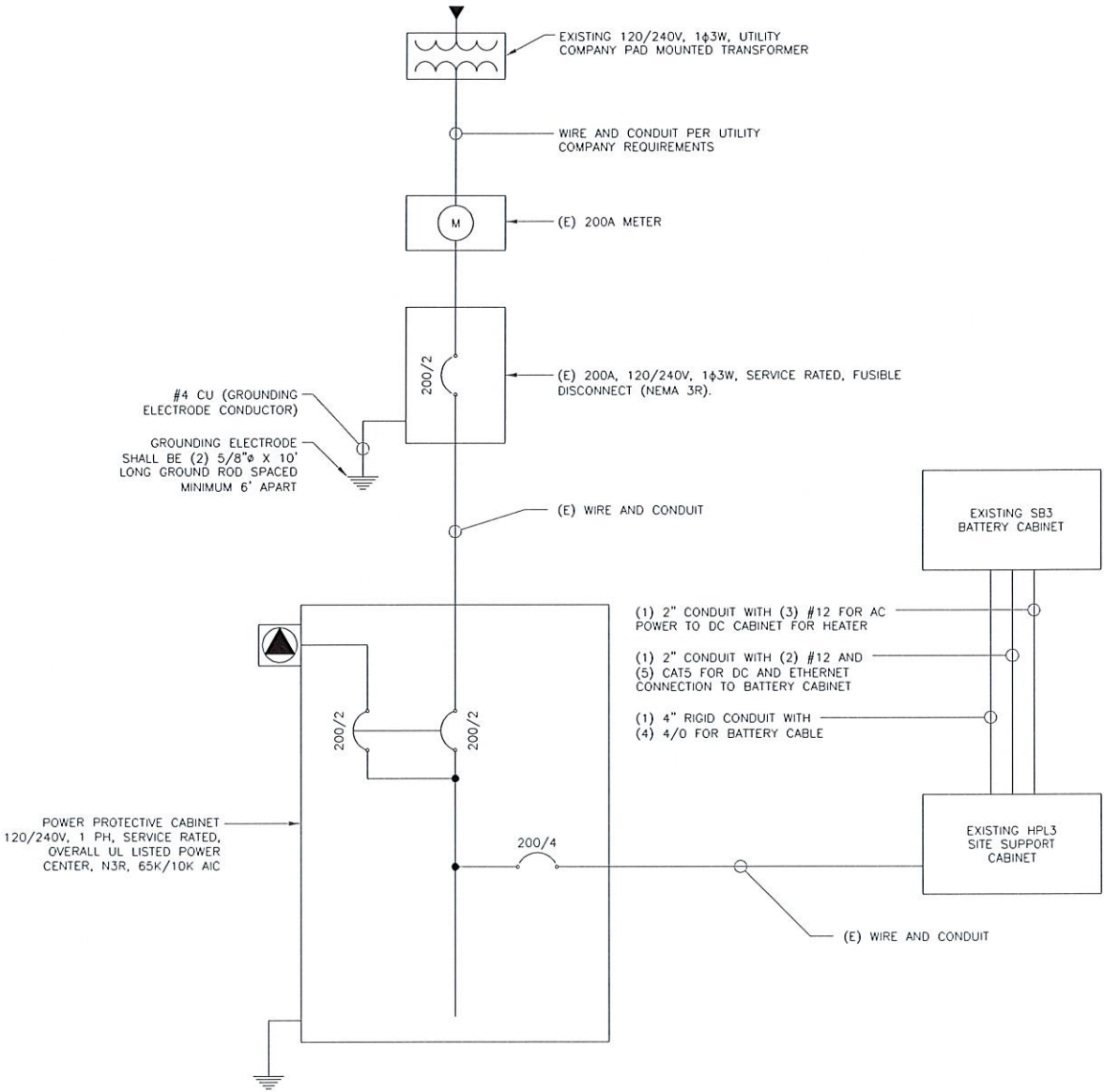
RATED VOLTAGE: ☒ 120/240 ☐ _____ 1 PHASE, 3 WIRE	BRANCH POLES: ☐ 12 ☒ 24 ☐ 30 ☐ 42	APPROVED MFR'S
RATED AMPS: ☐ 100 ☒ 200 ☐ 400 ☐ _____	CABINET: ☒ SURFACE ☐ FLUSH	NEMA ☐ 1 ☒ 3R ☐ 4X
☐ MAIN LUGS ONLY ☒ MAIN 200 AMPS ☒ BREAKER ☐ FUSED SWITCH	☒ HINGED DOOR	☒ KEYED DOOR LATCH
☐ FUSED ☒ CIRCUIT BREAKER ☐ BRANCH DEVICES	☐ _____ TO BE GFCI BREAKERS	FULL NEUTRAL BUS
ALL BREAKERS MUST BE RATED TO INTERRUPT A SHORT CIRCUIT ISC OF 10,000 AMPS SYMMETRICAL		

1 EXISTING PANEL SCHEDULE
SCALE: NOT TO SCALE

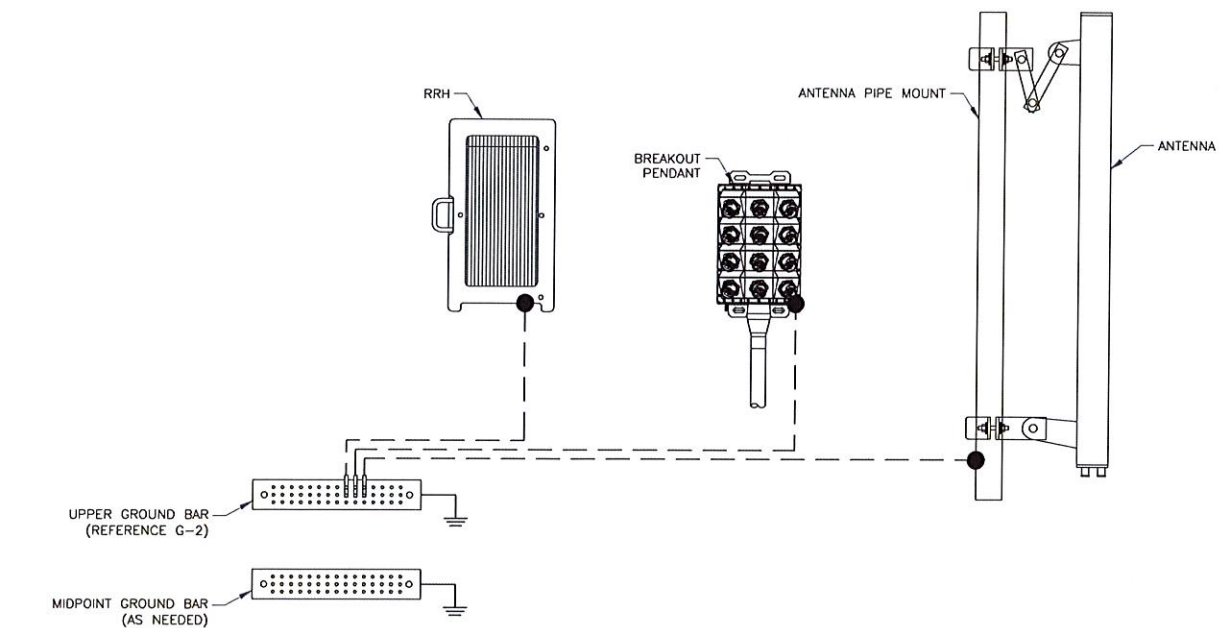
FINAL PANEL SCHEDULE								
LOAD	POLES	AMPS	BUS		AMPS	POLES	LOAD	
			L1	L2				
SURGE	2	60A	1	2	20A	1	REC	
			3	4				
			5	6				
			7	8	20A		1	INVERTER
			9	10				
			11	12				
			13	14				
			15	16				
SSC	4	200A	17	18				
			19	20				
			21	22				
			23	24				

RATED VOLTAGE: ☒ 120/240 ☐ _____ 1 PHASE, 3 WIRE	BRANCH POLES: ☐ 12 ☒ 24 ☐ 30 ☐ 42	APPROVED MFR'S
RATED AMPS: ☐ 100 ☒ 200 ☐ 400 ☐ _____	CABINET: ☒ SURFACE ☐ FLUSH	NEMA ☐ 1 ☒ 3R ☐ 4X
☐ MAIN LUGS ONLY ☒ MAIN 200 AMPS ☒ BREAKER ☐ FUSED SWITCH	☒ HINGED DOOR	☒ KEYED DOOR LATCH
☐ FUSED ☒ CIRCUIT BREAKER ☐ BRANCH DEVICES	☐ _____ TO BE GFCI BREAKERS	FULL NEUTRAL BUS
ALL BREAKERS MUST BE RATED TO INTERRUPT A SHORT CIRCUIT ISC OF 10,000 AMPS SYMMETRICAL		

2 FINAL PANEL SCHEDULE
SCALE: NOT TO SCALE

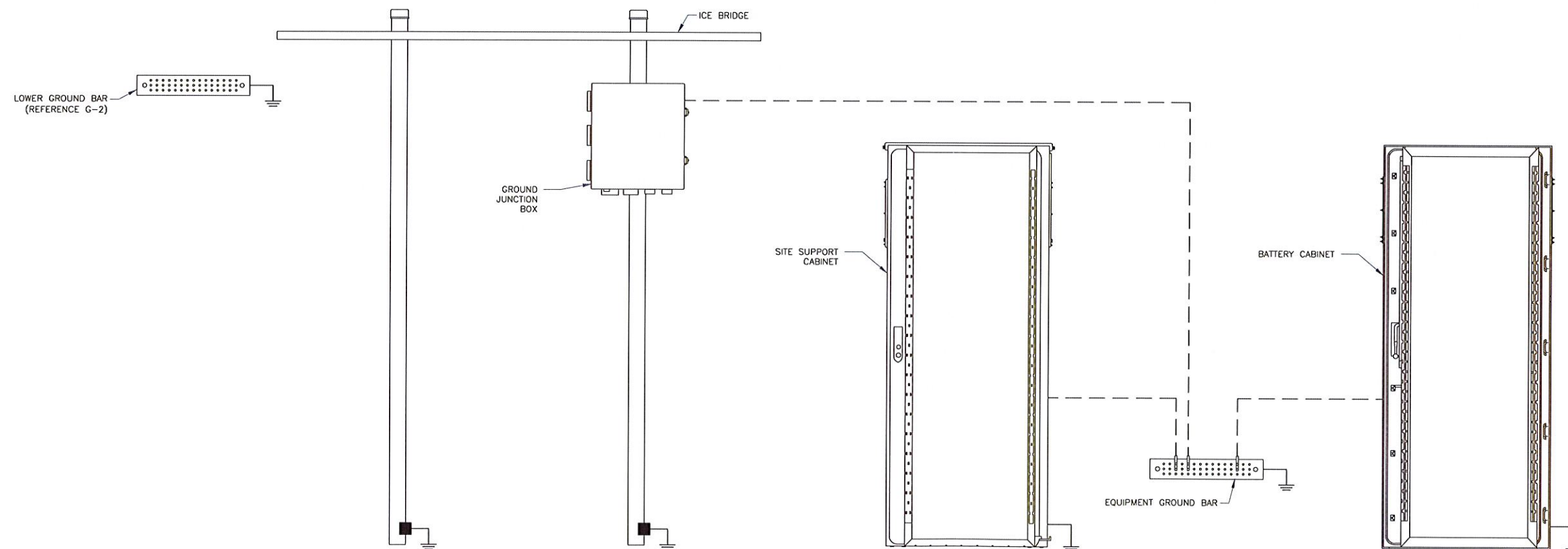


3 ONE-LINE DIAGRAM
SCALE: NOT TO SCALE



ANTENNA LEVEL

GROUND LEVEL



GROUNDING PLAN LEGEND:

- #6 STRANDED COPPER WITH GREEN INSULATION GROUND WIRE
- #2 STRANDED COPPER WITH GREEN INSULATION GROUND WIRE
- #2 BARE, SOLID, TINNED COPPER GROUND WIRE
- EXOTHERMIC WELD
- MECHANICAL CONNECTION
- ⊙ COPPER GROUND ROD
- ⊗ GROUND ROD W/ TEST WELL

NOTE:

SEE FINAL EQUIPMENT PLAN FOR NEW EQUIPMENT REQUIRING GROUNDING. CONTRACTOR TO VERIFY EXISTING EQUIPMENT GROUNDING IN FIELD. CONTRACTOR TO VERIFY IN FIELD AND INSTALL ANY MISSING ##### GROUND BARS ON SITE.

T-Mobile

312 ELM STREET, 10TH FLOOR
CINCINNATI, OH 45202

CROWN CASTLE

1500 CORPORATE DRIVE
CANONSBURG, PA 15317

B+T GRP

1717 S. BOULDER
SUITE 300
TULSA, OK 74119
PH: (918) 587-4630
www.btgrp.com

T-MOBILE SITE NUMBER:
OK01296F

BU #: **822901**
CAMDEN

6706 NORTH PENNSYLVANIA AVE.
NICHOLS HILLS, OK, 73159

EXISTING 70'-0"
MONOPOLE

REV	DATE	DRWN	DESCRIPTION	DES./QA
0	8/16/22	MEH	CONSTRUCTION	LR
1	8/18/22	YX	CONSTRUCTION	LR

ISSUED FOR:

B&T ENGINEERING, INC.
CA 3590 (PE)
Expires 6/30/24

IT IS A VIOLATION OF LAW FOR ANY PERSON, UNLESS THEY ARE ACTING UNDER THE DIRECTION OF A LICENSED PROFESSIONAL ENGINEER, TO ALTER THIS DOCUMENT.

SHEET NUMBER: G-1	REVISION: 1
-----------------------------	-----------------------

1 TYPICAL FINAL GROUNDING SCHEMATIC
SCALE: NOT TO SCALE



Diagram illustrating the connection of an antenna cable to a ground bar. The diagram shows a cross-section of the antenna cable being connected to a ground bar. The connection is made using a weatherproofing kit, antenna cable, and a cable connector. The ground bar is labeled as #6 AWG STRANDED COPPER GROUND WIRE (GROUNDED TO GROUND BAR). SEE NOTE 1 & 2. The distance between the weatherproofing kit and the cable connector is labeled as (TYPICALLY) 12" TO 24" 120° MAX. The diameter of the ground bar is labeled as 2 1/2" DIA. MAX.

Labels and dimensions in the diagram:

- WEATHERPROOFING KIT (SEE NOTE 3)
- ANTENNA CABLE
- (TYPICALLY) 12" TO 24" 120° MAX.
- #6 AWG STRANDED COPPER GROUND WIRE (GROUNDED TO GROUND BAR). SEE NOTE 1 & 2
- CABLE GROUND KIT
- CABLE CONNECTOR
- 2 1/2" DIA. MAX.

- NOTES:
1. DO NOT INSTALL CABLE GROUND KIT AT A BEND AND ALWAYS DIRECT GROUND WIRE DOWN TO GROUND BAR.
 2. GROUNDING KIT SHALL BE TYPE AND PART NUMBER AS SUPPLIED OR RECOMMENDED BY CABLE MANUFACTURER.
 3. WEATHER PROOFING SHALL BE TWO-PART TAPE KIT, COLD SHRINK SHALL NOT BE USED.

TO ANTENNAS

RX2

TX1/RX1

WEATHERPROOFING KIT (TYP)

GROUND KIT (TYP)

#6 AWG

COPPER/GALVANIZED COAX GROUND BAR BONDED DIRECTLY TOWER

COAX JUMPER (TYP.)

CONNECTOR

WEATHERPROOFING KIT (TYP. SEE NOTE 2)

ANTENNA CABLE TO BTS EQUIPMENT (TYP.)

- NOTES:
1. DO NOT INSTALL CABLE GROUND KIT AT A BEND AND ALWAYS DIRECT GROUND WIRE DOWN TO ANTENNA GROUND BAR.
 2. WEATHER PROOFING SHALL BE TWO-PART TAPE KIT. COLD SHRINK SHALL NOT BE USED.

3/8-11x1" TAMPER RESISTANT BOLT (TYP)

INSULATORS SEE NOTE 2. (TYP)

WALL BRACKET (TYP)

LOCK WASHER P/N M10 (TYP)

UNIVERSAL COPPER GROUND BAR (4"x20")

TWO-HOLE COMPRESSION LUG

- NOTES:
1. DOWN LEAD (HOME RUN) CONDUCTORS ARE NOT TO BE INSTALLED ON CROWN CASTLE USA INC. TOWER, PER THE GROUNDING DOWN CONDUCTOR POLICY QAS-STD-10091. NO MODIFICATION OR DRILLING TO TOWER STEEL IS ALLOWED IN ANY FORM OR FASHION, CAD-WELDING ON THE TOWER AND/OR IN THE AIR ARE NOT PERMITTED.
 2. OMIT INSULATOR WHEN MOUNTING TO TOWER STEEL OR PLATFORM STEEL USE INSULATORS WHEN ATTACHING TO BUILDING OR SHELTERS.

NOTE: MINIMUM OF 3 THREADS TO BE VISIBLE (TYP)

2 HOLE LONG BARREL TINNED SOLID COPPER LUG (TYP)

TIN COATED SOLID COPPER BUS BAR

CHERRY INSULATOR INSTALLED IF REQUIRED

S/S NUT (TYP)

S/S SPLIT WASHER (TYP)

S/S FLAT WASHER (TYP)

S/S FLAT WASHER (TYP)

S/S BOLT (TYP)

-
- Diagram illustrating the connection of a ground conductor to a ground bar using a nut, lock washer, and bolt. The assembly includes a heat shrink (clear) and a grounding conductor. The ground bar is connected to a ground lug (Burndy Two Hole Lug w/ Long Barrel) which is attached to a bare wire (to be no-ox at both ends). The bare wire is connected to a stranded green insulated wire (only for #6 AWG).
- Labels in the diagram include:
- BURNDY GROUND LUG W/ LONG BARREL (SEE CHART)
 - NUT (TYP)
 - LOCK WASHER (TYP)
 - HEAT SHRINK (CLEAR)
 - GROUNDING CONDUCTOR
 - GROUND BAR
 - BOLT (SEE CHART) (TYP)
 - BURNDY TWO HOLE LUG W/ LONG BARREL (SEE CHART)
 - BARE WIRE TO BE NO-OX AT BOTH ENDS
 - STRANDED (GREEN INSULATED) ONLY FOR #6 AWG (SEE CHART)

- NOTES:
1. ALL GROUNDING LUGS ARE TO BE INSTALLED PER MANUFACTURER'S SPECIFICATIONS. ALL HARDWARE BOLTS, NUTS, LOCK WASHERS SHALL BE STAINLESS STEEL. ALL HARDWARE ARE TO BE AS FOLLOWS: BOLT, FLAT WASHER, GROUND BAR, GROUND LUG, FLAT WASHER AND NUT.

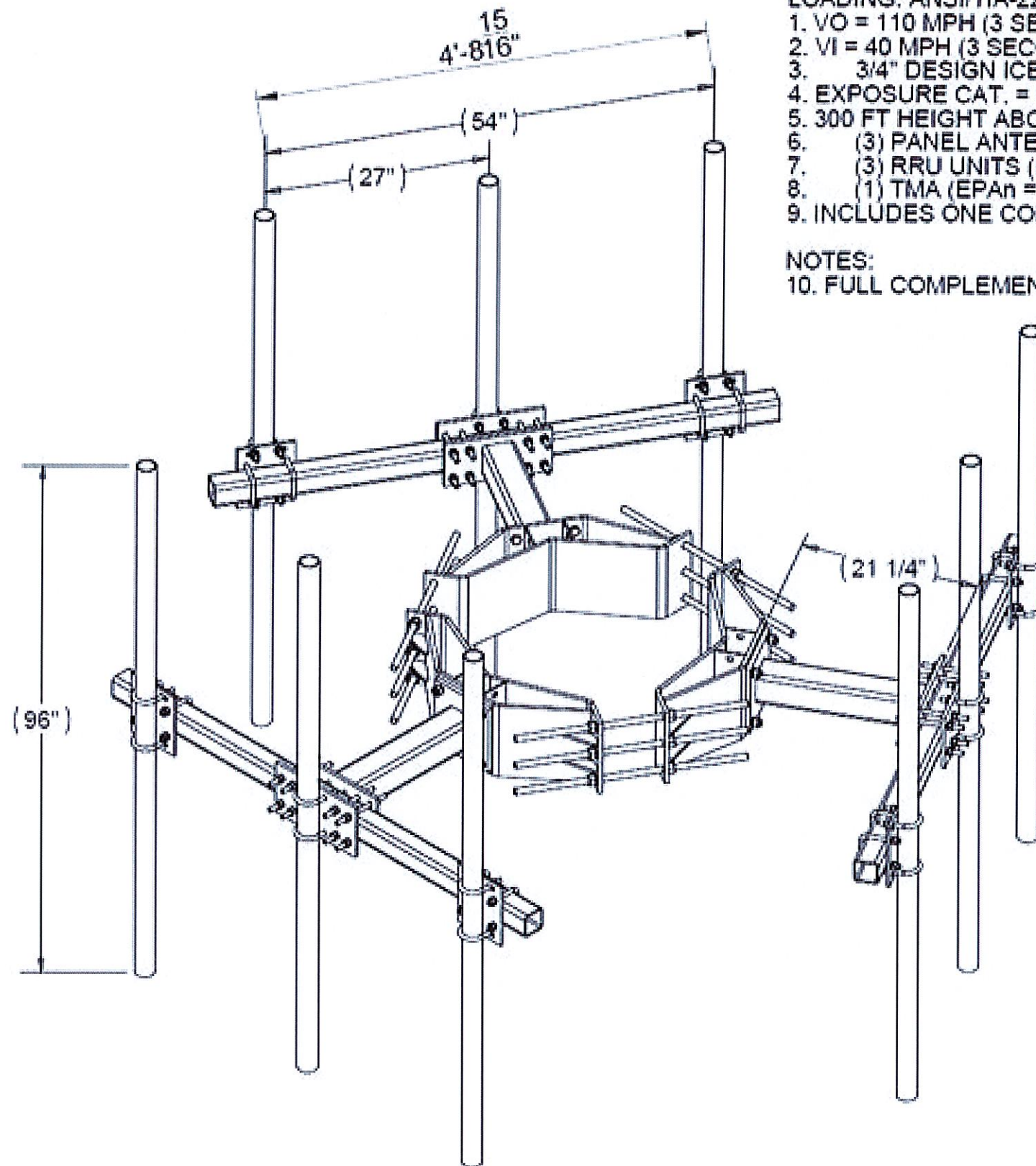
#6 AWG MIN. FROM ANTENNA CABLE GROUND KIT

GROUND BAR ON SHELTER, ICE BRIDGE, OR ON ANTENNA TOWER

*TWO HOLE LUG, OR EXOTHERMIC WELD TO BE USED WITH #2 AWG BARE CONDUCTOR WIRE TO BUILDING SERVICE GROUND OR GROUND RING

The diagram shows a cross-section of a ground bar with two rows of hexagonal terminals. On the left, a cable with four #6 AWG conductors is connected to the first four terminals. On the right, another cable with four #6 AWG conductors is connected to the next four terminals. A bracket above the cables indicates they are from the 'ANTENNA CABLE GROUND KIT'. Below the ground bar, two vertical rods with two-hole lugs are shown, which are connected to a building service ground or ground ring using #2 AWG bare conductor wire.

1



- LOADING: ANSI/TIA-222-G
1. VO = 110 MPH (3 SECOND) BASIC WIND SPEED WITHOUT ICE
 2. VI = 40 MPH (3 SECOND) BASIC WIND LOAD SPEED WITH ICE
 3. 3/4" DESIGN ICE THICKNESS
 4. EXPOSURE CAT. = C. STRUCTURE CLASS = II
 5. 300 FT HEIGHT ABOVE GROUND ELEVATION OF MOUNT
 6. (3) PANEL ANTENNA'S (EPAn = 9.25 SQFT., EPAs = 3.1 SQFT., 70 LBS EACH)
 7. (3) RRU UNITS (EPAn = 2.3 SQ FT., EPAs = 1.2 SQFT., 65 LBS EACH)
 8. (1) TMA (EPAn = 1.2 SQFT., EPAs = 0.6 SQFT., 25LBS)
 9. INCLUDES ONE CONCENTRATED FORCE OF 250LBS

NOTES:
10. FULL COMPLEMENT OF PIPES SHOWN

- SADDLE BRACKET PART NUMBERS:
1. 2121LD-1130 11" TO 30" LD SADDLE BRACKET
 2. 2121LD-2447 24" TO 47" LD SADDLE BRACKET
 3. 2121LD-4460 44" TO 60" LD SADDLE BRACKET

ITEM NO.	QTY.	PART NO.	DESCRIPTION
1	1	2121LD-XXXX	LD SADDLE BRACKET
2	3	2122S-5	5' MONOPOLE SQ. TUBE T-ARM
3	9	2125-96	2-3/8" OD X96" GALV PIPE

THE INFORMATION CONTAINED IN THIS DRAWING IS THE SOLE PROPERTY OF ALT. ANY REPRODUCTION IN PART OR WHOLE WITHOUT THE WRITTEN PERMISSION OF ALT IS PROHIBITED. 10/31/2014 FINISH NONE WEIGHT N/A	CAD GENERATED DRAWING. DO NOT MANUALLY UPDATE		800-650-7960 FAX 940-455-2817 www.altfabrication.com sales@altfabrication.com	122 Leesley Lane Argyle, Texas 76226
	APPROVALS	DATE	TITLE	
	DRAWN	TU 06/09/14	2122S-5 WITH 2121LD	
	CHECKED			
	DESIGNED		DWG. NO.	
			2122S-5-XXXX-996	
			SCALE: NTS	DO NOT SCALE DRAWING
			SHEET 1 OF 1	
				REV. A

Patrick N. Hill
1820 DEVONSHIRE BOULEVARD
NICHOLS HILLS, OKLAHOMA 73116
405-848-0282

VIA HAND DELIVERY

November 30, 2022

Amanda Copeland
City Clerk
City of Nichols Hills
6407 Avondale Drive
Nichols Hills, OK 73116

RE: Special Permit – Existing monopole tower located at 6706 North Pennsylvania Avenue

Members of Planning Commission and City Council,

Barbara and I reside at 1820 Devonshire Boulevard, near the referenced monopole tower. We strongly object to the installation of additional antennas or equipment to the tower. In its current location and configuration, the monopole is an eyesore and detriment to the city park within which it is located. Hanging more antennas and equipment on this pole would make an unfortunate situation worse and not be in the best interest of our community.

We respectfully request that the City of Nichols Hills not approve the Crown Castle USA, Inc. Application and deny the requested special permit to replace and/or add new antennas and other equipment to the referenced monopole.

Thank you for your consideration of our concerns.

Sincerely,

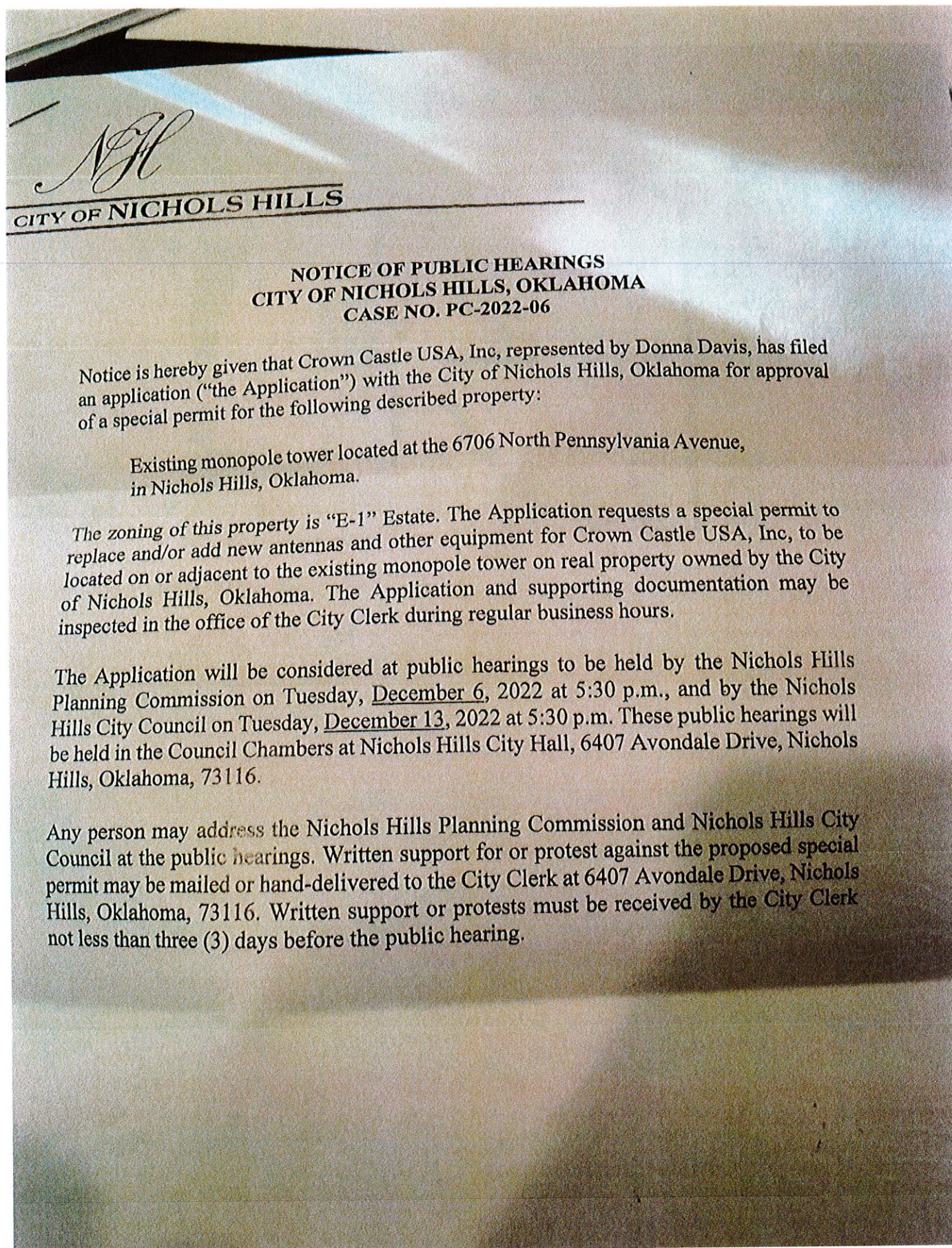
Patrick N. Hill
Patrick N. Hill

Barbara D. Hill
Barbara D. Hill

*We at 1829
Devonshire in Nichols
Hills, OK are in
agreement with Patrick
and Barbara Hill.*

*Sincerely,
Doreen Hampton
Doreen Hampton
Doreen Richardson*

Attachment: PC Letters 12 6 22 (6445 : Crown Castle - Special Permit Application)



Attachment: PC Letters 12 6 22 (6445 : Crown Castle - Special Permit Application)

William Lambert
1824 DEVONSHIRE BOULEVARD
NICHOLS HILLS, OKLAHOMA 73116
314-803-1580

December 1, 2022

Amanda Copeland
City Clerk
City of Nichols Hills
6407 Avondale Drive
Nichols Hills, OK 73116

RE: Case Number PC-2022-06: Special Permit – Existing monopole tower located at 6706
North Pennsylvania Avenue

Members of the Nichols Hills Planning Commission and Nichols Hills City Council,

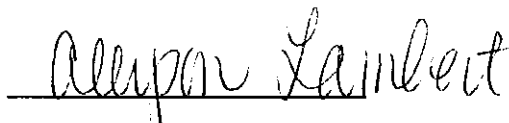
Allyson and I reside at 1824 Devonshire Boulevard, diagonally across Pennsylvania Avenue from the referenced monopole tower. We wanted to formally register our strong objection to the proposed installation of additional antennas or equipment to the tower. In its current location and configuration, the monopole is a blemish to the community and a significant detriment to the city park. The addition of antennas and equipment on this pole would further adversely impact property values and the stature of the neighborhood.

We respectfully request that the City of Nichols Hills not approve the Crown Castle USA, Inc. Application and deny the requested special permit to replace and/or add new antennas and other equipment to the referenced monopole. We are unfortunately unable to attend the council meeting due to a pre-existing conflict, but please know that we strongly oppose the application, and our lack of in-person presence on Tuesday December 6th is in no way representative of the gravity of our concerns.

Thank you for your consideration,



William Lambert



Allyson Lambert

Patrick N. Hill
1820 DEVONSHIRE BOULEVARD
NICHOLS HILLS, OKLAHOMA 73116
405-848-0282

VIA HAND DELIVERY

November 30, 2022

Amanda Copeland
City Clerk
City of Nichols Hills
6407 Avondale Drive
Nichols Hills, OK 73116

RE: Special Permit – Existing monopole tower located at 6706 North Pennsylvania Avenue

Members of Planning Commission and City Council,

Barbara and I reside at 1820 Devonshire Boulevard, near the referenced monopole tower. We strongly object to the installation of additional antennas or equipment to the tower. In its current location and configuration, the monopole is an eyesore and detriment to the city park within which it is located. Hanging more antennas and equipment on this pole would make an unfortunate situation worse and not be in the best interest of our community.

We respectfully request that the City of Nichols Hills not approve the Crown Castle USA, Inc. Application and deny the requested special permit to replace and/or add new antennas and other equipment to the referenced monopole.

Thank you for your consideration of our concerns.

Sincerely,



Patrick N. Hill



Barbara D. Hill



VIEW OF MONOPOLE FROM OUR FRONT YARD.

Published in _____ on _____, 2023

ORDINANCE NO. _____

AN ORDINANCE ADOPTING OUTDOOR LIGHTING REGULATIONS;
REPEALING ALL CONFLICTING ORDINANCES OR PARTS OF ORDINANCES;
PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

EMERGENCY ORDINANCE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NICHOLS HILLS,
OKLAHOMA:

Section 1. Chapter 50, *Zoning*, Article II, *District Regulations*, of the Nichols Hills City Code is hereby amended by the addition of Division 9, with new language underlined, to wit:

Division 9 – Outdoor Lighting Regulations

Sec. 50-400. Definitions.

The following words, terms and phrases, when used in this Division, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

Backlight means for an outdoor Luminaire, Lumens emitted in the quarter sphere below horizontal and in the opposite direction of the intended orientation of the Luminaire. For Luminaires with symmetric distribution, backlight will be the same as front light.

Footcandle means the unit of measure expressing the quantity of light received on a surface. One Footcandle is the illuminance produced by a candle on the surface of one foot square from a distance of one foot.

Fully Shielded Luminaire means a Luminaire constructed and installed in such a manner that all light emitted by the Luminaire, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the Luminaire, is projected below the horizontal plane through the Luminaire's lowest light-emitting part.

Glare means lighting entering the eye directly from Luminaires or indirectly from reflective surfaces that causes visual discomfort or reduced visibility.

Lamp means a generic term for a source of optical radiation (i.e. light), often called a "bulb" or "tube." Examples include incandescent, fluorescent, high-intensity discharge (HID) lamps, low pressure sodium (LPS) lamps, and light-emitting diode (LED) modules and arrays.

Landscape lighting means lighting of trees, shrubs, or other plant material and other landscape features.

LED means Light Emitting Diode.

Light Source means a device, which, when activated (electronically or otherwise), emits light. Light Sources include incandescent filament bulbs, electric discharge bulbs, light emitting diodes (LED), halogen bulbs, fluorescent bulbs, compact fluorescent bulbs (CFL), and metal halide bulbs.

Light Trespass means light that falls beyond the property it is intended to illuminate. Light Trespass includes unwanted spillage of light onto adjacent areas that may affect sensitive receptions, particularly residential properties and ecological sites.

Lighting means “electric” or “man-made” or “artificial” light.

Lighting Controls means a control device or system designed to control the time a Luminaire is lit, such as a timer; motion detector; a photoelectric switch (a control device employing a photocell or photodiode to detect daylight and automatically switch lights off when sufficient daylight is available); an astronomic time switch (an automatic lighting control device that switches Outdoor Lighting relative to time of solar day within time of year correction); or equivalent functions from a programmable lighting controller, Building automation system or lighting energy management system, all with battery or similar backup power or device.

Low Voltage Landscape Lighting means landscape lighting powered at less than 15 volts and limited to Luminaires having a rated initial Luminaire Lumen output of 525 Lumens or less.

Lumen means the unit of measure used to quantify the amount of light produced by a lamp or emitted from a Luminaire (as distinct from “Watt” which is a measure of power consumption).

Luminaire means the complete lighting unit (fixture), consisting of a lamp or lamps and ballast, together with the parts designed to distribute the light (reflector, lens, diffuser) to position and protect the lamps, and to connect the lamps to the power supply.

Luminaire Lumens means for Luminaires with relative photometry per IES, the sum of the initial Lamp Lumens for all lamps within an individual Luminaire, multiplied by the Luminaire efficiency. If the efficiency is not known for a single-family or two-family residence, assume 70%. For Luminaires with absolute photometry per IES LM-79, it is the total Luminaire Lumens. The Lumen rating of a Luminaire assumes the lamp or Luminaire is new and has not depreciated in light output.

Mounting Height means the height of the photometric center of a Luminaire above grade level.

New Lighting means lighting for areas not previously illuminated; newly installed lighting of any type except for Replacement Lighting or lighting Repairs.

Outdoor Lighting means lighting equipment installed within the property line and outside the Building envelopes, whether attached to Buildings or Structures, poles, the earth or any other location and associated Lighting Controls.

Preexisting Luminaire means a Luminaire existing as of the effective date of this Division that was permitted and installed in accordance with the adopted codes and regulations applicable at the time of installation of the Luminaire.

Repair(s) [of a Luminaire] means the reconstruction or renewal of any part of an existing Luminaire for the purpose of its ongoing operation, other than re-lamping or replacement of components including capacitor, ballast or photocell. Note that retrofitting a Luminaire with a new lamp and/or ballast technology is not considered a Repair and for the purposes of this Division, the Luminaire will be treated as if new. Repair does not include normal re-lamping or replacement of components, including capacitors, ballasts, drivers or photocells.

Replacement Lighting means lighting installed specifically to replace existing lighting that is sufficiently broken to be beyond repair.

Shielding means an opaque material that blocks the transmission of light. Shielded means a Luminaire has had Shielding used to block the transmission of light.

Unshielded Luminaire means a Luminaire capable of emitting light in any direction, including downwards.

Uplight means for an exterior Luminaire, flux radiated in the hemisphere at or above the horizontal plane.

Watt means measure of power consumption.

Sec. 50-401. Purpose of the Outdoor Lighting regulations; dark sky principles.

The purpose of this Division is to meet the standards for Outdoor Lighting set out in the Nichols Hills Building Commission Building, Demolition, Design, and Construction Guidelines regarding privacy and lighting and to provide regulations that support the “dark sky” principles for responsible Outdoor Lighting stated by the International Dark Sky Association:

- (1) Use light only if it is needed. All Outdoor Lighting should be useful and have a clear purpose.

- (2) Direct light so it falls only where it is needed. Use Shielding and careful aiming to target the direction of the outdoor light beam so that it points downward and does not trespass beyond where it is needed.
- (3) Light should be no brighter than necessary. Use the lowest light level required. Be mindful of surface conditions, as some conditions may reflect more light into the night sky than intended.
- (4) Use light only when it is needed. Use Lighting Controls to ensure that Outdoor Lighting is available when it is needed, dimmed when possible, and turned off when not needed.
- (5) Use warmer color lights. Limit the amount of shorter wavelength (blue-violet) light to the least amount needed.

The City has based most of its Outdoor Lighting regulations on those regulations for Lighting Zone 1 “Low ambient lighting” zone as determined by the International Dark Sky Association. The City evaluates Outdoor Lighting in its review processes to ensure that the functional and security needs of each property are met in a way that does not adversely affect the adjacent properties or neighborhood. The degree to which Outdoor Lighting at Night (LAN) affects a property owner or neighborhood will be examined by considering the Light Source, Luminaire type, Mounting Height, location, Lumen output, level of illumination (Footcandles), hours of illumination (Lighting Controls), and need for illumination in relation to the effects of the lighting on the adjacent property owners and the neighborhood.

Sec. 50-402. Permits required to install Outdoor Lighting when Electrical Code Permit is required.

When the City Code requires an Electrical Permit, as set out in Chapter 8, Article III, New Lighting and Replacement Lighting may not be installed in any Zoning District until an Outdoor Lighting Permit for such lighting has been issued by the Code Official or his designee in accordance with this Division.

Sec. 50-403. Application for Outdoor Lighting Permit.

Persons wishing to install New Lighting and/or Replacement Lighting for which a Permit is required pursuant to Section 50-402 shall file a written application for an Outdoor Lighting Permit to do so on an application form supplied by the City Clerk. Applications must be certified by the owner(s) of the property. An Outdoor Lighting Plan meeting the requirements set out in Section 50-412 and all other information required by the application form, must accompany the application. The application will be considered officially submitted and filed only after it is examined by the Code Official or his designee and found to be complete. Installation of the Outdoor Lighting may not be commenced until an Outdoor Lighting Permit has been issued by the City.

Sec. 50-404. Application fee for Outdoor Lighting Permit.

A nonrefundable fee in the amount established in the City Fee Schedule must be paid to the City by the applicant with submission of the application for an Outdoor Lighting Permit.

Sec. 50-405. Code Official review; issuance of Outdoor Lighting Permit.

The Code Official or his designee shall examine or cause to be examined all applications for Outdoor Lighting Permits within a reasonable period of time after filing. If the application or required documents do not meet the requirements of the City, the application shall be rejected, in writing, stating the reasons therefor. If the City requirements have been met, the City shall issue the applicable Permit as soon as practicable. The Permit will be valid for six months from the date of issuance.

Sec. 50-406. Revocation of Outdoor Lighting Permit.

The Code Official shall have the power to revoke any Outdoor Lighting Permit upon determination by the City of any material departure from compliance the plans and specifications submitted to the City with the application or of any false statements or representations as to material fact relating to the installation of the Outdoor Lighting.

Sec. 50-407. Conformance with applicable Codes.

All Outdoor Lighting must be installed in conformance with the provisions of this Code, including the National Electric Code, as adopted by the City, and other applicable provisions of Chapter 8 regarding the City's electrical and Building codes.

Sec. 50-408. Applicability; exemptions; nonconforming Luminaires (grandfathering).

(a) Applicability. Except as otherwise specified in this Section, all Outdoor Lighting installed after the effective date of this Division must comply with this Division, whether attached to Buildings or Structures, poles, the earth or any other location. Compliance is required regardless of whether an Outdoor Lighting Permit is required by this Division or not.

(b) Repairs. Repairs to existing Luminaires (including Preexisting Luminaires) are not regulated by this Division, provided such Repairs do not exceed 30% of total installed Luminaires. Repairs comprising more than 30% of total installed Luminaires require an Outdoor Lighting Permit as set out in Section 50-402.

(c) Exemptions. The following are not regulated by this Division:

- (1) Any City-owned and operated lighting, including lighting within public right-of-way for the principal purpose of illuminating streets, traffic

control signals and devices, and lighting for public monuments and statuary.

- (2) Lighting solely for signs or self-illuminated signage.
- (3) Underwater lighting in swimming pools and other water features.
- (4) Decorative seasonal lighting from October 30th to February 1st, provided that individual lamps are less than 10 Watts and 70 Lumens.
- (5) Low Voltage Landscape Lighting provided that it is aimed away from adjacent properties.
- (6) Downward aimed lighting of the United States and State of Oklahoma flags with no more than two Luminaires per flag.
- (7) Gas flame lanterns produced directly or indirectly by the combustion of natural gas or other utility-type fossil fuels.
- (8) Outdoor Lighting used exclusively during public special events conducted by the City or for which the City has granted a Permit.
- (9) Residential party lights illuminated only for temporary social gatherings, including string lights and lanterns, provided that such lighting does not cause Light Trespass or Glare.
- (10) Lighting that is used by federal, state, county or local authorities and their authorized representatives under emergency conditions or as road hazard warnings.

(d) Preexisting Luminaires. Outdoor Lighting installed prior to the effective date of this Division must comply with the following.

- (1) New or changed use of property. Whenever there is a new use of a property (through a zoning or variance change) or the use on the property is changed, all Outlook Lighting on the property must be brought into compliance with this Division before the new or changed use commences.
- (2) Additions to Dwellings. If an Addition is made to a Dwelling that adds 30 percent or more of the square footage of the air-conditioned space then existing in the Dwelling and that property has Preexisting Luminaires, all of the Outdoor Lighting must be brought into compliance with this Division for New Lighting before the City will issue a Certificate of Occupancy.

- (3) Major Additions in the Multiple-Family Residential, Church, Office, and Retail Zoning Districts. If a major addition occurs on a property in the R-3 Multiple-Family Residential District, the U-4 Church District, the C-1 Office District, or the C-2 Retail Business District, the Outdoor Lighting for the entire property must be brought into compliance with this Division for New Lighting. For purposes of this subsection, a major addition means an addition of 30% or more in terms of additional Dwelling units, gross floor area or parking spaces, either with a single addition or with cumulative additions after the effective date of this Division.
- (4) Addition, modification and replacement of Preexisting Luminaires. Once modifications or replacement of Luminaires on a property exceeds 30% of installed Preexisting Luminaires (through single or cumulative additions), all of the Outdoor Lighting must be brought into compliance with this Division for New Lighting.

(e) Resumption of use after abandonment. If a property with nonconforming Outdoor Lighting is abandoned or remains vacant for a period of 12 months or more, all Outdoor Lighting on the property must be brought into compliance with this Division for New Lighting before any further use of the property occurs or before the City will issue a Certificate of Occupancy.

Sec. 50-409. All Zoning Districts - general standards for Outdoor Lighting.

(a) Light Trespass. Lighting emanating from any Lot that unnecessarily illuminates any other Lot and substantially interferes with the use or enjoyment of such other Lot is prohibited. Lighting unnecessarily illuminates another Lot if it clearly exceeds the standards set forth in this Division, if the light shines directly into or toward a residence, or if the standards set forth in this Division could reasonably be achieved in a manner that would not substantially interfere with the use or enjoyment of neighboring properties. All Luminaires must be located, aimed or Shielded so as to minimize Light Trespass.

(b) Maximum vertical light levels at any point in plane of property lines. Light Trespass is measured by vertical readings in Footcandles at the brightest point on the property line. In order to minimize Light Trespass onto neighboring properties, the maximum light level at a property line may not exceed the following:

- (1) two-tenths (0.2) Footcandles for the Single-Family and Two-Family Residential Zoning Districts and for the Multiple-Family Residential, Church, Office, and Retail Zoning Districts bordering the Single-Family and Two-Family Residential Zoning Districts.
- (2) Properties within the Multiple-Family Residential, Church, Office, and Retail Zoning Districts must also reduce Light Trespass at the property line to a maximum of three-tenths (0.3) Footcandles; provided that such

properties may have Light Trespass onto public rights-of-way at main entrances or exists to a level not to exceed five-tenths (0.5) Footcandle and to a level not to exceed four-tenths (0.4) Footcandle at other portions of the right-of-way.

(c) Glare. All Outdoor Lighting must be designed such that the (bulb) point Light Source is not directly visible from adjoining properties or the adjacent public rights-of-way. Luminaires must be placed so as not to cause Glare beyond the property boundary and must be Shielded such that Glare from the Light Source is not directly visible from normal viewing angles on any other residential property line.

(d) Light Sources must be concealed or Shielded. Light Sources must be concealed or Shielded to mask the surface of the bulb or light-emitting element from adjacent properties or adjoining rights-of-way. All lights must be directed downward.

(e) Lighting Controls required. Lighting Controls are required to automatically extinguish all Outdoor Lighting when sufficient daylight is available.

(f) Lighting style. The style of lights must be consistent with the style and character of architecture of the applicable Building.

(g) Lighting color. Outdoor Light Sources must produce accurate color rendition. Warmer color lights must be used, with a minimum of Correlated Color Temperature (CCT) rating of 2600 Kelvin and a maximum of 3200 Kelvin; and (2) a minimum Color Rendering Index (CRI) rating of 80, each as provided by the manufacturer's specifications.

(h) Architectural and landscaping lighting. Outdoor Lighting used to illuminate flags, statues, signs or other objects mounted on a pole, pedestal or platform, spotlighting or floodlighting used for architectural or landscape purposes, must use full cutoff or directionally Shielded lighting fixtures that are aimed and controlled so that the directed light is substantially confined to the object intended to be illuminated.

Sec. 50-410. Single-Family and Two-Family Residential Zoning Districts – additional standards for Outdoor Lighting.

In addition to the standards set out in Section 50-409, all Outdoor Lighting installed in the E-1 Estate District, the E-2 Urban Estate District, the R-1-75 Single-Family Residential District, the R-1-60 Single-Family Residential District, and the R-2 Two-Family Residential District, must meet the following standards and requirements:

(a) Shielding and Lumen output. All outdoor Luminaires must be fully Shielded and may not exceed an allowed Lumen output of 1260 Lumens, with the following exceptions:

- (1) One partly Shielded or unshielded Luminaire at the main entry of a Dwelling, not to exceed an allowed Lumen output of 420 Lumens for such Luminaire.
- (2) Any other partly Shielded or unshielded Luminaires (excluding the main entry), not to exceed an allowed Lumen output of 315 Lumens.
- (3) Shielded directional flood lighting aimed so that direct Glare is not visible from the adjacent properties and not exceeding an allowed Lumen output of 1260 Lumens.
- (4) Open flame gas lights.
- (5) Lighting installed with a vacancy sensor, where the sensor extinguishes the lights no more than 15 minutes after the area is vacated.
- (6) Lighting exempt pursuant to Section 50-408.

(b) Height. Luminaires installed within 25 feet of any property line or public right-of-way may not be located at a Mounting Height greater than 20 feet. All other Luminaires may not be located at a Mounting Height great than 30 feet. Second floor balconies and outdoor stairways may be lit with downward-directed fully-Shielded Luminaires.

(c) Landscape lighting. In addition to the restrictions for Low Voltage Landscape Lighting, Uplighting is permitted only if the light distribution from the Luminaire is effectively contained by an overhanging architectural or landscaping element. Such elements may include awnings, dense shrubs or tree canopies, which can functionally reflect illumination back to the ground.

(d) Flood light restrictions. In addition to the restrictions set out above, flood lights must be focused on the task, fully Shielded, down directed, and screened from adjacent properties in a manner that prevents Light Trespass.

Sec. 50-411. Multiple-Family Residential, Church, Office, and Retail Zoning Districts – additional standards for the Outdoor Lighting.

In addition to the standards set out in Section 50-409, all Outdoor Lighting installed in the R-3 Multiple-Family Residential District, the U-4 Church District, the C-1 Office District, and the C-2 Retail Business District must meet the following standards and requirements:

(a) Total Site Lumen limit. The total installed initial Luminaire Lumens of all Outdoor Lighting on a Building Site may not exceed a total site Lumen limit which is determined using either the Parking Space Method or the Hardscape Area Method, each described below. Only one method may be used per Permit application. For sites with existing Outdoor Lighting, such existing lighting may be included in the calculation of total

installed Lumens. The total installed initial Luminaire Lumens in calculated as the sum of the initial Luminaire Lumens for all Luminaires. The Parking Space method and the Hardscape Area Method are described as follows:

- (1) The Parking Space method may only be applied to properties with up to 10 parking spaces (including handicapped accessible spaces. The allowed total initial Luminaire Lumens per Building Site is 630 Lumens per parking space.
- (2) The Hardscape Area method may be used for any project. The allowed total initial Luminaire Lumens per Building Site is 2.5 Lumens per square foot of hardscape.

(b) *Parking Lot Illumination.* All parking lot lighting must have no light emitted above 90 degrees. Parking lots must be illuminated as unobtrusively as possible to meet the functional needs of safe circulation and protecting people and property. Outdoor Lighting used to illuminate parking spaces, driveways, and maneuvering areas must be designed, arranged, and Shielded so that the point Light Source is not visible from adjoining lots or streets.

(c) *Height.* Outdoor Lighting (except parking lot lighting) must be located at a Mounting Height that is 16 feet or less in height unless it is:

1. Building-mounted lighting fully Shielded, directed downward at a sign or Building façade; or
2. Lighting on above-grade decks or balconies that is fully Shielded.

(d) *Material and color.* Concrete or wood poles must be used for the support of freestanding Luminaires. Poles must be low reflectance, subtle, neutral or earth tone colors or original factory metal finish.

Sec. 50-412. Outdoor Lighting Plans – requirement and specifications.

When an Outdoor Lighting Permit is required pursuant to Section 50-402, the installation of New Lighting and the installation of Replacement Lighting requires submission of an Outdoor Lighting Plan with the Electrical Permit Application or with the Building Commission Certificate of Approval Application, as applicable. Outdoor Lighting Plans must be prepared by a certified electrical engineer, architect, landscape designer, landscape architect or lighting designer, and must meet the applicable requirements set out in this Division. Outdoor Lighting Plans must include the following information:

- (a) The address of the property and its Owner.

- (b) The name, address, and contact information of the party who prepared the Outdoor Lighting Plan.
- (c) North arrow and scale.
- (d) The location of existing property lines and dimensions of the tract, accurately drawn to scale.
- (e) Exact locations and outline of all rights-of-way.
- (f) The location of all existing and proposed Buildings, and parking areas, if any, including the exact number of parking spaces provided.
- (g) The location and size of any permanent Luminaires or structures including sidewalks, walls, fences, trash enclosures, existing lighting fixtures, signs, and benches, that are relevant to the Outdoor Lighting Plan.
- (h) The location, size, and type of all existing above-ground and underground public utilities with notations, where appropriate, as to any safety hazards to avoid during installation of Outdoor Lighting. Alternatively, a letter of no objection provided by the utility company may be required.
- (i) The proposed location, size, Mounting Height, type, spacing (on center), and quantity of all proposed Outdoor Lighting devices, Luminaires, lamps, supports, reflectors, and other devices. The description may include catalog cuts by manufacturers and drawings. The mounting height of all Luminaires must be included. The Light Source type, rated Lumens and Wattage of each Light Source must be included.
- (j) The type of compliant Luminaire (such as full-cutoff, partial cut-off, lantern, wall pack).
- (k) The Backlight, light, and Glare rating for each proposed Luminaire.
- (l) Calculations for site illumination resulting from the proposed lighting, measured in Footcandles, including minimum, maximum, and average Footcandles and uniformity ratios.
- (m) If Building walls are to be illuminated or if façade mounted Luminaires are to be used, dimensioned drawings to scale of all relevant Building elevations showing the Luminaires and the portions of the walls to be illuminated with calculated point-by-point light levels.
- (n) Photometric plan showing the angle of cut off or light emissions in Footcandles across the entire property and at the property lines. Luminaire data sheets. A waiver of the photometric plan requirement may be granted by the Code

Official upon request for certain small-scale, low-impact developments so long as the other submittal requirements of this Section are met.

- (o) A statement from the Owner or party who prepared the Outdoor Lighting Plan that the Outdoor Lighting depicted on the plan will comply with the requirements of this Division after installation.
- (p) Other information deemed necessary by the applicant to document compliance with this Division.

Sec. 50-413. Prohibited Outdoor Lighting.

The following types of Outdoor Lighting are prohibited:

- (1) Use of laser source lights, searchlights, flashing or rotating lights or any similar high intensity lights for outdoor advertising or entertainment, when projected above the horizontal.
- (2) Lights of high intensity, primary or fluorescent colors.
- (3) “Cobra head” type lighting fixtures having dished or “drop” lenses or refractors that house other than incandescent Light Sources.
- (4) Roof lights (Light Sources affixed to the top of a roof), except where required by the applicable Building Code.
- (5) Unshielded Light Sources, except as specifically allowed by this Division in the Single-Family and Two-Family Residential Zoning Districts.
- (6) Flood illumination of Buildings from the ground or on pole-mounted lights or by lights mounted on adjoining structures. Buildings with symbolic or historical significance, such as churches or other public Buildings, may request exemptions to this prohibition.
- (7) Lights that flash, move, revolve, blink, flicker, vary in intensity, change color or use intermittent electrical pulsation (unless such lighting is included within an exception listed in Section 50-408.
- (8) Mercury vapor and low-pressure sodium lighting.
- (9) Lighting that emulates or could be confused with warning, emergency or traffic signals.

Sec. 50-414. Enforcement of Outdoor Lighting regulations.

The provisions of this Division shall be enforced by the Code Official, and it shall be unlawful for any person to interfere with or hinder the Code Official and his/her duly appointed representative(s) in the exercise of their duties under this Division. Notwithstanding any provisions contained herein to the contrary, the Code Official and his/her duly appointed representative(s) are hereby granted the authority to issue immediate citations to persons violating any provision of this Division.

Sec. 50-415. Nuisance declared; violation.

Any Outdoor Lighting installed or maintained in a manner that is prohibited by this Division is hereby declared to constitute a nuisance. Any person who shall violate any of the provisions of this Division shall also be guilty of an offense and may be dealt with and abated as such. Any person maintaining any such nuisance is guilty of an offense, and each day upon which such nuisance continues is a separate offense. and upon conviction thereof, shall be pushed as provided in Section 1-17.

Section 2. Section 50-188 is hereby amended, with new language underlined, to wit:

Sec. 50-188. Building permits.

(c) *Procedures.* Application for a Building Permit shall be made with the Director of Public Works on forms provided by the City. The applicant must have first obtained a Certificate of Approval from the Building Commission for the proposed construction if required by Article V of this Chapter. Administrative review of the application shall begin upon submittal of the complete application and the required application fee. To be considered complete, the following supporting information must accompany the application.

- (1) *For single-family and two-family dwellings.*

- f. An Outdoor Lighting Plan as required by Division 9, Article II of this Chapter.

- (2) *For multifamily (three or more), commercial, and public buildings, and all public and private institutional development.*

- c. Two copies of a plot plan, drawn to scale, showing the following information on one or more sheets:

14. An Outdoor Lighting Plan as required by Division 9, Article II of this Chapter.

Section 3. Section 50-372 is hereby amended, with deleted language stricken through and new language underlined, to wit:

Sec. 50-372. Application for Certificate of Approval.

Applications for Certificates of Approval shall be filed with the City on forms provided by the City Clerk. Two originals and a digital version of the application and all required documents must be submitted. Applications must be certified by the owner(s) of the property. The following attachments (the details for which are stated in the application form), and all other information required by the application form, must accompany the application:

(b) For construction of a new Main or Secondary Building, or construction of an Addition to an existing Main or Secondary Building:

- (8) ~~For new main or secondary buildings, an exterior lighting plan. For additions to main or secondary buildings, an exterior lighting plan is required if changes to existing conditions are to be made.~~
- (9) For church, office, and commercial Buildings, additional information may be required by the Building Commission.
- (109) For Additions to Buildings, pictures of the subject Building(s).
- (110) Color and material samples, if available and if applicable to the proposed work.
- (121) Drawings, images, and plans showing details of the project, including information reflecting the impact on privacy of adjacent Buildings.
- (1312) The name and address of the proposed general contractor for the project.
- (1413) Street-level front elevation for all street-facing sides, drawn to scale, showing Buildings and yards on either side of the proposed project.

Section 4. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 5. The provisions of this ordinance are severable and if any part or provision hereof shall be adjudged invalid by any court of competent jurisdiction, such adjudication shall not affect or impair any of the remaining parts or provisions hereof.

Section 6. EMERGENCY SECTION. WHEREAS, in the judgment of the Council it is necessary for the preservation of the peace, health, welfare and safety of the City of Nichols Hills, Oklahoma, and of the inhabitants thereof that the provisions of this ordinance be put into full force and effect immediately, and therefore an emergency is hereby declared to exist by reason whereof this ordinance shall take effect and be in full force from and after its passage as provided by law.

PASSED by the Council of the City of Nichols Hills, Oklahoma, on the _____ day of _____, 2023.

APPROVED by the Mayor of the City of Nichols Hills, Oklahoma, on the _____ day of _____, 2023.

ATTEST:

Mayor

City Clerk

Reviewed as to Form and Legality:

City Attorney

Published in _____ on _____, 2023

ORDINANCE NO. _____

AN ORDINANCE AMENDING CHAPTER 50 OF THE NICHOLS HILLS CITY CODE REGARDING SOLAR ENERGY SYSTEMS; REPEALING ALL CONFLICTING ORDINANCES OR PARTS OF ORDINANCES; PROVIDING FOR SEVERABILITY; AND DECLARING AN EMERGENCY.

EMERGENCY ORDINANCE

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NICHOLS HILLS, OKLAHOMA:

Section 1. Chapter 50, *Zoning*, Article II, *District Regulations*, of the Nichols Hills City Code is hereby amended by the addition of Division 12, with new language underlined, to wit:

DIVISION 12. SOLAR ENERGY SYSTEMS

Sec. 50-700. Definitions.

The following words, terms and phrases, when used in this Division, shall have the meanings ascribed to them in this Section, except where the context clearly indicates a different meaning:

Ground-Mounted Solar Energy System means a Solar Energy System mounted on the ground and not attached to any other structure other than structural supports.

Roof-Mounted Solar Energy System means a Solar Energy System that is structurally mounted to the roof of a Building or Structure.

Solar Energy System means a system intended to convert solar energy into thermal, mechanical or electrical energy. Solar Energy Systems may be Ground-Mounted or Roof-Mounted and may be comprised of Solar Panels or Solar Tiles. Solar power systems that provide energy to heat swimming pools or Accessory Structures are not Solar Energy Systems for purposes of this Division.

Solar Panel means a group of photovoltaic cells assembled on a panel and which are assembled on-site into solar arrays.

Solar Tile means photovoltaic roof tiles designed to look like and function as conventional roofing materials, such as asphalt shingles or slate.

Sec. 50-701. Solar Energy System Permits required to install Solar Energy Systems.

Solar Energy Systems may not be installed in any Zoning District until a Solar Energy System Permit therefor has been issued by the Code Official or his designee in accordance with this Division.

Sec. 50-702. Application for permit to install Solar Energy Systems.

Persons wishing to install a Solar Energy System shall file a written application for a Solar Energy System Permit to do so on an application form supplied by the City Clerk. Applications must be certified by the owner(s) of the property. The following attachments (the details of which are stated in the application form) and all other information required by the application form, must accompany the application:

- (1) A site plan showing the project address, scope of work, property lines, footprint of the Buildings and Structures on the property, and location of the proposed Solar Energy System.
- (2) Blueprints or drawings of the Solar Energy System showing the proposed layout of the system, the distance between the proposed system and all Property Lines, and the tallest finished height of the proposed system.
- (3) Name, address, and contact information for proposed system installer.
- (4) Documentation that the owner has submitted notification to the utility company of the customer's intent to install an interconnected customer-owned generator. Off-grid systems are exempt from this requirement.

The application will be considered officially submitted and filed only after it is examined by the Code Official or his designee and found to be complete. Installation of the Solar Energy System may not be commenced until a Solar Energy System Permit has been issued by the City.

Sec. 50-703. Application fee for Solar Energy System Permit.

A nonrefundable fee in the amount established in the City Fee Schedule must be paid to the City by the applicant with submission of the application for a Solar Energy System Permit.

Sec. 850-704. Code Official review; issuance of Solar Energy System Permit.

The Code Official or his designee shall assess the application. A Solar Energy System Permit shall be issued by the Code Official or his designee if he finds that the applicant has complied with all of the applicable provisions of this Division. The permit will be valid for six months from the date of issuance.

Sec. 50-705. Revocation of Solar Energy System Permit.

The Code Official shall have the power to revoke any Solar Energy System Permit upon determination by the City of any material departure from compliance the documents submitted to

the City with the application or of any false statements or representations as to material fact relating to the design, construction, installation, alteration or repair of the Solar Energy System.

Sec. 50-706. Standards for Solar Energy Systems in all Zoning Districts.

Solar Energy Systems installed on any property within the City must comply with the standards and requirements in this Section regardless of Zoning District classification, as follows.

(a) *Design, construction, installation, alteration and repair of Solar Energy Systems must comply with applicable laws and standards.* All Solar Energy Systems must comply with and be designed, constructed, installed, altered, and repaired in accordance with applicable law, including the applicable provisions of the National Electric Code and the International Codes as adopted by the City, and the International Code Committee's 2021 Solar Energy Provisions. The City recognizes that new technologies may be developed in the future related to Solar Energy Systems. It is the City's intent that installation of all Solar Energy Systems in the City and the manufacture of such systems to be installed in the City comply with the highest and best installation standards then in effect as stated in applicable law and published standards.

(b) *Installer accreditation.* Solar Energy Systems must be installed and serviced by a company with at least one NABCEP Board Certified PV Installation Professional (PVIP) on staff.

(c) *Conditions on issuance of permits.* The Code Official is authorized to impose conditions on issuance of Solar Energy System Permits to address health and safety concerns.

(d) *Inspection.* All installation work for a Solar Energy System for which a permit is required shall be subject to inspection by the Code Official.

Sec. 50-707. Additional standards and requirements for Roof-Mounted Solar Energy Systems.

In addition to meeting the applicable standards and requirements set out in Section 50-706, all Roof-Mounted Solar Energy Systems must meet the following standards and requirements:

(a) *Location.* Roof-Mounted Solar Energy Systems may be located on any roof face of a Main Building, a Secondary Building or Accessory Building or Accessory Structure; provided, however, Solar Panels may not be located on a street-facing side of the roof. In the Residential Zoning Districts, Solar Panels may be located only on the portion of the roof facing the Rear Yard or on the portion of the roof facing a Side Yard that faces south. Solar Tiles may be installed on any part of a roof.

(b) *Flush Mount.* Solar Panels must be flush mounted whenever possible.

(c) *Height.* Roof-Mounted Solar Energy Systems may not extend beyond: (1) 12 inches parallel to the roof surface in the Single-Family and Two-Family Residential Zoning Districts; and (2) 36 inches parallel to the roof structure in the R-3 Multiple-Family Residential District, the U-4 Church District, the C-1 Office District, and the C-2 Retail Business District.

(d) Extension. A Roof-Mounted Solar Energy System may not extend beyond the exterior perimeter of the Building or Structure on which it is mounted.

(e) Materials. All materials used for racking, mounts, mounting clamps, and flashings must be of a color consistent with the color of the roof surface to minimize visibility.

(f) Emergency access. Roof-mounted Solar Energy Systems must be located in such a manner as to ensure emergency access to the roof, provide pathways to specific areas of the roof, provide for smoke ventilation opportunities, and provide emergency egress from the roof.

Sec. 50-708. Additional standards and requirements for Ground-Mounted Solar Energy Systems.

In addition to meeting the applicable standards and requirements set out in Section 50-706, all Ground-Mounted Solar Energy Systems must meet the following standards and requirements:

(a) Location. Ground-Mounted Solar Energy Systems are allowed in the Side Yard or Rear Yard only. Ground-Mounted Solar Energy Systems that are visible from a street or any public way must be screened with landscaping or fencing.

(b) In the Single-Family and Two-Family Residential Zoning Districts, the area of the system surface may not exceed ten percent of the Lot area.

(c) The maximum height of a Ground-Mounted Solar Energy System may not exceed 12 feet when oriented at maximum tilt, measured from the grade at the base of the pole to the highest edge of the system.

(d) The minimum clearance between the lowest point of the system and the surface on which the system is mounted is 12 inches.

(e) The area covered by the system is not included in the calculations for Lot Coverage.

Sec. 50-709. Required maintenance of Solar Energy Systems.

Solar Energy Systems must be maintained in good condition in all respects, including the functioning of the equipment, by the property owner.

Secs. 50-710—50-725. Reserved.

Section 3. All ordinances or parts of ordinances in conflict herewith are, to the extent of such conflict, hereby repealed.

Section 4. The provisions of this ordinance are severable and if any part or provision hereof shall be adjudged invalid by any court of competent jurisdiction, such adjudication shall not affect or impair any of the remaining parts or provisions hereof.

Section 5. EMERGENCY SECTION. WHEREAS, in the judgment of the Council it is necessary for the preservation of the peace, health, welfare and safety of the City of Nichols Hills, Oklahoma, and of the inhabitants thereof that the provisions of this ordinance be put into full force and effect immediately, and therefore an emergency is hereby declared to exist by reason whereof this ordinance shall take effect and be in full force from and after its passage as provided by law.

PASSED by the Council of the City of Nichols Hills, Oklahoma, on the _____ day of _____, 2023.

APPROVED by the Mayor of the City of Nichols Hills, Oklahoma, on the _____ day of _____, 2023.

ATTEST:

Mayor

City Clerk

Reviewed as to Form and Legality:

City Attorney