

Sec. 146-137. - Communications antennas, satellite dishes and support structures/towers.

- (a) Purpose. The purpose of this section is to establish guidelines for the siting of communications antennas, satellite dishes and support structures/towers.
- (b) Intent. The intent of this section is to:
 - (1) Encourage the location of towers in non-residential areas;
 - (2) Minimize the total number of towers throughout the community;
 - (3) Encourage the joint use (collocation) of new and existing towers;
 - (4) Protect the character and integrity of the historic districts; and
 - (5) Enhance the ability of the providers of telecommunications services to provide such services to the community quickly, effectively, and efficiently.
- (c) General regulations. All communications antennas, antenna support structures, satellite dishes and other similar antennas shall comply with the following:
 - (1) All municipally owned antennas, antenna support structures, and satellite dishes shall be permitted in any district (e.g., public safety communications, etc.).
 - (2) Antennas (amateur or commercial) shall comply with all regulations of the Federal Communications Commission (FCC). Additionally, the regulations contained herein shall not apply to the extent that they have been preempted by specific regulations of the FCC to the contrary.
- (d) Specific regulations. Antennas and antenna support structures shall also comply with the following:
 - (1) Residential zoning districts (RED-1, RED-2, RS SM, RS 120, RS 84, RS 72, RS 60, RS 45, RD 30, RG 27, RG 25, RG 18, MF-1, MF-2, MF-3, MP and PD). Commercial antennas and antenna support structures are allowed only as follows:
 - a. A commercial antenna may be attached to a utility structure (e.g., electrical transmission/distribution tower, elevated water storage tank, etc.) regardless of the height of said structure;

provided that the antenna does not extend more than ten feet above the height of said structure.

- b. A commercial antenna may be placed wholly within any building permitted in the zoning district. A commercial antenna may be mounted flush to the exterior of a building/structure if it is painted and/or disguised to integrate into the overall architectural design and is not readily visible/identifiable as an antenna from public roadways or neighboring residential properties.
- c. All commercial signs, flags, lights, and attachments shall be prohibited on any antenna or antenna support structure, unless required for communications operations, structural stability, or as required for flight visibility by the FCC and the Federal Aviation Administration (FAA).
- d. No commercial antenna support structure shall exceed height limitations imposed by virtue of aircraft approach and turning zone height restrictions.

(2) Industrial districts (ML, MH and PD). Commercial antennas and antenna support structures are permitted by right as follows:

- a. A commercial antenna support structure must meet the setback requirements as follows:
 - 1. No antenna, antenna support structure, microwave reflector/antenna, or associated foundations or support wires or appurtenances shall be located within any required setback area for the front, side, or rear yards.
 - 2. No antenna support structure shall be closer to any residential district boundary line or residential dwelling than a distance equal to twice the height of the support structure.
 - (i) Setback/distance shall be measured as the shortest possible distance from the structure to the closest point of a residential district boundary line or residential dwelling.
 - (ii) The additional setback requirements shall not apply to antennas that meet the requirements as provided for in subsections (d)(2)b and (d)(2)c of this section.

- b. A commercial antenna support structure shall be limited in height to a maximum height of 175 feet.
- c. A commercial antenna may be attached to a utility structure (e.g., electrical transmission/distribution tower, elevated water storage tank, etc.) regardless of the height of said structure; provided that the antenna does not extend more than ten feet (10') above the height of said structure.
- d. A commercial antenna may be placed wholly within any building permitted in the zoning district. A commercial antenna may be mounted flush to the exterior of a building/structure if it is painted and/or disguised to integrate into the overall architectural design and is not readily visible/identifiable as an antenna from public roadways or neighboring residential properties.
- e. All commercial signs, flags, lights, and attachments shall be prohibited on any antenna or antenna support structure, unless required for communications operations, structural stability, or as required for flight visibility by the FAA and FCC.
- f. No commercial antenna support structure shall exceed height limitations imposed by virtue of aircraft approach and turning zone height restrictions.

(3) Historic districts (CHD, H overlay, MTC, and PD). Commercial antennas and antenna support structures are permitted by specific use permit as follows:

- a. Commercial antennas and antenna support structures shall be allowed within the historic districts, provided they are designed to blend with and conform to the historic district design standards and character in order to preserve the historic integrity of the district and are approved through the normal historic district design review process for each historic district, prior to the specific use permit being considered by the planning and zoning commission for recommendation to the city council.
- b. All commercial signs, flags, lights, and attachments shall be prohibited on any antenna or antenna support structure unless required for communications operations, structural stability, or as required for flight visibility by the FAA and FCC.

- c. No commercial antenna support structure shall exceed height limitations imposed by virtue of aircraft approach and turning zone height restrictions.
- (4) Non-residential zoning districts except the CHD, H overlay, **MTC**, ML, and MH districts (AG, NC, BN, BG, C, O-1, O, BC, and PD). Commercial antennas and antenna support structures are permitted by specific use permit, except as provided for in subsections (d)(4)e, (d)(4)f and (d)(4)g of this section, which may be allowed without a specific use permit. All commercial antennas in these districts shall comply with the following:
 - a. Commercial antenna support structures must meet the setback requirements as follows:
 - 1. No antenna, antenna support structure, microwave reflector/antenna, or associated foundations or support wires or appurtenances shall be located within any required setback area for the front, side, or rear yards.
 - 2. No antenna support structure shall be closer to any residential district boundary line or residential dwelling than a distance equal to twice the height of the support structure.
 - (i) Setback/distance shall be measured as the shortest possible distance from the structure to the closest point of a residential district boundary line or residential dwelling.
 - (ii) The additional setback requirements shall not apply to antennas that meet the requirements as provided for in subsections (d)(4)e, (d)(4)f and (d)(4)g of this section.
 - b. A commercial antenna support structures may be increased in height beyond the height limits of the zoning district if located at least a distance from any property line equal to three times the height of the support structure, notwithstanding that the maximum height permitted being 125 feet.
 - c. All commercial signs, flags, lights, and attachments shall be prohibited on any antenna or antenna support structure, unless required for communications operations, structural stability, or as required for flight visibility by the FAA and FCC.

- d. No commercial antenna support structure shall exceed height limitations imposed by virtue of aircraft approach and turning zone height restrictions.
- e. A commercial antenna shall be permitted on the roof of a building, as long as it does not extend more than ten feet above the roof of the building and conforms to the maximum building height of the zoning district.
- f. A commercial antenna may be attached to a utility structure (e.g., electrical transmission/distribution tower, elevated water storage tank, etc.) regardless of the height of said structure; provided that the antenna does not extend more than ten feet above the height of said structure.
- g. A commercial antenna may be placed wholly within any building permitted in the zoning district. A commercial antenna may be mounted flush to the exterior of a building/structure if it is painted and/or disguised to integrate into the overall architectural design and is not readily visible/identifiable as an antenna from public roadways or neighboring residential properties.

(e) New antennas and antenna support structures.

- (1) Collocation of antennas and antenna support structures shall be required. No new antennas and antenna support structures shall be permitted unless the applicant demonstrates to the reasonable satisfaction of the city that no existing antenna support structure can accommodate the applicant's proposed antenna. Evidence submitted to demonstrate that no existing tower or structure can accommodate the applicant's proposed antenna may consist of any of the following:
 - a. No existing towers or structures are located within the geographic area, which meet the applicant's engineering requirements;
 - b. Existing towers or structures are not of sufficient height to meet the applicant's engineering requirements;
 - c. Existing towers or structures do not have sufficient structural strength to support the applicant's proposed antenna and related equipment; or
 - d. The applicant demonstrates that there are other limiting factors that render existing towers and structures unsuitable.

- (2) Any proposed commercial wireless telecommunications service tower shall be designed structurally, electrically, and in all respects to accommodate both the applicant's antennas and comparable antennas for at least three additional users if the tower is over 100 feet in height or for at least two additional users if the tower is over 50 feet in height. Towers must be designed to allow for future rearrangements of antennas upon the tower and to accept antennas mounted at varying heights.
- (f) Satellite dishes, parabolic antennas and other similar antennas. Satellite dishes, parabolic antennas, and other similar antennas shall also comply with the following:
- (1) In single family and duplex residential districts, the following regulations shall apply:
 - a. All (any size) satellite dishes, parabolic antennas, and other similar antennas shall be prohibited within the front yard and side yard at corner setback areas.
 - b. Satellite dishes, parabolic antennas, and other similar antennas greater than three feet shall not exceed 12 feet in diameter, shall be allowed only in the rear half of a lot, shall observe accessory building setbacks, and shall be required to receive a permit from the chief building official.
 - c. Satellite dishes shall be permitted on the roof of a building, provided they do not exceed three feet in diameter and do not extend more than ten feet above the roof of the building, except satellite dishes shall be prohibited upon roofs of residential uses within the H overlay district if visible from a public right-of-way.
 - d. Satellite dishes, parabolic antennas, and other similar antennas greater than three feet within the H historic overlay district shall be so located and screened within the rear half of the lot so as to blend with and conform to the historic district's design standards and/or character in order to preserve the historic integrity of the district. Design approval shall be through the normal historic district design review process prior to submitting a permit application to the chief building official.
 - e. Only one satellite dish, parabolic antenna, or other similar antenna shall be permitted per dwelling unit.

(2) In all zoning districts except single family and duplex districts, the following regulations shall apply:

- a. All (any size) satellite dishes, parabolic antennas, and other similar antennas shall be allowed only in the rear half of a lot, and shall observe accessory building setbacks.
- b. Satellite dishes, parabolic antennas, and other similar antennas shall be permitted on the roof of a building, provided they do not exceed three feet in diameter and do not extend more than ten feet above the roof of the building, except satellite dishes shall be prohibited upon roofs of residential uses within the H overlay district if visible from a public right-of-way.
- c. Satellite dishes over three feet in diameter, but not exceeding 12 feet in diameter, may be mounted on the roof of a structure, provided a letter affirming its structural stability is written by a registered architect or engineer and submitted to the chief building official. Roof-mounted satellite dishes may not extend more than 12 feet above the roof of the building. Roof-mounted satellite dishes that comply with the above do not require additional yard setbacks or setbacks from residential areas or dwellings.
- d. Satellite dishes greater than three feet within the CHD, H historic overlay, **MTC**, and PD districts shall be so located and screened within the rear half of a lot as to blend with and conform to the historic district's design standards and character in order to preserve the historic integrity of the district. Design approval shall be through the normal historic district design review process prior to submitting a permit application to the chief building official.
- e. Only one satellite dish, parabolic antenna, or other similar antenna shall be permitted per primary structure, unless specifically required for business needs and approved through the site plan process.