

**WASHINGTON TERRACE CITY
ORDINANCE 14-04**

WIRELESS TELECOMMUNICATION AMENDMENTS

**AN ORDINANCE AMENDING THE MUNICIPAL CODE RELATING TO
WIRELESS TELECOMMUNICATION STANDARDS FOR ANTENNAS
AND ANTENNA SUPPORT STRUCTURES; SEVERABILITY; AND
PROVIDING AN EFFECTIVE DATE.**

WHEREAS, Washington Terrace City (hereafter referred to as “City”) is a municipal corporation, duly organized and existing under the laws of the State of Utah;

WHEREAS, *Utah Code Annotated* §§ 10-8-84 and 10-8-60 authorizes the City to exercise certain police powers and nuisance abatement powers, including but not limited to providing for safety and preservation of health, promotion of prosperity, improve community well-being, peace and good order for the inhabitants of the City;

WHEREAS, the City Council finds it necessary to update its municipal code in order to facility the implementation of contracts for administration of wireless telecommunication;

WHEREAS, the City Council finds it necessary to update its municipal code to protect issues relating to the improvement or preservation of public health, safety, and general welfare;

WHEREAS, after publication of the required notice the planning commission held its public meeting on April 24, 2014, to take public comment on the proposed Ordinance, and subsequently gave its recommendation to approve this Ordinance;

WHEREAS, the council received the recommendation from the planning commission and held its public meeting on May 6, 2014, and desires to act on this Ordinance;

NOW, THEREFORE, be it ordained by the City Council of Washington Terrace City as follows:

Section 1: Repealer. Any word other, sentence, paragraph, or phrase in the municipal code inconsistent with this Ordinance is hereby repealed and any reference thereto is hereby vacated.

Section 2: Amendment. Section 17.62.130 is hereby amended to read as follows:

Chapter 17.62
WIRELESS TELECOMMUNICATIONS

Sections:

17.62.130. Standards for antennas and antenna support structures.

17.62.130. Standards for antennas and antenna support structures.

Personal wireless services facilities are characterized by the type or location of the antenna structure.

1. There are five (5) general types of antenna structures contemplated by this chapter:

- a. Wall mounted antennas.
- b. Roof mounted antennas.
- c. Monopoles with no platform.
- d. Monopoles with a platform.
- e. Stealth facilities.

2. If a particular type of antenna structure is allowed by this chapter as a permitted or conditional use, the minimum standards for that type of antenna are as follows, unless otherwise provided in a conditional use permit:

a. Wall Mounted Antennas:

- i. Maximum height. Wall mounted antennas shall not extend above the roof line of the building or structure or extend more than four feet horizontally from the face of the building.
- ii. Setback. Wall mounted antennas shall not be located within one hundred (100) feet of any residence.
- iii. Mounting. Antennas mounted directly on existing parapet walls, penthouses or mechanical equipment rooms are considered to be wall mounted antennas if no portion of the antenna extends above the roof line of the parapet wall, penthouse or mechanical equipment room.
- iv. Color. Wall mounted antennas, equipment and supporting structures shall be painted to match the color of the building or structure or the background against which they are most commonly seen. Antennas and the supporting structure on the building shall be architecturally compatible with the building.
- v. Restrictions. Whip antennas are not allowed on a wall mounted antenna structure.

b. Roof Mounted Antennas:

- i. Maximum height. The maximum height of a roof mounted antenna shall be eighteen (18) feet above the roof line of the building.
- ii. Setback. Roof mounted antennas shall be located at least five feet from the exterior wall of the building or structure, and at least fifty (50) feet from any residence.
- iii. Mounting. Roof mounted antennas may be mounted on top of existing

- Penthouses or mechanical equipment rooms if the antennas and antenna support structures are enclosed or visually screened from view. The screening structure may not extend more than eight feet above the existing roof line of the penthouse or mechanical equipment room.
- iv. Color. Roof mounted antennas, equipment and supporting structures shall be painted to match the color of the building or structure or the background against which they are most commonly seen. Antennas and supporting structures shall be architecturally compatible with the building.
 - v. Combinations. Any building may have a combination of wall and roof mounted antennas. The total area for all wall and roof mounted antennas and supporting structures on any one building shall not exceed the lesser of sixty (60) square feet or five percent of each exterior wall of the building.
- c. Monopoles with no platform:
- i. Maximum height and width. The maximum height of the monopole or monopole antenna shall be one hundred (100) feet, with the allowance for an antenna or antenna support structure for a maximum of one hundred and ten (110) feet in height. The entire antenna structure mounted on the monopole shall not exceed three feet in width. The antenna itself shall not exceed ten (10) feet in height.
 - ii. Setback. Monopoles shall be set back a minimum of one hundred fifteen (115) percent of the height of the monopole from any residential lot line, measured from the base of the monopole to the nearest residential lot line.
 - iii. Color. Monopoles, antennas and related support structures shall be painted a neutral color, or a color to match the background against which they are most commonly seen.
- d. Monopoles with Platform:
- i. Maximum height and width. The maximum height of the monopole or monopole antenna shall be one hundred (100) feet, with the allowance for an antenna or antenna support structure, for a maximum of one hundred and ten (110) feet in height. The antennas and antenna mounting structures on the monopole shall not exceed eight feet in height or fifteen (15) feet in width. The antenna itself shall not exceed ten (10) feet in height.
 - ii. Setback. Monopoles shall be set back a minimum of one hundred fifteen (115) percent of the height of the monopole from any residential lot line, measured from the base of the monopole to the nearest residential lot line.
 - iii. Color. Monopoles, antennas and related support structures shall be painted a neutral color, or a color to match the background against which they are most commonly seen.
- e. Stealth Facilities:
- i. Maximum height. The maximum height of a stealth facility shall be the maximum structure height on the zoning district in which the stealth facility is located.

- ii. Exceptions. The applicant may exceed the maximum structure height and establish setbacks if allowed pursuant to a conditional use permit.

Section 3: Severability.

If a court of competent jurisdiction determines that any part of this Ordinance is unconstitutional or invalid, then such portion of the ordinance, or specific application of this Ordinance, shall be severed from the remainder, which shall continue in full force and effect.

Section 4: Effective date.

This ordinance shall be effective immediately upon posting or publication after final passage.

ADOPTED AND APPROVED on this 6 day of May, 2014.

_____signature on file_____
Mark C. Allen, Mayor

Attest:

_____signature on file_____
Amy Rodriguez, City Recorder