

Article 4.8: Over-The-Air Reception Devices, Large Satellite Dishes, Satellite Earth Stations, and Amateur Radio Facilities

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4.801 Purpose

The purpose of this Article is to:

- A. Establish standards for Over-The-Air Reception Devices, Large Satellite Dishes, Satellite Earth Stations, and Amateur Radio Facilities;
- B. Minimize the visual impact of communication facilities; and
- C. Provide opportunities for such communication uses within the Town, subject to limits set by federal regulations.

4.802 Applicability

These regulations apply to:

- A. Over-The-Air Reception Devices;
- B. Large Satellite Dish Antennas;
- C. Satellite Earth Stations;
- D. Amateur (HAM) Radio Facilities; and
- E. Expansion and/or alteration of any such existing facilities.
- F. This Article shall not apply to Wireless Communication Facilities, set forth in Article 4.7: Wireless Communication Facilities.

4.803 Use and Development Regulations

- A. ***Land Use Regulations.*** The land use regulations for each base zoning district in Division 2: Land Use Designations, establish the districts in which Amateur Radio Facilities, Large Satellite Dish Antennas, Over-The-Air Reception Devices, and Satellite Earth Stations are permitted. Over-the-air reception devices are

permitted accessory uses in all base zoning districts, pursuant to the standards set forth in this article.

B. ***Over-the-Air-Reception Devices (OTARD) Standards.*** Unless these regulations would cause the installation or use of an OTARD to be unreasonably delayed, prohibited, would cause an unreasonable or increased cost, or would preclude it from reception of an acceptable quality signal, the following standards shall be met.

1. ***Historical Sites.*** Prior to installing an OTARD on a site within the Heritage District Redevelopment Area or on a site listed or eligible for inclusion on the National Register of Historic Places (National Register), the applicant shall notify the Town in writing. The Town may impose design restrictions no more burdensome than necessary to preserve the site for eligibility on the National Register.
2. ***Equal Restrictions.*** The Town shall not impose any greater restriction on an OTARD than is imposed on the installation, maintenance, or use of other modern appurtenances, devices, or fixtures comparable in size, weight and appearance, or safety risk to the OTARD.
3. ***Safety Requirements.*** If the antenna will be placed on a mast exceeding 12 feet above the roofline, the applicant shall obtain a building permit before installation due to safety concerns posed by wind loads and the risk of fall. Before installation, the applicant shall submit to the Town a technical description of the antenna, anchorage features, and mast. If the Town determines the mast will pose a safety hazard to persons or property, the Town may prohibit installation.
4. ***Location.*** Antennas shall be located outside of the required front yard.

C. ***Large Satellite Dish Antennas.*** Large Satellite Dish Antennas, other than Satellite Earth Station antennas, are subject to the following standards:

1. ***General Standards.***
 - a. The antenna shall be the smallest diameter allowed by current technology to receive or transmit desired communications, but in no case shall exceed a diameter of 10 feet.
 - b. Ground-mounted large satellite dish antennas shall be located in the rear one-half of the lot or parcel.
 - c. Screen fencing shall be architecturally compatible with buildings or fencing on the property or adjacent properties.

- d. Any portion of the antenna visible from streets or adjacent residential lots or parcels shall be painted a color approved for use on the property. For parcels not having an approved color palette, the color shall be approved by the Director of Planning.
2. Single Family Residential Districts.
 - a. No more than 1 Large Satellite Dish Antenna may be located on any lot or parcel.
 - b. Large Satellite Dish Antennas shall be ground-mounted unless there is no feasible ground location on the lot or parcel to receive or transmit desired communications.
 - c. Ground-mounted Large Satellite Dish Antennas shall be screened from streets and adjacent lots or parcels by a 6 foot high solid fence.
3. Multi-Family Residential Districts.
 - a. No more than 1 Large Satellite Dish Antenna may be located on a lot or parcel with fewer than 10 units; no more than 2 large satellite dish antennas may be located on any lot or parcel with 10 or more units.
 - b. Roof-mounted Large Satellite Dish Antennas shall be fully screened by a parapet wall or other building elements equal to or exceeding the height of the antenna. These building elements shall be an integral part of the building design. Separate mechanical equipment screen enclosures or fences are prohibited.
4. Nonresidential Districts.
 - a. Ground-mounted Large Satellite Dish Antennas shall be screened from view from streets, areas accessible to the general public, and from areas shown for residential use in the General Plan. If the Design Review Board, or for Administrative Design Review, the Director of Planning, determines that the equipment will only be visible from permanently unoccupied areas, or are already screened from public view, the screening requirement may be waived or modified. The screening method shall be depicted on plans submitted with applications for design review and building permits.
 - b. Roof-mounted Large Satellite Dish Antennas shall be fully screened by a parapet wall or other building elements equal to or

exceeding the height of the antenna, but in no event shall such screen exceed a height of 8 feet above the roof deck. These building elements shall be an integral part of the building design. Separate screen enclosures or fences are prohibited.

D. ***Satellite Earth Stations, Large- and Small-scale.*** Antennas shall be:

1. Separated from adjacent uses and streets by an 8 foot high solid fence.
2. Located outside of the required perimeter landscape area.
3. Set back from adjacent property lines a minimum distance equal to the height of the antenna.
4. Painted a light, non-reflective color.
5. If roof-mounted, screened by a parapet or cornice and shall not extend above the roof line.

E. ***Amateur (HAM) Radio Facilities.***

1. ***Antenna Standards.*** Antenna structures shall be:
 - a. Limited to a maximum of 35 feet in height.
 - b. Limited to no more than 1 amateur radio antenna on any lot or parcel.
 - c. Mounted on the ground unless there is no feasible ground location on the lot or parcel to receive or transmit desired communications.
 - d. If ground-mounted, located in the rear one-half of the lot or parcel, but in no event shall the antenna structure be required to be set back more than 100 feet from the front property line.
 - e. Set back a minimum of 20 feet from side and rear property lines.
2. ***Waiver of Standards.*** If an amateur radio signal cannot be obtained when facilities are in compliance with the regulations set forth herein, the Zoning Administrator may permit a waiver from the height and location requirements of this section.
 - a. The waiver request shall:
 - (1) Provide evidence that a signal cannot be obtained by facilities in compliance with the standards; and

- (2) Document the minimum waiver from these regulations required in order to receive a signal.
- b. If a waiver of the height limit is necessary, the antenna shall be set back from adjacent property lines by a distance established by the Zoning Administrator.
- c. The decision of the Zoning Administrator shall be issued in the form of a Notice of Decision and include written findings.