

ATTACHMENT TO APPLICATION
TO THE CITY OF ROCKVILLE FOR A
TEXT AMENDMENT TO THE ZONING ORDINANCE

Applicant: Mayor and Council of Rockville

The applicant proposes to amend the zoning ordinance adopted on December 15, 2008, and with an effective date of March 16, 2009, by inserting and replacing the following text (underlining indicates text to be added; ~~strikethroughs~~ indicate text to be deleted; * * * indicates text not affected by the proposed amendment). Further amendments may be made following citizen input, Planning Commission review and Mayor and Council review.

Amend Article 3, “Definitions; Terms of Measurement and Calculations”, as follows:

Sec. 25.03.02. - Words and terms defined.

Antenna means any structure or device used to collect, receive, transmit, or radiate electromagnetic waves, including both directional antennae (such as panels, microwave dishes, satellite earth station antennae over two (2) meters in diameter), or diagonal measurement, and omni-directional antennae (such as whips). This term does not include end-user antennas two (2) meters or less in diameter or diagonal measurement and designed for:

1. End-user over-the-air reception, not transmission, of multi-channel multi-point distribution service;
2. Direct broadcast satellite service;
3. End-user reception of signals from an Internet service provider and end-user transmission of signals to an Internet service provider;
4. Mobile radios; or
5. Antennas permitted by right by 47 C.F.R. Section 1.4000, as amended.

Antenna support structure means a structure designed for the primary purpose of supporting one (1) or more antennae (including telescoping mast, tower, monopole, tethered blimp, or other support structure). The term includes structures located on buildings or other structures, ground-mounted, or tethered, and towers, as defined in 47 C.F.R. Section 1.40001(b)(9). Without limitation, the term does not include utility poles or structures, including public structures in the public right-of-way.

Collocation ~~means the use of a wireless telecommunications facility by more than one (1) wireless service provider~~ has the same meaning as in 47. C.F.R. Section 1.4001(g).

Equipment enclosure means, for purposes of a wireless communication facility, a freestanding or mounted structure, shelter, cabinet, or vault used to house and to protect the electronic equipment and associated equipment necessary for processing wireless communication signals. Associated equipment may include air conditioners, back-up power supplies, and emergency generators.

Small wireless communication facility – See *Wireless communication facility, small*.

Wireless communication facility means a facility fixed at a location temporarily or permanently for the transmission and/or reception of wireless communication services, consisting of one (1) or more antennas and the equipment at that location necessary to the provision or reception of wireless communication services, including, but not limited to, transmission cables and related equipment enclosures.

Wireless communication facility, small means a wireless communication facility that meets each of the following conditions:

1. The structure on which antenna facilities are mounted:

(a) is 50 feet or less in height; or

(b) is no more than ten percent (10%) taller than other adjacent structures; or

(c) is not extended to a height of more than ten percent (10%) above its preexisting height as a result of the collation of new antenna facilities; and

2. Each antenna, excluding associated antenna equipment, is no more than three (3) cubic feet in volume; and

3. All antenna equipment associated with the small wireless communication facility, excluding antennas, is cumulatively no more than twenty-eight (28) cubic feet in volume; and

4. The small wireless communication facility does not require antenna structure registration; and

5. The small wireless communication facility does not result in human exposure to radiofrequency in excess of the applicable safety standards specified by Federal law.

Wireless communication service means those personal wireless services as defined in the same manner as in Title 47, U.S. Code, Section 332(c)(7)(c), ~~as they may be amended from time to time~~ and such other services that consist of the transmission, or transmission, and/or transmission and reception of information by electromagnetic wave, digital signals,

broadcast television signals, analog signals, radio frequencies, or other communication signals.

Amend Article 8, “Accessory Uses; Accessory Buildings and Structures; Encroachments; Temporary Uses; Home-Based Business Enterprises; Wireless Communication Facilities”, as follows:

Sec. 25.09.08. - Wireless Communication ~~Facility~~ Facilities.

- a. *Purpose.* The purpose of this section is to provide a uniform and comprehensive set of standards for the development and installation of wireless communication facilities, related structures, and equipment.
 1. The regulations and requirements contained herein are intended to:
 - (a) Regulate the placement, construction, and modification of wireless communication facilities in order to protect the health, safety, and welfare of the public and the aesthetic quality of the City; and
 - (b) Encourage managed development of wireless communication infrastructure, while at the same time not unreasonably interfering with the development of the competitive wireless communication marketplace in the City.
 2. This section is intended to promote the following objectives:
 - (a) To minimize the total number of wireless communication facilities and antenna support structures throughout the community through siting standards;
 - (b) To provide for the appropriate location and development of wireless communication facilities and related structures and equipment within the City, and, to the extent possible, minimize potential adverse impacts on the community;
 - (c) To minimize adverse visual and aesthetic impacts of wireless communication facilities and related structures and equipment through careful design, siting, landscape screening, and innovative camouflaging techniques, such as stealth technology, and utilizing current and future technologies;
 - (d) To promote and encourage shared use/~~collocation~~ of antenna support structures;
 - (e) To maintain and preserve the existing residential character of the City and its neighborhoods and promote the creation of a convenient, attractive, and harmonious community;
 - (f) To promote the safety of citizens and avoid the risk of damage to adjacent properties by ensuring that wireless communication facilities and related structures and equipment are properly designed, constructed, located, modified, maintained, and removed;
 - (g) To ensure that wireless communication facilities and related structures and equipment are compatible with surrounding land uses;
 - (h) To encourage: the location of antennas wireless communication facilities on existing buildings or other structures; collocation of new antennas on existing antenna support structures; camouflaged antenna support structures; ~~and~~

construction of antenna support structures with the ability to locate three (3) or more providers or users; the deployment of wireless communication facilities in a manner that does not require substantial alterations to existing structures that adversely affects the structure's appearance or the neighborhood; and

- (i) To maintain and ensure that a non-discriminatory, competitive, and broad range of high quality wireless communication services and high quality wireless communication infrastructure consistent with laws are available to the community.

- b. *Wireless Communication Facilities Entirely Within an Existing Building or Attached to Existing Structures.*: ~~Wireless communication facilities attached to the roof or side of a building, or attached to an existing structure must comply with the following:~~

1. Scope. This subsection applies to wireless communication facilities that (1) do not meet the definition of small wireless communication facility and (2) are entirely within an existing building or attached to an existing structure.

2. Development Standards.

~~1. (a)~~ The building or other structure on which a wireless communication facility to be installed must be at least thirty-five (35) feet in height if used for nonresidential purposes and fifty (50) feet in height if used for multiple unit dwelling purposes. In a mixed-use development, the multiple unit dwelling standard applies. Except as provided in subsection 25.09.08.e, wireless communication facilities are not permitted on any single unit detached dwelling or appurtenant accessory building or structure.

~~2. (b)~~ ~~The antennas and antenna support structures must be located and designed to minimize visual impacts through various methods, including, but not limited to, the use of stealth technology.~~ Antennas and antenna support structures must be installed according to the order of preference in subsections 25.09.08b.2.(b)(i) through (ii) below, with (ai) being the preferred option. Use of a lower preference location is permitted only if an applicant provides detailed justification as to why higher preference locations are not suitable.

(ai) Antennas must be flush mounted on existing structures, or on either rooftop enclosures or the side of a building, and closely match the color and architectural treatment of the structure, enclosure, or building.

(bii) Antennas must be flush-mounted on expanded rooftop mechanical equipment enclosures, with the enclosures and antennas designed to be consistent with the architectural treatment and color of the building.

(c) The antennas and antenna support structures, regardless of location, must be located and designed to minimize visual impacts through various methods, including, but not limited to, the use of stealth technology.

(i) Antennas must be enclosed with screening that is include shielding or otherwise be placed in an enclosure. The enclosures and shielding must be consistent with the architectural treatment and color of the building or structure.

(ii) Antennas and support structures must be painted or otherwise treated to minimize their visibility. Any paint used must be non-reflective paint of the same color as the structure.

(iii) No visible lighting is allowed on any wireless facility, except as required by law.

~~3.~~ (c) Antennas and supporting structures are permitted to exceed the height of the building or structure to which they are attached by a maximum of nineteen (19) feet. The height above a building must be measured from the finished roof elevation, and not from the roof of any equipment enclosure.

~~4.~~ (d) Antennas must comply with the following size standards:

(ai) Whip antennas must be no more than seven (7) inches in diameter; and

(bii) Panel antennas must be no more than two (2) feet wide and ~~six (6)~~ eight (8) feet long.

~~5.~~ (e) Equipment enclosures must comply with the requirements of Section 25.09.08.e. An equipment ~~building or cabinet~~ enclosure may be located on the roof of a building provided it and all other roof structures do not occupy, in the aggregate, more than twenty-five (25) percent of the roof area.

~~6.~~ (f) When an antenna is located on a stadium light or utility pole, the total height of the antenna plus the pole or light must not exceed one hundred twenty-five (125) percent of the average height of the lighting system at the stadium or run of poles within five hundred (500) feet of the pole on which the antenna is located.

(g) A wireless communication facility must be designed, installed, and maintained in compliance with all applicable provisions of the City Code including, but not limited to, provisions regulating noise levels, and permit and inspection requirements.

(h) When a wireless communication facility is no longer in use, the wireless communication facility must be removed at the expense of the facility owner. Failure to remove abandoned equipment will result in removal by the City at the expense of the owner.

(i) No hazardous material may be located at the site.

c. *Wireless Communication Facilities ~~Located on~~ Attached to Ground-Mounted Antenna Support Structures.*

1. *Scope.* This subsection applies to wireless communication facilities that (1) do not meet the definition of small wireless communication facility, and (2) are mounted on ~~free-standing ground-mounted~~ antenna support structures.

(a) *Special exception.* Wireless communication facilities covered by this section require the approval of a special exception in accordance with the applicable provisions of article 15 of this chapter.

(b) *Additional findings required.* The following additional findings must be made for the granting of a special exception:

- (i) The location is selected ~~because is necessary for the public convenience and service and cannot be supplied with equivalent public convenience on a the wireless communication facility cannot be attached to an existing~~ ground-mounted antenna support structure or collocated on an existing ground-mounted antenna support structure; and
- (ii) For new ground-mounted antenna support structures to be located in a residential zone or within five hundred (500) feet of a residential zone, it must be demonstrated that a good faith effort has been made to locate the proposed ground-mounted antenna support structure in a nonresidential zone more than five hundred (500) feet from the residential zone, with adequate coverage and on an isolated site with minimal visual impact.
- (c) *Independent consultant.* The City may hire an independent consultant to review evidence submitted by the applicant, and the applicant must reimburse the City for the reasonable cost of hiring and utilizing such a consultant.

2. *Development Standards.*

- (a) The maximum height of the facility, including antenna and other attachments, is fifty (50) feet in a residential zone, or within five hundred (500) feet of a residential zone, and one hundred ninety-nine (199) feet in all other locations. Height must be measured vertically from the pre-disturbance ground level at the center of the support structure.
- (b) Monopoles are the preferred type of ~~freestanding~~ ground-mounted antenna support structure.
- (c) No commercial or promotional signs, banners, or similar devices or materials are permitted on antenna support structures.
- (d) The ground-mounted antenna support structure must be located and designed in a manner that is harmonious with surrounding properties, to the extent practicable. Antenna support structures must be designed to blend into the surrounding environment through the use of color and camouflaging architectural treatment. When practicable, available stealth structure design techniques must be used.
- (e) Wireless communication facilities must be located on City-owned property, if feasible.
- (f) Antenna support structures must be set back one (1) foot for every foot of height of the structure, measured from the base of the structure to each adjoining property line or right-of-way.
- (g) Lights are not permitted on antenna support structures unless they are required for aircraft warnings or other safety reasons, or to comply with applicable laws and regulations. If required, minimum lighting requirements must be applied, and strobe lights must be avoided unless specified by the Federal Aviation Administration or the Federal Communications Commission.
- (h) Outdoor storage of equipment or items related to the wireless communication facility is prohibited on sites with antenna support structures.

- (i) All antenna support structures erected as part of a wireless communication facility must be designed to accommodate collocation of additional wireless communication carriers. New antenna support structures of a height of one hundred fifty (150) feet or more must be designed to accommodate collocation of a minimum of four (4) additional providers either upon initial construction or through future modification to the antenna support structure. Antenna support structures of less than one hundred fifty (150) feet must be designed to accommodate collocation of a minimum of two (2) additional providers.
- (j) Prior to construction, each applicant must provide certification from a registered structural engineer that the structure will meet pertinent design, construction, installation, and operation standards, including but not limited to the applicable standards of the Electronics Industries Association (EIA), the Telecommunications Industry Association (TIA), ANSI, and the BOCA Code in effect at the time of the building permit application.
- (k) Upon completion of any sale or sublease of an antenna support structure, the owner of an antenna support structure must provide written notice to the City's Inspection Services Division.
- (l) The owner of a ground-mounted antenna support structure, at the owner's expense, must remove antenna support structures when a wireless communication facility is not used for wireless purposes for a period one hundred eighty (180) days in a 12-month period. The owner of a ground-mounted antenna support structure must immediately notify the City, in writing, of nonuse or abandonment of the structure upon its cessation as a wireless communication facility. Failure to remove an abandoned or unused ground-mounted antenna support structure will result in removal of the structure by the City at the expense of the owner.
- (m) When a ground-mounted antenna support structure is removed by an owner, said owner must apply for a demolition permit to remove the tower. A condition of the demolition permit is to restore the site to the standards required by the building code in effect at the time, at no expense to the City.

d. *Small Wireless Communication Facilities.*

1. *Scope.* This subsection applies to small wireless communication facilities.

(a) *Small wireless communication facilities in the public rights-of-way.* Small wireless communication facilities located within the public rights-of-way must comply with all requirements, standards, and guidelines set forth in or promulgated under Chapter 21 of the City Code.

(b) *Small wireless communication facilities outside of the public rights-of-way.* Small wireless communication facilities located outside of the public rights-of-way must comply with the development standards set forth in subsection d.2.

2. *Development Standards.*

(a) *Location.*

(i) *A small wireless communication facility is prohibited from being attached to any single unit attached dwelling, single unit detached dwelling, semidetached*

dwelling, townhouse dwelling, or on any accessory building or structure located on a lot with such a dwelling.

(ii) Within a single dwelling unit residential zone, a small wireless communication facility must be located at least twenty-five (25) feet from a single unit dwelling and two hundred fifty (250) feet away from the nearest existing antenna support structure.

(iii) Except as otherwise provided in this section, a small wireless facility may be attached to any existing structure that is at least fifteen (15) feet in height, measured from grade. The antenna must be a minimum of fifteen (15) feet above grade.

(iv) A small wireless communication facility may be installed on a new antenna support structure, provided that the antenna must be a minimum of fifteen (15) feet above grade.

(b) *Concealment.*

(i) Small wireless communication facilities must be designed and installed to incorporate specific concealment elements to minimize visual impacts.

(ii) All antenna equipment must be placed in an enclosure.

(iii) Equipment enclosures, whether located on the structure or ground-mounted, and including any pre-existing equipment enclosures on the structure or ground, may not exceed five (5) feet in height.

(iv) Antennas must be shielded or otherwise be placed in an enclosure. If attached to a pole, the shielding or enclosure must be no larger than the circumference of the pole at the point of attachment and, if attached to the top of the pole, designed to appear like a continuous vertical extension of the pole. Antennas must not extend more than thirty-six (36) inches in length, extending vertically from the base of the antenna, either at the top of the pole or structure, or on the related equipment housing, except that up to six (6) inches in additional height may be permitted for connectors.

(v) For antennas not located at the top of a pole, the antennas must be flush mounted on existing structures and closely match the color and architectural treatment of the structure.

(vi) All wiring and cables must be located inside the structure or, if that is not practical, in a conduit attached flush to the structure and painted with non-reflective paint of the same color as the structure.

(vii) No visible lighting is allowed on any small wireless facility, except as required by law.

(vi) In residential zones where public utilities are located or are required to be located underground, equipment enclosures must be located below the existing grade unless the enclosure is incorporated into the base of the pole.

- (c) A small wireless communication facility may not be located on a historic structure, or in an historic district where any portion of the wireless communication facility, except the antenna, would be visible from the ground.
- (d) A small wireless communication facility must be designed, installed, and maintained in compliance with all applicable provisions of the City Code, including, but not limited to, provisions regulating noise levels, and permit and inspection requirements.
- (e) When a small wireless communication facility is no longer in use, the small wireless communication facility must be removed at the cost of the facility owner and the properties affected by the facility restored to its prior condition.
- (f) No writing, symbol, logo, sign, or other graphic representation which is visible from the public right-of-way is allowed to appear on any exterior surface of the small wireless communication facility; however, the owner of the small wireless communication facility must tag all attachments to structures to allow for ready identification of the owner and type of attachment.
- (g) No hazardous materials may be located at the site.

~~d~~. Equipment Enclosures ~~Located at Ground Level Standards for Wireless Facilities Other than Small Wireless Facilities~~. Equipment enclosures ~~located at ground level~~ must comply with the following standards:

1. Each equipment enclosure that contains the equipment of a single provider must not exceed five hundred sixty (560) square feet of gross floor area and twelve (12) feet in height; if more than one (1) provider is to be accommodated in an equipment enclosure, a single equipment enclosure must be constructed to accommodate the maximum number of providers that are required to collocate on the antenna support structure, up to a maximum of ~~one thousand five hundred (1,500)~~ square feet in area and twelve (12) feet in height.
2. The equipment enclosure must conform to the applicable setback standards for main structures in the zone in which the property is located; setback standards for accessory buildings and structures in section 25.09.03 are not applicable to equipment enclosures.
3. The equipment enclosure must be screened to provide year-round screening. This standard may be met by one (1) or a combination of the following: fencing, walls, landscaping, structures or topography which will block the view of the equipment ~~shelter enclosure~~ as much as practicable from any street and/or adjacent properties. In areas of high visibility, fencing may be wrought iron, masonry, or other decorative fencing material.
4. Lighting associated with equipment ~~structures enclosures~~ must be directed so as to minimize any negative impact of such lighting on adjacent properties.
5. When constructed as a freestanding building, the design of the equipment enclosure must be coordinated with the design of the existing main building on the same lot or, if there is no building on the lot, with the buildings on an adjoining lot, to the extent practicable. In addition, the equipment enclosure must be constructed of non-reflective materials.

6. When attached to an existing building, the equipment enclosure must be designed in a manner that is harmonious with the existing building and surrounding properties. Any paint must be non-reflective paint of the same color as the building.
7. The equipment enclosure must be removed at the cost of the owner when the wireless communication facility is no longer being used by a wireless communication provider. Failure to remove abandoned equipment will result in removal by the City at the expense of the owner.

ef. *Waivers permitted.*

1. *Regulated satellite earth station antennas.*

- (a) Any person or entity seeking to install or erect a satellite earth station antenna subject to this section, other than an antenna specified in subsection 25.09.08.e.1(a)(ii) below, may apply for a waiver from one (1) or more of the provisions of this section 25.09.08, and the Board of Appeals may grant such a waiver pursuant to applicable procedures and standards if it is shown that:
 - (i) The provision(s) of section 25.09.08 at issue materially limit or inhibit the transmission or reception of satellite signals at the waiver applicant's property or the provision(s) at issue impose more than a minimal cost on the waiver applicant;
 - (ii) The waiver, if granted, would not result in any noncompliance with applicable laws, regulations, and codes (including, but not limited to, safety and building codes); and
 - (iii) The waiver sought is the minimum waiver necessary to permit the reception or transmission of satellite signals at the waiver applicant's property.
- (b) The Board of Appeals is authorized to grant a complete or partial waiver to any provision of section 25.09.08. In addition, the Board of Appeals may impose a lesser requirement instead of granting a complete waiver of any provision in this section if a complete waiver is not necessary to permit reception or transmission of amateur service communications at the waiver applicant's property, and the lesser requirement will allow the reception or transmission of satellite signals. The Board of Approval shall not condition a waiver upon an applicant's expenditure of a sum of money, including costs required to screen, pole-mount, or otherwise specially install a satellite earth station antenna, over and above the aggregate purchase or total lease cost of the equipment as normally installed, if such sum would be greater than the aggregate purchase or total lease cost of the equipment as normally installed.

2. *Wireless Communication Facilities for Amateur Service Communications.*

- (a) Any person or entity seeking to install or erect a wireless communication facility in the City for the purpose of engaging in amateur radio communications may apply for a waiver from one (1) or more of the provisions of this section 25.09.08. and the Board of Appeals may grant such a waiver pursuant to applicable procedures and standards if it is shown that:

- (i) The provision(s) of section 25.09.08 at issue preclude amateur service communications, do not reasonably accommodate amateur service communications at the waiver applicant's property or do not constitute the minimum practicable regulation to accomplish the City's health, safety, and welfare objectives;
 - (ii) The waiver, if granted, would not result in any noncompliance with applicable laws, regulations and codes (including, but not limited to, FCC regulations concerning amateur radio transmission and reception); and
 - (iii) The waiver sought is the minimum waiver necessary to reasonably accommodate amateur service communications at the waiver applicant's property.
- (b) The Board of Appeals is authorized to grant a complete or partial waiver to any provision of section 25.09.08. In addition, the Board of Appeals may impose a lesser requirement instead of granting a complete waiver of any provision in this section if a complete waiver is not necessary to permit reception or transmission of amateur service communications at the waiver applicant's property, and the lesser requirement:
- (i) Will not preclude amateur service communications; and
 - (ii) Is the minimum practicable regulation to accomplish the City's health, safety, and aesthetic objectives.
- (c) In determining whether to grant a complete or partial waiver of any provision in section 25.09.08 or to impose a lesser requirement, the Board must reasonably accommodate amateur radio communications.
3. *All Other Wireless Communication Facilities.*
- (a) The Board of Appeals is authorized to grant a waiver from any and all of the standards of this section 25.09.08, except for the height restrictions for a freestanding antenna support structure in subsection c. of this section, upon showing that compliance with this section would impose an undue hardship or prohibit or have the effect of prohibiting the provision of wireless communication services or would result in unreasonable discrimination among providers of functionally equivalent wireless communication services.
 - (b) Waiver requests from the height restrictions (subsection 25.09.08.c.2) for a freestanding antenna support structure may be granted by the Mayor and Council upon showing that compliance with this section would impose an undue hardship or prohibit or have the effect of prohibiting the provision of wireless communication services or would result in unreasonable discrimination among providers of functionally equivalent wireless communication services. When requesting a height waiver under this provision, the applicant must submit evidence to the Mayor and Council that the height requested for the freestanding antenna support structure is the minimum height necessary to provide adequate coverage for the area that is being served by the structure. The Mayor and Council, in reviewing any waiver request from this section, must also consider the impact that the increased height of the antenna support structure would have on properties in the

area surrounding the proposed structure, including, but not limited to, the visibility of the structure from residences and proposed methods of mitigating the visibility of the structure.

- (c) This subsection 25.09.08.ef.3. does not apply to antennas and wireless communication facilities specified in subsections 25.09.08.ef.1. and 2.

4. *Procedures for all waivers.*

- (a) Unless the Mayor and Council adopt by resolution different procedures for processing waivers from the height restrictions contained in subsection 25.09.08.ef.3., all waivers of this section must be processed in accordance with the procedures applicable to variances contained in section 25.06.03 of this chapter.
- (b) A waiver applicant must provide supporting evidence and all information requested by the City. The City may hire an independent consultant to review such evidence, and the applicant must reimburse the City for the reasonable cost of hiring and utilizing such a consultant.

Amend Article 10, “Single Dwelling Unit Residential Zones”, as follows:

* * *

25.10.03 – Land Use Tables

The uses permitted in the Single Dwelling Unit Residential Zones are shown in the table below. All special exceptions are subject to the requirements of Article 15.

	Uses	Zones							Conditional requirements or related regulations
		Residential Estate Zone (R-400)	Suburban Residential Zone (R-200)	Low Density Residential Zone (R-150)	Single Unit Detached Dwelling, Restricted Residential Zone (R-90)	Single Unit Detached Dwelling, Residential Zone (R-75)	Single Unit Detached Dwelling, Residential Zone (R-60)	Single Unit Semi-detached Dwelling, Residential Zone (R-40)	

f. Miscellaneous uses	<u>Small wireless communication facility</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>C</u>	<u>Conditional use subject to the requirements of Sec. 25.09.08</u>
	Wireless communication facility entirely within an existing building or on the roof or side of a building, or attached to an existing structure	C	C	C	C	C	C	C	Conditional use subject to the requirements of Sec. 25.09.08
	Wireless communication facility not entirely within an existing building or on the roof or side of a building, or attached to an existing structure, including, but not limited to, antennas on a freestanding a ground-mounted antenna support structure	S	S	S	S	S	S	S	Subject to the requirements of Secs. 25.09.08 and 25.15.02.s

Amend Article 11, “Residential Medium Density Zones”, as follows:

25.11.03 – Land Use Tables

The uses permitted in the Residential Medium Density Zones are shown in the table below. Uses are subject to applicable conditions of site plan approval, and all special exceptions are subject to the requirements of Article 15.

	Uses	Zones			Conditional requirements or related regulations
		Residential Medium Density RMD-10	Residential Medium Density RMD-15	Residential Medium Density RMD-25	
* * *					
e. Miscellaneous uses	Public utility building and structure	S	S	S	See Sec. 25.15.02.n
	Publicly-owned or publicly-operated building and use, excluding sanitary landfill	C	C	C	Conditional use subject to a Level 3 Site Plan (Sec. 25.07.05)
	Wireless communication facility entirely within an existing building or on the roof or side of a building, or attached to an existing structure	C	C	C	Conditional use subject to the requirements of Sec. 25.09.08
	Wireless communication facility not located entirely within an existing building or on the roof or side of a building, or attached to an existing structure, including, but not limited to antennas on a freestanding a ground mounted-antenna support structure	S	S	S	See Secs. 25.09.08 and 25.15.02.s

Amend Article 12, “Industrial Zones”, as follows:

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25.12.03 – Land Use Tables

	Uses	Zones		Conditional requirements or related regulations
		Light Industrial I-L	Heavy Industrial I-H	
* * *				
f. Assembly and entertainment	Wireless communication facility entirely within an existing building or on the roof or side of a building, or attached to an existing structure	C	C	Conditional use subject to the requirements of Sec. 25.09.08
	Wireless communication freestanding ground-mounted antenna support structure	S	S	Subject to the requirements of Sec. 25.09.08 and 25.15.02.s
* * *				
g. Industrial and service uses	Warehouse, self-storage	C	C	Not permitted on a lot within 250 feet of any lot on which a public school is located
	Wireless communication facility entirely within an existing building or on the roof or side of a building, or attached to an existing structure	C	C	Conditional use subject to the requirements of Sec. 25.09.08
	Wireless communication facility attached to a freestanding ground-mounted antenna support structure	S	S	Subject to the requirements of Sec. 25.09.08 and 25.15.02.s

Amend Article 13, “Mixed-Use Zones”, as follows:

* * *

25.13.03 – Land Use Tables

	Uses	Zones								Conditional requirements or related regulations
		Mixed-Use Transit District (MXTD)	Mixed-Use Corridor District (MXCD)	Mixed-Use Employment (MXE)	Mixed-Use Business (MXB)	Mixed-Use Corridor Transition (MXCT)	Mixed-Use Neighborhood Commercial (MXNC)	Mixed-Use Commercial (MXC)	Mixed-Use Transition (MXT)	
* * *										
f. Miscellaneous Uses	Publicly-owned or publicly-operated building and use, excluding sanitary landfill	P	P	P	P	P	P	P	P	
	Wireless communication facility entirely within an existing building or on the roof or side of a building, or attached to an existing structure	C	C	C	C	C	C	C	C	Conditional use subject to the requirements of Sec. 25.09.08
	Wireless communication facility attached to a freestanding ground-mounted antenna support structure	S	S	S	S	S	S	S	S	See Sec. 25.09.08 and 25.15.02.s

