

155.4204. INSTITUTIONAL: COMMUNICATION USES

A. Newspaper or Magazine Publishing

1. Districts Where Permitted

RS-1	RS-2	RS-3	RS-4	RS-L	RD-1	RM-7	RM-12	RM-20	RM-30	RM-45	MH-12	B-1

M-1	CR	I-1	I-IX	OIP	M-2	TO	PR	CF	PU	T	BP	RPUD	I
		P	P	P		P		P					I

2. Definition

Newspaper or magazine publishing is an establishment primarily involved in carrying out operations necessary for producing and distributing newspapers, including gathering news; writing news columns, feature stories, and editorials; selling and preparing advertisements; and publishing of newspapers in print or electronic form. Not included are establishments primarily engaged in printing publications without publishing (categorized as manufacturing and production uses) or education or membership organizations incidentally engaged in publishing magazines or newsletters for distribution to their membership.

B. Radio or Television Station

1. Districts Where Permitted

RS-1	RS-2	RS-3	RS-4	RS-L	RD-1	RM-7	RM-12	RM-20	RM-30	RM-45	MH-12	B-1

M-1	CR	I-1	I-IX	OIP	M-2	TO	PR	CF	PU	T	BP	RPUD	I
		P	P	P		P		P					I

2. Definition

A radio or television station is a facility for the staging, recording and broadcasting of audio or television productions. This use does not include an Audio and Visual Recording and Production Studio, which does not include broadcasting.

3. Standards

The equipment and components utilized for broadcasting shall comply with the standards for Section 155.4204.C, Telecommunications Facility.

C. Telecommunications Facility

1. Definition

A telecommunications facility is the set of equipment and network components necessary to provide transmission and/or reception of wireless communication and broadcast services. The equipment and network components may include towers, including those utilized as antennas for

an AM broadcast station that are licensed by the Federal Communications Commission antennas, antenna arrays for FM/TV/ broadcasting transmission facilities, transmitters, receivers, base stations, power supplies, cabling, and associated equipment. A telecommunications facility may consist of (a) telecommunications facility equipment and network components that are collocated (attached) on an existing telecommunications tower, or (b) telecommunications facility equipment and network components that are collocated (attached or mounted) on an existing building or structure other than a telecommunications tower (such building or structure is not considered part of the telecommunications facility), or (c) a freestanding lattice, monopole, or other tower or other similar structure whose sole or primary purpose is to support and elevate telecommunications facility equipment and network components above the ground, and including any ground-based accessory structures used to house equipment and any guy wires and guy anchor supports.

2. Purpose

These standards in this subsection and the following Section 155.4204.D, Telecommunications Facility, Collocated on an Existing Structure Other Than a Telecommunications Tower, Section 155.4204.E, Telecommunications Facility, Collocated on an Existing Telecommunications Tower, and Section 155.4204.F, Telecommunications Facility, on New Freestanding Tower, are intended to establish standards for the siting, design, construction, and installation of wireless telecommunications facilities that will:

- a. Enhance the provision of advanced telecommunications services throughout the community;
- b. Strongly encourage collocation of telecommunications facilities on existing towers and other structures as preferred options to construction of additional telecommunications towers;
- c. Minimize the total number of new towers throughout the city by providing incentives for the use of existing structures;
- d. Encourage the location of telecommunications towers, to the extent possible, in areas where the adverse impact on the community will be minimal;
- e. Protect residential areas and land uses from potential adverse impacts of telecommunications towers;
- f. Minimize the potential adverse impacts associated with the construction of telecommunications towers through reasonable design, landscaping, and construction practices;
- g. Consider the public health and safety concerns of telecommunication towers and antennas;
- h. Encourage the use of engineering and careful siting of telecommunications towers to avoid potential damage to adjacent properties from tower failure; and
- i. Conform to federal and state laws addressing wireless telecommunications facilities.

3. Applicability

a. General

Unless exempted in accordance with subsection b below, any telecommunications facility—whether deemed a principal or an accessory use—shall comply with the standards in this subsection.

b. Exemptions

The following shall be exempt from the standards of this subsection (but may be subject to other standards in this Code, such as accessory use standards in this article or design standards in Article 5: Development Standards):

- i. Satellite dish antennas, as an accessory use (See accessory use standards in Section 155.4303.DD, Satellite Dish.);
- ii. Antennas used solely for broadcast radio or television reception, as an accessory use (See accessory use standards in Section 155.4303.II, Television or Radio Antenna.);

- iii. Antennas legally operated by FCC-licensed amateur radio operators (See accessory use standards in Section 155.4303.B, Amateur Ham Radio Antenna.);
- iv. Emergency wireless telecommunications facilities owned by the city or other public agency and used wholly or in part for public safety or emergency communication purposes;
- v. Portable wireless telecommunications facilities temporarily used for emergency purposes for not more than 180 days after declaration of an emergency or disaster by a responsible official of the city, county, state, or federal government; and
- vi. Modifications of an existing telecommunications tower—including the collocation, removal, or replacement of transmission equipment on the tower—or its base station (i.e., the building at the base of the tower that houses equipment associated with the telecommunications facility) that do not substantially change the physical dimensions of the tower or base station.

4. Timely Action on Telecommunication Facility Applications

The city shall process all applications for a telecommunications facility in a timely manner in accordance with the review procedures in Article 2: Administration, and shall make a decision on such applications within a reasonable period of time after the application is duly submitted and accepted, taking into account the nature and scope of the application. Specifically, the city shall decide all applications for collocation of a telecommunications facility on an existing telecommunication tower or other existing structure within 90 days after acceptance of a complete application (See Section 155.2303, Application Submittal and Acceptance.), and shall decide all applications for telecommunication towers within 150 days after acceptance of a complete application.

5. General Standards for All Telecommunications Antennas and Towers

a. Allowance of Collocation on Existing Towers

The owner of an existing telecommunications tower with suitable capacity for collocation of one or more telecommunication antennas shall allow telecommunications providers to collocate an antenna on the tower in accordance with this subsection, subject to mutually agreeable terms and conditions negotiated between the owner and provider.

b. Antenna Dimensions

- i. Any omnidirectional (whip) antenna and its supports shall not be more than 15 feet high and three inches in diameter.
- ii. Any directional or panel antenna and its supports shall not be more than eight feet high and 2.5 feet wide.
- iii. Any satellite or microwave dish antenna located less than 65 feet above ground level shall not be more than six feet in diameter, and a satellite or microwave dish antenna located 65 feet or more above ground level shall not be more than eight feet in diameter.

c. Exterior Finish

Except where superseded by the requirements of other county, state, or federal regulatory agencies possessing jurisdiction over telecommunications facilities, a telecommunication facility and any associated structures shall be painted or constructed in neutral colors designed to blend into the surrounding environment (such as, but not limited to, noncontrasting gray).

d. Lighting

No signals, lights, or illumination shall be permitted on a telecommunications facility or associated structures unless required by the Federal Aviation Administration or other applicable authority. To the extent allowed by the FAA, any required lighting shall not include use of strobe lights for nighttime lighting and shall be oriented so as not to project directly onto any surrounding residentially-zoned property. Documentation from the FAA that the lighting is the minimum lighting it requires shall be submitted to the Development Services Director before issuance of any building permit for the tower.

e. Compliance with FCC Emissions Standards

At all times, owners and/or operators of telecommunications facilities shall comply with the radio frequency emissions standards of the Federal Communications Commission.

f. Interference

The owners and/or operators of a telecommunications facility shall minimize, to the extent technologically feasible, any potential signal interference with public safety communications and the usual and customary transmission or reception of radio and television service enjoyed on adjacent residential and nonresidential properties. If the city receives any signal interference complaints from the public, it shall notify the owners and/or operators of the telecommunications facility suspected of causing the interference. The notified owner and/or operator shall immediately investigate and minimize the interference problem and shall, within ten days after receiving the notice interference notice, file with the city's Development Services Director a statement prepared by a Florida registered engineer that identifies any interference detected, the steps taken to minimize any interference detected, and if concluding that the interference cannot be reduced, the technical reasons for such a conclusion.

g. Maintenance

All telecommunications facilities and associated structures shall at all times be kept and maintained in good condition, order, and repair, and maintained in stealth condition if originally required, so that they do not menace or endanger the life or property of any person, and retain their original characteristics. All maintenance or construction on telecommunication facilities and associated structures shall be performed by licensed maintenance and construction personnel.

h. Graffiti

i. Any graffiti or other unauthorized materials inscribed on a telecommunications facility or associated structure shall be removed or covered in a manner substantially similar to and consistent with the original exterior finish.

ii. On discovering that graffiti or other unauthorized materials has been inscribed on a telecommunications facility or associated structure, the city shall provide the owner and/or operator of the facility written notice to remove or cover the graffiti or other inscribed materials within a specific period of time in accordance with Article 8: Enforcement. If the graffiti or other inscribed materials has not been removed or covered within the specified time period, the city shall have the right to remove or cover it. If the city has to remove or cover the graffiti or other inscribed materials, then the owner and/or operator of the facility shall be responsible for all costs incurred by the city.

i. Compliance with Other Regulations

All telecommunications facilities shall meet or exceed the standards and regulations of the Federal Aviation Administration, the Federal Communications Commission, and any other agency of the state or federal government with the authority to regulate telecommunications facilities. If such standards and regulations change, then the owners of telecommunications facilities shall bring the facilities into compliance with the revised standards and regulations within six months after their effective date unless a different compliance schedule is mandated by the controlling state or federal agency. Failure to do so shall constitute grounds for removal of the telecommunications facility at the owner's expense.

j. Compliance with Air Park Overlay District Height Limits

All telecommunication facilities and associated structures within an Air Park Overlay District shall comply with the applicable height limits established in Section 155.3707.B, Airport Zones and Height Limits.

k. License of Franchise

Owners and/or operators of a telecommunications facility shall certify that all licenses and franchises required by law for the installation, construction, and operation of the facility have

been obtained and shall file a copy of all such licenses and franchises with the Development Services Director. Owners and/or operators of a telecommunications facility shall notify the Development Services Director in writing within 48 hours of any revocation or failure to renew any such license or franchise.

l. Annual Registration

To enable the city to keep accurate, up-to-date records of the placement of telecommunications facilities within city limits, the owner and/or operator of any telecommunications facility shall submit the following to the Development Services Director no later than October 1 of each year:

- i. A sworn and certified written statement by an engineer that the facility is structurally sound and conforms to the requirements of the Florida Building Code and all other construction standards provided by local, state, and federal law. The city may require the owner and/or operator to submit such certifications more frequently if there is reason to believe that the structural and electrical integrity of the facility is jeopardized. The city reserves the right upon reasonable notice to the owner and/or operator of a telecommunications facility to conduct inspections for the purpose of determining whether the facility complies with the Florida Building Code and all other construction standards provided by local, state or federal laws.
- ii. Documentation of the number and names of providers located on a tower.
- iii. Documentation of the type and use of all antennas.
- iv. The name, address, and telephone number of any new owner of the facility.
- v. Payment of a registration fee for all telecommunications towers located within the city as set forth in Appendix C: Fee Schedule.

m. Abandonment and Removal

- i. The owner and/or operator of a telecommunications facility shall provide written notice to the city of any intent to discontinue use of the facility and the date when the use is planned to be discontinued.
- ii. A telecommunications facility shall be considered abandoned if use has been discontinued for 180 consecutive days.
- iii. The city may, in a notice of abandonment, require the owner and/or operator of an abandoned or discontinued telecommunications facility to remove the facility within 60 days after receipt of the notice.
- iv. If the telecommunications facility is not removed within the time frame specified in the notice of abandonment, the city may remove or demolish the facility and place a lien on the property in accordance with the procedures (but not criteria) applicable to consideration of the demolition of unsafe buildings or structures by the city's Unsafe Structures Board. Structures used for purposes other than to support a telecommunications facility—including but not limited to light standards and power poles—may be exempt from this provision.
- v. Upon removing an abandoned or discontinued telecommunications facility, the owner and/or operator of the facility shall restore the site to as good a condition as prior to the construction or installation of the facility, unless otherwise instructed by the city.

D. Telecommunications Facility, Collocated on an Existing Structure Other than a Telecommunications Tower

1. Districts Where Permitted

RS-1	RS-2	RS-3	RS-4	RS-L	RD-1	RM-7	RM-12	RM-20	RM-30	RM-45	MH-12	B-1
								P	P	P		

M-1	CR	I-1	I-IX	OIP	M-2	TO	PR	CF	PU	T	BP	RPUD	1
		P	P			P	P	P	P	S		P	1

2. Definition

This is a telecommunications facility that is attached to or mounted on an existing building or structure other than a telecommunications tower and including any roof-top or wall-mounted accessory structures used to house equipment.

3. Standards

In addition to the general standards for all telecommunications facilities in Section 155.4204.C.5, a telecommunications facility collocated on any structure shall comply with the following standards:

- a. The facility may be placed on or attached to only a building or structure that is at least 50 feet in height.
- b. The facility shall not extend more than 15 feet higher than the highest point of the building or structure.
- c. Any roof-top equipment associated with the facility shall not exceed a height of ten feet above the roof and shall not occupy an area more than the lesser of 50 square feet or 25 percent of the roof area.
- d. Associated equipment or materials associated with the facility shall not be stored at the facility site unless being used in direct support or operation of the facility or while making immediate repairs to the facility.
- e. The antenna, its supports, and any associated equipment building shall be located or screened to minimize their visual impact on adjacent properties. The antenna, its supports, any associated equipment building, and any screening shall be of a material and color matching those of the exterior of the building or structure on which the antenna is located.

E. Telecommunications Facility, Collocated on an Existing Telecommunications Tower

1. Districts Where Permitted

RS-1	RS-2	RS-3	RS-4	RS-L	RD-1	RM-7	RM-12	RM-20	RM-30	RM-45	MH-12	B-1

M-1	CR	I-1	I-IX	OIP	M-2	TO	PR	CF	PU	T	BP	RPUD	1
		P	P			P		P	P				1

2. Definition

This is a telecommunications facility that is attached to an existing telecommunications tower.

3. Standards

In addition to the general standards for all telecommunication facilities in Section 155.4204.C.5, a telecommunications facility collocated on an existing telecommunications tower shall comply with the following standards:

- a. It is demonstrated the tower can accept the additional structural loading created by the collocation.
- b. An existing telecommunications tower may be rebuilt, relocated, or modified to accommodate the collocation of additional telecommunication facilities. A telecommunications tower that is rebuilt, relocated, or modified to accommodate the collocation of additional telecommunications facilities may be located on the same parent parcel as the original tower and is not required to provide any additional separation from other existing telecommunications towers (as required of new telecommunications towers in Section 155.4204.F.3.f.ii, Separation from other Towers). Such a tower shall comply with all other standards in Section 155.4204.F.3, Standards, including the height limits in Section 155.4204.F.3.e, Height.

F. Telecommunications Facility, on New Freestanding Tower

1. Districts Where Permitted

RS-1	RS-2	RS-3	RS-4	RS-L	RD-1	RM-7	RM-12	RM-20	RM-30	RM-45	MH-12	B-1

M-1	CR	I-1	I-IX	OIP	M-2	TO	PR	CF	PU	T	BP	RPUD	I
		P	P			S		P	P	S		P	I

2. Definition

This is a freestanding lattice, monopole, or other tower or other similar structure whose sole or primary purpose is to support and elevate telecommunications facility equipment and network components above the ground, and including any ground-based accessory structures used to house equipment and any guy wires and guy anchor supports.

3. Standards

In addition to the general standards for all telecommunications facilities in Section 155.4204.C.5, a freestanding telecommunications tower shall also comply with the following standards:

a. Allowable Types of Tower Design

- i. A new tower located within a Public Utility (PU) zoning district shall be either a monopole tower or a lattice tower.
- ii. A new tower located within a General Industrial (I-1) or Special Industrial (I-X) zoning district shall be a monopole tower.
- iii. A new tower located within any other zoning district shall be a stealth tower.

b. Prohibited Locations

A tower shall be prohibited on any property whose principal use includes the storage, distribution, or sale of volatile, flammable, explosive, or hazardous materials such as LP gas, propane, gasoline, natural gas, and corrosive or dangerous chemicals, unless the Fire Marshal determines that location of the tower on such property would not create, intensify, or contribute to a hazardous condition.

c. No Available Alternative

No new free-standing telecommunications tower shall be allowed unless it is demonstrated that no suitable existing tower or existing building or structure within the coverage area is reasonably available for collocation of the needed telecommunications facility and there is no reasonable alternative technology to accommodate such a facility on an existing tower site.

d. Collocation Opportunities Required

- i. A new lattice tower shall be designed and constructed with excess capacity to accommodate the needs of the owner and at least three additional collocation sites.
- ii. A new monopole tower shall be designed and constructed with excess capacity to accommodate the needs of the owner and at least two additional collocation sites.
- iii. A new stealth tower shall be designed and constructed with excess capacity to accommodate the needs of the owner and at least one additional collocation site.
- iv. The owners of a new telecommunications tower shall permit other telecommunications providers to collocate antennas and associated equipment on the tower, subject to mutually agreeable terms and conditions negotiated between the parties.

e. Height

The height of a new tower, including any structure atop which it is located, shall not exceed 130 feet.

f. Separation Requirements

i. Separation of Non-Stealth Towers from Residential Zoning Districts

The base of a new lattice or monopole tower shall be separated from any residential zoning district (whether or not the district is in the city's jurisdiction) by at least 200 feet or a distance equal to twice the height of the tower, whichever is greater.

ii. Separation from other Towers

The base of any new monopole tower or any new lattice tower shall be separated from the base of any existing telecommunications tower by at least the minimum separation distance set forth in Table 155.2404.F.3.f.ii, Minimum Separation from Existing Telecommunication Towers, for the relative heights of the two towers. The base of any new monopole tower or any new lattice tower located within the Public Utility (PU) zoning district shall be exempt from this requirement.

TABLE 155.2404.F.3.f.ii: MINIMUM SEPARATION FROM EXISTING TELECOMMUNICATION TOWERS

TABLE 155.2404.F.3.f.ii: MINIMUM SEPARATION FROM EXISTING TELECOMMUNICATION TOWERS			
Height of Existing Tower	Minimum Separation Distance (feet)		
	Height of Proposed Tower		
	Less than 50 feet	50 to 100 feet	More than 100 ft
Less than 50 feet	300	500	650
50 to 100 feet	500	750	866
Over 100 feet	750	1,000	1,300

g. Setbacks

A new tower with a height of 100 feet or less shall comply with the minimum setback standards applicable to principal uses in the zoning district in which the tower is located, as measured from the base of the tower. For towers higher than 100 feet, the applicable minimum setbacks shall increase one foot for each foot the tower's height exceeds 100 feet.

h. Parking

The lot on which a new tower is located shall contain one paved vehicular parking space unless provision of the parking space is determined to interfere with the use or enjoyment of adjoining property.

i. Fence or Wall

A new lattice or monopole tower, including any guy anchor supports, and any associated ground-based equipment buildings shall be enclosed by security fencing no less than eight feet high. Such fencing may be chain link, provided the chain link fencing is not visible from adjacent streets and not incorporated into a required buffer.

j. Perimeter Buffer

A type B perimeter buffer (See Section 155.5203.F, Perimeter Buffers.) shall be provided around the perimeter of the tower facility (including guy anchor supports and ground-based equipment buildings).

k. Use of Associated Structures

Structures associated with the tower shall not be used as an employment base for any worker. This does not prevent the periodic maintenance, inspection, and monitoring of equipment and instruments, or renovation of the facility.

l. No Outdoor Storage

No outdoor storage shall be allowed on a wireless communications tower site.

m. Security Signs

i. Warning signs reading "NO TRESPASSING" in lettering at least five inches high shall be permanently attached to the fence around the tower and the wall of any unfenced structure associated with the tower.

ii. If high voltage is necessary for operation of the tower or any accessory structure, warning signs reading "HIGH VOLTAGE - DANGER" in lettering at least five inches high shall be permanently attached to the fence around the tower and the wall of any unfenced associated structure. A "HIGH VOLTAGE - DANGER" warning may be combined with a "NO TRESPASSING" warning on the same sign.

iii. Required warning signs shall be spaced no more 40 feet apart and shall be installed at least five feet above the finished grade of the fence or wall to which they are attached. (Ord. 2012-64, passed 9-11-12; Am. Ord. 2014-16, passed 1-28-14; Am. Ord. 2016-52, passed 3-22-16)

155.4205. INSTITUTIONAL: COMMUNITY SERVICE USES

A. Community Center

1. Districts Where Permitted

RS-1	RS-2	RS-3	RS-4	RS-L	RD-1	RM-7	RM-12	RM-20	RM-30	RM-45	MH-12	B-1
						S	S	S	S	S		

M-1	CR	I-1	I-IX	OIP	M-2	TO	PR	CF	PU	T	BP	RPUD	I
	S					P		P				P	I

2. Definition