



**CITY COUNCIL
TEXT AMENDMENT CASE SUMMARY**

**AMEND §17-283 (WIRELESS COMMUNICATON FACILITIES – CELL TOWER)
WITH VERSION THAT REFLECTS CURRENT TECHNOLOGY AND LAW**

Zoning Public Hearing – May 17, 2016 at 7:00 PM
City Council Chambers, 3rd Floor, 1737 Main Street, Columbia, SC 29201

Proposal:	Amend § 17-283 (Wireless Communication Facilities – Cell Tower) with a version that reflects current technology and law.
Applicant:	K. Brian Cook, Zoning Administrator
Pertinent Sections:	Chapter 17, Article III, Division 8, Amend §17-283 (Wireless communication facilities – cell tower)
Staff Recommendation:	Approve
Planning Commission Recommendation:	Approve (7-0) - 4/4/16 - with condition to remove subsection (i)(14) from new version

Detail:	<p>Recent advancements in wireless technology, combined with local government’s role within the bounds of both the Federal Communication Commission’s (FCC) regulations and decisions of the Supreme Court, necessitated this amendment.</p> <p>Certain new definitions were added to better reflect industry and FCC terminology. As in the current version, protection of design and residential districts are included by not permitting new guy-wire, lattice, or monopole towers in those districts. This amendment recognizes and adapts to the recent changes, while retaining and magnifying a standard of staff review that is sensitive to aesthetics. New sections outline the application process based on type of facility, timeframe for review, design standards, and process for approval or denial of the request.</p>
Pending Issues:	None.
Staff Contact:	K. Brian Cook, Zoning Administrator

Sec. 17-283. Wireless communication facilities (Cell Tower).

- (a) *Intent.* The purpose of this Section is to ensure that residents, public safety operations, and businesses in the City have reliable access to wireless telecommunications networks and state-of-the-art communications services while also ensuring that the placement of these facilities preserves the intrinsic aesthetic character of the community and is accomplished according to the City's zoning, planning, and design standards. Any person or company, including those holding franchises granted by the City, must comply with this section when erecting new wireless-communication facilities or adding on to existing facilities. This section applies to towers, and all other wireless communication facilities, and applies to facilities that are or will be located on the public streets, public property, right-of-ways, or on private property. This Section is meant to be consistent with Section 704 of the Telecommunications Act of 1996, Section 6409(a) of the Spectrum Act, and the FCC's interpretations of those Acts.
- (b) *Definitions.* For the purposes of this section, the following words or phrases shall have the following meanings:
- (1) *Antenna.* Is any structure or device used to collect or radiate electromagnetic waves for the provision of services including, but not limited to, cellular, paging, personal communications services, and microwave communications. Antennas include directional antennas (such as panels), microwave dishes, satellite dishes, omnidirectional antennas (such as whips), and other similar structures or devices. Antennas encompass all on-site equipment associated with the antenna, including transceivers, cables, wiring, converters, power supplies, equipment cabinets and shelters, and other comparable equipment. This definition does not apply to broadcast antennas, antennas designed for amateur radio use, or satellite dishes designed for residential or household purposes.
 - (2) *Base Station.* Is the equipment and non-tower supporting structure at a fixed location that enable FCC-licensed or authorized wireless communications between user equipment and a communications network. The term includes any equipment associated with wireless communications service including, but not limited to, radio transceivers, antennas, coaxial or fiber-optic cable, regular and backup power supply, and comparable equipment. A base station is distinct from a tower. The definition of base station is intended to be consistent with the FCC's interpretations of that word under Section 6409(a) of the Spectrum Act. An existing base station includes a structure that, at the time of the application, supports or houses an antenna, transceiver, or other associated equipment that constitutes part of a "base station" as defined above, even if the structure was not built for the sole or primary purpose of providing such support.
 - (3) *Carrier on Wheels (COW).* A portable, self-contained wireless communication facility that is transported to a location to provide wireless services on a temporary or emergency basis.

- (4) *Board of Zoning Appeals (BOZA)*. The board that reviews requests for Special Exceptions.
- (5) *Collocation*. (A) The placement of two or more provider's wireless communication antenna upon the same wireless communication facility; or (B) The mounting or installation of transmission equipment on an eligible support structure for the purpose of transmitting or receiving radio frequency signals for communications purposes.
- (6) *Communication Tower*. Is a guy-wire communication tower, a lattice communication tower, or a monopole communication tower only.
- A. *Guy-Wire Communication Tower*. A ground-mounted tower supported by guys extending from various points upon the tower to anchors at the base of the tower that supports wireless communication antenna.
- B. *Lattice Communication Tower*. A ground-mounted, many-legged, self-supporting tower created by the joining of structural members that supports wireless communication antenna.
- C. *Monopole Communication Tower*. A ground-mounted, pole-shaped, self-supporting tower that supports wireless communication antenna.
- (7) *Eligible facilities request* means any request for modification of an existing wireless tower or base station that involves: (i) collocation of new transmission equipment; (ii) removal of transmission equipment; or (iii) replacement of transmission equipment. This definition does not include replacement of the underlying structure.
- (8) *Eligible Support Structure*. Is any structure that falls within this Ordinance's definitions of a tower or base station.
- (9) *Equipment Building or Cabinet*. Is an accessory structure that contains equipment necessary for the proper operation of wireless communication antenna.
- (10) *Stealth Wireless Communication Facility*. A structure fabricated in a manner that aesthetically masks its appearance as a wireless communication facility, including but not limited to a flagpole, tree, light standard, or bell tower.
- (11) *Support Structure*. A structure that supports wireless communication antenna and/or an equipment building or cabinet including but not limited to an existing structure, guy-wire communication tower, lattice communication tower, a monopole communication tower, and stealth wireless communication facility.
- (12) *Tower*. A structure built for the sole or primary purpose of supporting any FCC-licensed or authorized antennas and their associated facilities.
- (13) *Transmission Equipment*. Any equipment that facilitates transmission for any FCC-licensed or authorized wireless communications service, including, but not limited to, radio transceivers, antennas, and other relevant equipment

associated with and necessary to their operation, including coaxial or fiber optic cable, and regular and backup power supply. This definition includes equipment used in any technological configuration associated with any FCC authorized wireless transmission, licensed or unlicensed, terrestrial or satellite, including commercial mobile, private mobile, broadcast, and public safety services, as well as fixed wireless services such as microwave backhaul or fixed broadband.

- (14) *Transmission System*. Is broadly defined to include any telecommunications, broadcast, satellite, commercial mobile service, or other communications system that employs radio spectrum.
 - (15) *Wireless Communication Facility (WCF)*. The principal use that consists of a wireless communication antenna, support structure, and/or an equipment building or cabinet.
 - (16) *Zoning Administrator*. Means the City of Columbia's Zoning Administrator or his or her designee.
- (c) *Districts where permitted, height, and setbacks*. WCFs may be located in accordance with, and built to a height outlined within, Table 3, "Permissibility of and Bulk Requirements for Wireless Communication Facilities According to Support Structure" and any other applicable subsection.

**Table 3.
Permissibility of and Bulk Requirements for Wireless Communication Facilities According to Support Structure**

<i>Support Structure (Number for Reference Only)</i>	<i>Zoning Districts</i>	<i>Article I. Permitted?</i>	<i>Maximum Height in Feet</i>	<i>Minimum Setback from Single-family Residential Districts (See Note 1)</i>	<i>Minimum Setback from General Residential Districts (See Note 1)</i>	<i>Minimum Setback from Public ROW (See §17-283 (i)(10))</i>
1. New guy-wire communication tower or new lattice communication tower	D-1, RS-1, RS-1A, RS-1B, RS-2, RS-3, RD, RD-2	No	n/a			
	RG-1, RG-1A, RG-1B, RG-2, RG-3, UTD		n/a			
	C-1, C-2, C-3, C-3A, MX-1		n/a			
	C-4, C-5, C-6, MX-2		n/a			
	M-1, M-2	Yes	225'	500'	500'	1' for every 1' of structure height
		By special exception and subject to §17-283 (h) 1	300'	500'	500'	1' for every 1' of structure height
	DD, ID, 5P, NC, DP	No	n/a			
2. New Monopole Communication Tower	D-1, RS-1, RS-1A, RS-1B, RS-2, RS-3, RD, RD-2	No	n/a			
	RG-1, RG-1A, RG-1B, RG-2, RG-3, UTD	No	n/a			
	C-1, C-2, C-3, C-3A, MX-1	By Special Exception, Subject to §17-283 (h) 1	180'	300'	300'	50'
	C-4, C-5, C-6, MX-2	Yes	225'	300'	300'	0'
	M-1, M-2	Yes	225'	300'	300'	0'
	DD, ID, 5P, NC, DP	No	n/a			

<i>Support Structure (Number for Reference Only)</i>	<i>Zoning Districts</i>	<i>Article II. Permitted?</i>	<i>Maximum Height in Feet</i>	<i>Minimum Setback from Single-family Residential Districts (See Note 1)</i>	<i>Minimum Setback from General Residential Districts (See Note 1)</i>	<i>Minimum Setback from Public ROW (See §17-283 (i)(10))</i>
3. New LOW- PROFILE stealth wireless communication facility (aka cell tower)	D-1, RS-1, RS-1A, RS-1B, RS-2, RS-3, RD, RD-2	By special exception and subject to §17-283 (h) 1 and 2.	60'	District minimum yard setback (See Note 2)	District minimum front yard setback (see note 2)	
	RG-1, RG-1A, RG-1B, RG-2, RG-3, UTD	By special exception and subject to §17-283 (h) 1 and 2	80'			
	C-1, C-2, C-3, C-3A, MX-1	By special exception and subject to §17-283 (h) 1 and 2	100' (see note 3)			
	C-4, C-5, C-6, MX-2					
	M-1, M-2					
	DD, ID, 5P, NC, DP	As permitted above with staff review subject all requirements of 17-283.				
4. New HIGH-PROFILE stealth wireless communication facility (aka cell tower)	D-1, RS-1, RS-1A, RS-1B, RS-2, RS-3, RD, RD-2	No	n/a			
	RG-1, RG-1A, RG-1B, RG-2, RG-3, UTD	By special exception and subject to §17-283 (h) 1 and 2	180'	300'	n/a	District minimum front yard setback (see note 2)
	C-1, C-2, C-3, C-3A, MX-1	By special exception and subject to §17-283 (h) 1 and 2		300'	150'	
	C-4, C-5, C-6, MX-2			150'	150'	
	M-1, M-2			150'	150'	
	DD, ID, 5P, NC, DP	As permitted above with staff review subject all requirements of 17-283.				

<i>Support Structure (Number for Reference Only)</i>	<i>Zoning Districts</i>	<i>Article III. Permitted?</i>	<i>Maximum Height in Feet</i>	<i>Minimum Setback from Single-family Residential Districts (See Note 1)</i>	<i>Minimum Setback from General Residential Districts (See Note 1)</i>	<i>Minimum Setback from Public ROW (See §17-283 (i)(10))</i>
5. Existing structure ≤ 40' high and increase or add height ≤ 10'	D-1, RS-1, RS-1A, RS-1B, RS-2, RS-3, RD, RD-2	By special exception and subject to §17-283 (h) 1 and 2	Support structure ≤ 10' above height of existing structure	n/a	0'	
	RG-1, RG-1A, RG-1B, RG-2, RG-3, UTD	By special exception and subject to §17-283 (h) 1 and 2				
	C-1, C-2, C-3, C-3A, MX-1	Yes				
	C-4, C-5, C-6, MX-2					
	M-1, M-2					
	DD, ID, 5P, NC, DP	As permitted above with staff review subject all requirements of 17-283.				
6. Existing structure > 40' high and increase or add height ≤ 10'	D-1, RS-1, RS-1A, RS-1B, RS-2, RS-3, RD, RD-2	Yes for co-location upon existing communication towers and no increase to height of tower; all others by special exception and subject to 17-283(h)(1).	Support structure ≤ 10' above height of existing structure	n/a	0'	
	RG-1, RG-1A, RG-1B, RG-2, RG-3, UTD	Yes for co-location upon existing communication towers and no increase to height of tower; all others by special exception and subject to 17-283(h)(1)				
	C-1, C-2, C-3, C-3A, MX-1	Yes				
	C-4, C-5, C-6, MX-2					
	M-1, M-2					
	DD, ID, 5P, NC, DP	As permitted above with staff review subject all requirements of 17-283.				

<i>Support Structure (Number for Reference Only)</i>	<i>Zoning Districts</i>	<i>Article IV. Permitted?</i>	<i>Maximum Height in Feet</i>	<i>Minimum Setback from Single-family Residential Districts (See Note 1)</i>	<i>Minimum Setback from General Residential Districts (See Note 1)</i>	<i>Minimum Setback from Public ROW (See §17- 283 (i)(10))</i>
7. Existing structure ≤ 40' High and Increase or Add Height > 10' and ≤ 20'	D-1, RS-1, RS-1A, RS-1B, RS-2, RS-3, RD, RD-2	No		n/a		
	RG-1, RG-1A, RG-1B, RG-2, RG-3, UTD	By special exception and subject to §17-283 (h) 1 and 2	Support structure ≤ 20' above height of existing structure	n/a	0'	
	C-1, C-2, C-3, C-3A, MX-1	By special exception and subject to 17-283(h)(1)				
	C-4, C-5, C-6, MX-2					
	M-1, M-2					
	DD, ID, 5P, NC, DP	As permitted above with staff review subject to the requirements of this section.				
8. Existing structure > 40' high and increase or add height > 10' and ≤ 20'	D-1, RS-1, RS-1A, RS-1B, RS-2, RS-3, RD, RD-2	By special exception and subject to §17-283 (h) 1 and 2	Support structure ≤ 20' above height of existing structure	n/a	0'	
	RG-1, RG-1A, RG-1B, RG-2, RG-3, UTD	By Special Exception and subject to §17-283 (h) 1 and 2				
	C-1, C-2, C-3, C-3A, MX-1	Yes				
	C-4, C-5, C-6, MX-2					
	M-1, M-2					
	DD, ID, 5P, NC, DP	As permitted above with staff review subject all requirements of 17-283.				

<i>Support Structure (Number for Reference Only)</i>	<i>Zoning Districts</i>	<i>Article V. Permitted?</i>	<i>Maximum Height</i>	<i>Minimum Setback from Single-family Residential Districts (See Note 1)</i>	<i>Minimum Setback from General Residential Districts (See Note 1)</i>	<i>Minimum Setback from Public ROW (See §17-283 (i)(10))</i>
9. Existing structure ≤ 40' high and increase or add height > 20'	D-1, RS-1, RS-1A, RS-1B, RS-2, RS-3, RD, RD-2	No			n/a	
	RG-1, RG-1A, RG-1B, RG-2, RG-3, UTD	No			n/a	
	C-1, C-2, C-3, C-3A, MX-1	By special exception and subject to §17-283 (h) 1 and 2	Support structure ≤ 1 times the height of existing structure	n/a	0'	
	C-4, C-5, C-6, MX-2					
	M-1, M-2					
	DD, ID, 5P, NC, DP	As permitted above with staff review subject all requirements of 17-283.				
10. Existing structure > 40' High and Increase or Add Height > 20'	D-1, RS-1, RS-1A, RS-1B, RS-2, RS-3, RD, RD-2	No			n/a	
	RG-1, RG-1A, RG-1B, RG-2, RG-3, UTD	By special exception and subject to §17-283 (h) 1 and 2	Support structure ≤ 40' above height of existing structure	n/a	0'	
	C-1, C-2, C-3, C-3A, MX-1	By special exception and subject to 17-283(h)(1)				
	C-4, C-5, C-6, MX-2					
	M-1, M-2					
	DD, ID, 5P, NC, DP	As permitted above with staff review subject all requirements of 17-283.				

Notes:

- (1) Includes property zoned similarly within Richland or Lexington Counties as well as PUD-R.
- (2) See 17-275. Table 2. Schedule of Major Height and Area Requirements, as well as 17-276 and 17-278 for determination of appropriate setback from property line and/or public right-of-way.
- (3) Height may be increased by 30 feet only where the applicant demonstrates to the Board of Zoning Appeals that (a) the additional height is necessary to accommodate the collocation, and (b) the structure is designated and engineered to accommodate additional WCFs.

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- (d) *Application process for all WCFs.* Applications are located at the City of Columbia Zoning Division, 1136 Washington Street, 1st Floor, Columbia, SC 29201. Applications and an applicable fee must be submitted to the same office to initiate the approval process. All applications must contain the following:
- (1) An application form signed by the applicant.
 - (2) A copy of lease or letter of authorization from the property owner indicating applicant's authority to pursue zoning application. Financial information need not be disclosed and may be redacted. Where the planned location is in a public right-of-way or on public property, an applicant must submit a copy of the franchise agreement authorizing the applicant's use of the right-of-way or property.
 - (3) Site plans detailing proposed improvements which complies with the City's existing site-plan requirements. Drawings must depict all proposed improvements, including, but not limited to, property boundaries, setbacks, landscaping, fencing, topography, elevation sketch, and dimensions of improvement. Staff is interested in materials to be used, color options, and photographs or illustrations and examples of similar completed projects.
 - (4) Where special exceptions are sought, information necessary for the board of zoning appeals to decide whether to grant a special exception. See Section 17-112 and this section.
- (e) *Approvals required for WCFs and support structures.* Except as otherwise provided in subsection (f) below, any person or company, including those holding franchises granted by the City, must receive zoning approval before constructing WCFs or adding on to existing structures.
- (1) *Staff review.* The Zoning Administrator may review and determine applications for antennas, collocations, certain WCFs, minor modifications to existing structures, and applications for COWs not to last more than 120 days. If the Zoning Administrator determines that the character or size of the proposed antennas, collocations, certain WCFs, or minor modifications should require further approval, the Zoning Administrator shall defer the application to the BOZA based on the criteria found in Table 3, "Permissibility of and Bulk Requirements for Wireless Communication Facilities According to Support Structure" and any other applicable subsection.
 - (2) *Review procedure for WCFs and support structures.*
 - A. Within thirty (30) days of the receipt of an application, the City's Zoning Administrator shall either deem the application complete or inform the applicant in writing of the reasons why the application is deemed incomplete, specifying the code provision, ordinance, application instruction, or otherwise publicly-stated procedures that were not followed. If the application is deemed incomplete, the timeframe for the review process is suspended until the applicant submits a complete application. If the applicant fails to resubmit a complete application within sixty (60) days of receiving notice that its first application was incomplete, the application is considered withdrawn without prejudice and may only be resubmitted with a

new application fee. For good cause shown, the Department may in writing extend the 60-day deadline.

- B. Unless the review process is suspended in accordance with subsection (e)(2)(a) or if the applicant agrees to an extension of time, the Staff at the City's Zoning Department must issue a written decision granting or denying the application within ninety (90) days of the date of the initial application.
- C. If the application is denied, the applicant will be informed in writing of why there is substantial evidence that application is inconsistent with City Ordinances.
- D. Any applicant may appeal a decision approving, approving with conditions, or denying an application within thirty (30) days by filing an appeal with the Board of Zoning Appeals.

(f) *Approvals required for an "Eligible Facilities Request" for modifications to existing wireless towers or base stations.*

- (1) The Zoning Administrator will approve any eligible facilities request for a modification of an existing wireless tower or base station that does not substantially change the physical dimensions of such tower or base station.
- (2) For purposes of subsection (f), a *substantial change* is a modification that substantially changes the physical dimensions of a tower or base station if it meets any of the following criteria:
 - A. For towers outside of public rights-of-way, it increases the height of the tower by more than 10%, or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed 20 feet, whichever is greater; for those towers in the rights-of-way and for all base stations, it increases the height of the tower or base station by more than 10% or 10 feet, whichever is greater;
 - B. For towers outside of public rights-of-way, it protrudes from the edge of the tower more than twenty feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater; for those towers in the rights-of-way and for all base stations, it protrudes from the edge of the structure more than six feet;
 - C. It involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four cabinets;
 - D. It entails any excavation or deployment outside the current site of the tower or base station;
 - E. It would defeat the existing concealment elements of the tower or base station; or
 - F. It does not comply with conditions associated with the prior approval of construction or modification of the tower or base station unless the non-compliance is due to an increase in height, increase in width, addition of

cabinets, or new excavation that does not exceed the corresponding “substantial change” thresholds identified above.

(3) *Other considerations*

- A. For purposes of evaluating whether a modification is a “substantial change,” the changes in height resulting from a modification should be measured from the original support structure in cases where the deployments are or will be separated horizontally, such as on buildings’ rooftops; in other circumstances, changes in height should be measured from the dimensions of the tower or base station inclusive of originally approved appurtenances and any modifications that were approved prior to the passage of the Spectrum Act on February 22, 2012.
- B. Notwithstanding the provisions of this Section, the City of Columbia may continue to enforce and condition approval on compliance with generally applicable building, structural, electrical, safety codes, and with other laws codifying objective standards reasonably related to health and safety.

(4) *Review and approval procedure for an “Eligible Facilities Request.”*

- A. *Timeframe for review.* Within sixty (60) days of the receipt of an application for an eligible facilities request, the Zoning Administrator shall review and then approve the application, unless it determines that the application proposes a substantial change to the physical dimensions of a tower or base station or is otherwise inconsistent with the requirements of this Section.
- B. *Tolling the timeframe for review.*
 - (i) The Zoning Administrator’s timeframe for review will be tolled if the Zoning Administrator and the applicant mutually agree to toll the timeframe, or if the Zoning Administrator determines the application is incomplete.
 - (ii) To toll the timeframe for incompleteness, the Zoning Administrator must provide written notice within thirty (30) days of receipt of the application, identifying the missing information, specifying the code provision, ordinance, application instruction, or otherwise publicly-stated procedures that were not followed.
 - (iii) If the applicant makes a supplemental submission, the timeframe for review will begin running again, but may be tolled again if the Zoning Administrator provides written notice within ten (10) days after receiving supplemental information, specifying that the application is still incomplete, and identifying the missing information, specifying the code provision, ordinance, application instruction, or otherwise publicly-stated procedures that were not followed. If any supplemental submissions are incomplete, the Zoning Administrator must provide written notice of incompleteness within ten (10) days of receiving the supplemental submission. If the ten (10) day period in this subsection expires, the timeframe for review may not be further tolled for incompleteness.

C. *Interaction with Subsection (e)*. If the Zoning Administrator determines that the application presents a substantial change or is otherwise not covered by Section 6409(a) of the Spectrum Act, the application will be considered under subsection (e), above. The timeframe for review subsection (e) will begin to run from the date the Zoning Administrator issues its decision. The Zoning Administrator may request the applicant submit additional information, as required under subsection (e).

(g) *General Standards for WCFs*. In considering applications for WCFs, except as otherwise provided in subsection (f) above, the Zoning Administrator shall make all reasonable efforts insofar as practical to find that:

- (1) The proposed WCF would emulate an architectural or landscape feature typical of, or appropriate to, the surrounding area.
- (2) The proposed WCF would respect and, to the extent possible, compliment the style, height, bulk mass, material, and color of existing buildings, structures, vegetation, or uses within the surrounding area;
- (3) The proposed WCF would preserve existing vegetation;
- (4) The proposed WCF would preserve scenic view sheds; and
- (5) The proposed WCF would respect existing topography, including minimizing the extent to which the proposed WCF would be a dominant feature upon a hill, crest, ridgeline or other topographical high point.
- (6) Conceal conduit internally and streamline antenna and equipment.
- (7) Color match antenna and equipment with existing poles, buildings, and background.
- (8) Use decorative metal or fiberglass supports consistent with the redevelopment or esthetics efforts of the area.

(h) *Special Exception Criteria.*

- (1) Standards for approval. In addition to the criteria for special exceptions set forth in section 17-112 (2), the BOZA shall, in considering any applications that require special exceptions relating to WCF's find that:
 - A. The proposed WCF would not endanger the safety of residents, employees, or travelers, including but not limited to the likelihood of the failure of such structure;
 - B. The proposed WCF would not be located where it would substantially detract from aesthetics and neighborhood character or impair the use of neighboring properties;
 - C. The proposed WCF, if a communication tower is not located within 1,000 feet of another communication tower;
 - D. The proposed user has attempted to co-locate upon existing WCFs and
 - E. The proposed user will allow other users to co-locate upon the WCF in the future subject to the engineering capabilities of the structure.

- (2) Additional standards for approval for stealth WCFs and certain existing WCFs upon existing structures. In addition to the criteria for special exceptions set forth in section 17-112(2) and section 17-283(h)(1) above, the BOZA shall, in considering applications for special exceptions for stealth WCFs and certain WCFs upon existing structures, find that:
 - A. The proposed WCF would emulate an architectural or landscape feature typical of, or appropriate to, the surrounding area;
 - B. The proposed WCF would respect, and to the extent possible compliment, the style, height, bulk, mass, material and color of existing buildings, structures, vegetation or uses within the surrounding area;
 - C. The proposed WCF would preserve existing vegetation;
 - D. The proposed WCF would preserve scenic view sheds;
 - E. The proposed WCF would respect existing topography, including minimizing the extent to which the proposed WCF would be a dominant feature upon a hill, crest, ridgeline or other topographical high point.
 - F. Where the proposed WCF would be located within or within 300 feet of a D-1, RS-1, RS-1A, RS-1B, RS-2, RS-3 or RD zoning district, the applicant shall conduct a neighborhood information meeting at least 14 calendar days prior to the public hearing at the board of zoning appeals. At least 14 calendar days prior to the neighborhood information meeting, the applicant shall distribute flyers to the neighborhood president, if such person is registered with the Columbia Council of Neighborhoods, and all property owners within 1,000 feet of the proposed location, informing said persons of the date, time location and general topic of the meeting.
 - G. The applicant for a Special Exception under this section shall send a notice of the public hearing by Certified Mail Return Receipt Requested, to all property owners of

parcels that are located within 1,000 ft. of the lot to contain the Wireless Communication Facility (Cell Tower) at least 14 calendar days prior to the hearing date. Addresses used for the mailing shall be the most current listed with the Richland County Tax Assessor. This notice shall contain the following information:

- (i) The date, time and place of the hearing.
- (ii) A description to inform the public of the location of the property for which the special exception is requested, including the street address and the tax map reference.
- (iii) The description of the request to include the type and height of the facility requested.

(i) *Additional Criteria.*

- (1) Where a new communication tower or a new stealth WCF would be "visible" from property listed within the National Register of Historic Places, the South Carolina State Historic Preservation Officer must issue a letter stating that the design would have no adverse effect before the zoning administrator or his or her designee shall issue a zoning permit. Where a new communication tower or a new stealth WCF would be "visible" from property listed within a locally designated architectural conservation district, historic commercial district, a local individual landmark, or landmark district, staff must review and approve the design of the structure. To determine whether or not a proposed WCF would be "visible" as the term is used within above, apply a line of site six feet above grade from the property line of any property that would be within a 1,000-foot radius from the proposed WCF. Stealth WCFs are considered visible in totality even though the associated wireless communication antenna and/or equipment building or cabinet may not be easily discernible.
- (2) Eight-foot-high fencing shall be provided around any communication tower and associated equipment building or cabinet. Concertina wire, barbed wire, or other like security devices are expressly prohibited unless the devices are screened entirely and year round with landscaping that achieves the required screening at the time the landscaping is installed. Any existing concertina wire, barbed wire, or other like security fencing shall be either removed within one year of the date of adoption of this amendment to the zoning ordinance or screened entirely and year round with landscaping that achieves the required screening at the time the landscaping is installed.
- (3) Around the base of any communication tower, outside of the fencing, at least one row of evergreen shrubs forming a continuous hedge at least five feet in height shall be provided, with individual plantings spaced not more than five feet apart. Additional landscaping, to include that associated with parking, is to be provided as required by all other relevant provisions of this article.
- (4) Illumination. WCFs shall be illuminated only to the extent required by applicable federal or state statute or regulation.
- (5) Signage. No signage is permitted, except:
 - A. As is required by applicable state or federal law, rule, or regulation;

- B. As is required by standard industry practice for the purpose of identification, warning, emergency function or contact; and
- (6) Stealth WCFs that serve as or provide a public amenity may have up to six square feet of signage only for the purpose of dedication and/or announcing corporate sponsorship.
 - (7) Abandonment. A WCF and equipment that is no longer used for communication purposes must be removed within 120 days of the date it is taken out of service.
 - (8) Permit required. A zoning permit is required prior to the beginning of any site work or WCF construction.
 - (9) Color. New communication towers shall be light gray, except as otherwise required by applicable federal or state statute or regulation.
 - (10) Fall Zone Letter Required. A new communication tower, a new stealth communication WCF, or the support structure necessary to increase the height of an existing structure by more than 20 feet must be designed such that, in the event the WCF may fail structurally, it would not fall within a public right of way. The zoning administrator or his or her designee shall not issue a zoning permit for the support structures listed within this subsection until such time that the applicant provides a signed letter from a registered professional structural engineer certifying that the proposed WCF is designed as required above.
 - (11) Relocation of a WCF. Any WCF permitted in the public right-of-way shall be relocated at the expense of the WCF's owner in the event relocation is required due to roadway or utility improvements.
 - (12) Locations on City Property or Right of Way. Nothing in this Section abrogates the City's discretion to deny the use of City property or right-of-ways. The City, in its proprietary capacity, retains the discretion to reject or allow.
 - (13) Expansion of nonconformity. Notwithstanding section 17-201 et seq., which regulates nonconformities, no WCF proposed upon an existing structure permitted in accordance with Table 3 shall be construed to expand or otherwise exacerbate an existing nonconformity.
 - (14) No variance to the requirements of this section shall be granted by BOZA.
 - (15) Routine maintenance and swapping of like equipment shall be excluded from application, review, and zoning permitting.
 - (16) An existing utility pole located in the right of way may be replaced with a new pole of substantially like height and placement to better structurally support new equipment or to further the specific design and/or esthetic efforts of the City of Columbia.

~~Sec. 17-283. Wireless communication facilities (cell tower).~~

- ~~(a) Intent. It is the intent of this section to provide a definition of wireless communication facilities and to provide regulations for placement of them.~~
- ~~(b) Definitions. For the purposes of this section, the following words or phrases shall have the following meanings:~~
- ~~(1) Co-location means the placement of two or more provider's wireless communication antenna upon the same wireless communication facility.~~
 - ~~(2) A communication tower is a guy-wire communication tower, a lattice communication tower, or a monopole communication tower only.~~
 - ~~(3) DDRC is an abbreviation for "design development review commission".~~
 - ~~(4) A guy-wire communication tower is a ground-mounted tower supported by guys extending from various points upon the tower to anchors at the base of the tower that supports wireless communication antenna.~~
 - ~~(5) A lattice communication tower is a ground-mounted, many-legged, self-supporting tower created by the joining of structural members that supports wireless communication antenna.~~
 - ~~(6) Monopole communication tower is a ground-mounted, pole-shaped, self-supporting tower that supports wireless communication antenna.~~
 - ~~(7) A stealth wireless communication facility is a structure fabricated in a manner that aesthetically masks its appearance as a wireless communication facility, including but not limited to a flagpole, tree, light standard, and bell tower.~~
 - ~~(8) A support structure is a structure that supports wireless communication antenna and/or an equipment building or cabinet including but not limited to an existing structure, guy-wire communication tower, lattice communication tower, a monopole communication tower, and stealth communication facility.~~
 - ~~(9) Wireless communication antenna is the one or more components of a wireless communication facility that directly radiate and/or receive any signal related to AM, FM, two-way, private, and commercial-free radio services; to television services; to telephone, pager, and beeper services; and to data or internet services.~~
 - ~~(10) An equipment building or cabinet is an accessory structure that contains equipment necessary for the proper operation of wireless communication antenna and in all other ways conforms to the definition of Accessory Building or Use within section 17-55.~~
 - ~~(11) A wireless communication facility is the principal use that consists of a wireless communication antenna, support structure, and/or an equipment building or cabinet, also commonly known as a cell tower.~~
 - ~~(12) WCF is an abbreviation for "wireless communication facility," also commonly known as a cell tower.~~
- ~~(c) Districts where permitted, height, and setbacks. WCFs may be located in accordance with, and built to a height outlined within, Table 3, "Permissibility of and Bulk Requirements for Wireless Communication Facilities According to Support Structure," except that:~~

- ~~(1) Where a new communication tower or a new stealth WCF would be visible from property listed within the National Register of Historic Places, the South Carolina State Historic Preservation Officer must issue a letter stating that the design would have no adverse effect before the zoning administrator or his or her designee shall issue a zoning permit;~~
- ~~(2) Where a new communication tower or a new stealth WCF would be visible from property listed within a locally designated architectural conservation district, historic commercial district, or landmark district, the DDRC must review and approve the design of the structure against the standards outlined within subsection (e) below before the zoning administrator or his or her designee shall issue a zoning permit;~~
- ~~(3) Where a new communication tower or a new stealth WCF would be visible from property designated as a local landmark, the DDRC must review and approve the design of the structure against the standards outlined within subsection (e) below before the zoning administrator or his or her designee shall issue a zoning permit; and~~
- ~~(4) Where the above sub-sections would require a "no adverse effect" letter from the State Historic Preservation Officer and review and approval by the DDRC, both requirements shall be fulfilled before the zoning administrator or his or her designee shall issue a zoning permit.~~
- ~~(5) Procedure to determine "visible." To determine whether or not a proposed WCF would be visible as the term is used within subsections (c)(1)–(3) above, apply a line of site six feet above grade from the property line of any property that would be within a 1,000-foot radius from the proposed WCF. To be certain, stealth WCFs are considered visible in totality even though the associated wireless communication antenna and/or equipment building or cabinet may not be easily discernable.~~
- ~~(6) Applicability of supplementary districts. Any permissibility, location, or height restrictions of a supplementary district located within Division 9 of this Article shall supersede Table 3, except for WCFs located within DD "Design Development" "5P" (Five Points), "ID" (Innovista Design), "NC" (North Main Corridor) and DP "Design Preservation" areas which are included within Table 3.~~
- ~~(7) Expansion of nonconformity. Notwithstanding section 17-201 et seq., which regulates nonconformities, no WCF proposed upon an existing structure permitted in accordance with Table 3 shall be construed to expand or otherwise exacerbate an existing nonconformity.~~
- ~~(8) Stability of nonconforming structures. Notwithstanding section 17-201 et seq., which regulates nonconformities, where an applicant proposing to use an existing structure for a WCF provides documentation from a certified structural engineer that the existing structure cannot support the WCF, and where the existing structure does not comply with the use or bulk requirements (i.e. height, setbacks) of the zoning ordinance, the applicant may request a special exception from the board of zoning appeals to demolish the existing structure and rebuild it. To grant such a special exception, the board of zoning appeals shall find that the new structure is similar in all outwardly appearances to the original structure. To be certain, this provision does not negate any reviews and approvals that would otherwise be required by Table 3 of this section, and this provision does not authorize an increase in or additional height to the existing structure except as allowed within Table 3 of this section.~~

~~TABLE 3.
PERMISSIBILITY OF BULK REQUIREMENT FOR WIRELESS COMMUNICATION FACILITIES
ACCORDING TO SUPPORT STRUCTURE~~

Support Structure (Number for Reference Only)	Zoning Districts	Article I- Permitted?	Maximum Height in Feet	Minimum Setback from Single-Family Residential Districts in Feet (See Note 1)	Minimum Setback from General Residential Districts in Feet (See Note 2)	Minimum Setback from Public ROW in feet (See 17-283(m))
1. New guy-wire communication tower or new lattice communication tower	D-1, RS-1, RS-1A, RS-1B, RS-2, RS-3, RD, RD-2	No	n/a			
	RG-1, RG-1A, RG-1B, RG-2, RG-3, UTD					
	C-1, C-2, C-3, C-3A, MX-1					
	C-4, C-5, C-6, MX-2	Yes	225	500	500	1' for every 1' of structure height
M-1, M-2	By special exception and subject to 17-283(d)(1)	300	500	500	1' for every 1' of structure height	

	Any with DD, ID, 5P, NC or DP Appendage	No	n/a			
2. New monopole communication Tower	D-1, RS-1, RS-1A, RS-1B, RS-2, RS-3, RD, RD-2	No	n/a			
	RG-1, RG-1A, RG-1B, RG-2, RG-3, UTD	No	n/a			
	C-1, C-2, C-3, C-3A, MX-1	By special exception and subject to 17-283(d)(1)	180	300	300	50
	C-4, C-5, C-6, MX-2	Yes	225	300	300	0
	M-1, M-2	Yes	225	300	300	0
	Any with DD, ID, 5P, NC or DP appendage	No	n/a			

Support Structure (Number for Reference Only)	Zoning Districts	Article II- Permitted?	Maximum Height in Feet	Minimum Setback from Single-Family Residential Districts in Feet (See Note 1)	Minimum Setback from General Residential Districts in Feet (See Note 2)	Minimum Setback from Public ROW in feet (See 17-283(m))
3. New LOW-PROFILE stealth wireless communication facility (aka cell tower)	D-1, RS-1, RS-1A, RS-1B, RS-2, RS-3, RD, RD-2	By special exception and subject to 17-283(d)(1) and (2)	60	District minimum yard setback (see note 3)		District minimum front yard setback (see note 3)
	RG-1, RG-1A, RG-1B, RG-2, RG-3, UTD	By special exception and subject to 17-283(d)(1) and (2)	80			
	C-1, C-2, C-3, C-3A, MX-1	By special exception and subject to 17-283(d)(1) and (2)	100 (see note 4)			
	C-4, C-5, C-6, MX-2					
	M-1, M-2	By special exception subject to 17-283(d)(1), and subject to review and approval by DDRC in accordance with	Same height and setback requirements as underlying zoning district			
Any with DD, ID, 5P, NC or DP appendage						

		17-283(e)			
4. New HIGH PROFILE stealth wireless communication facility (aka cell tower)	D-1, RS-1, RS-1A, RS-1B, RS-2, RS- 3, RD, RD-2	No	n/a		
	RG-1, RG-1A, RG-1B, RG-2, RG-3, UTD	By special exception and subject to 17-283(d)(1) and (2)	180	300	n/a
	C-1, C-2, C-3, C- 3A, MX-1	By special exception and subject to 17-283(d)(1) and (2)		300	150
	C-4, C-5, C-6, MX-2			150	150
	M-1, M-2			150	150
	Any with DD, ID, 5P, NC or DP appendage	By special exception subject to 17-283(d)(1), and subject to review and approval by DDRC in accordance with 17-283(e)	Same height and setback requirements as underlying zoning district		

Support Structure (Number for Reference Only)	Zoning Districts	Article III. _____ Permitted?	Maximum Height in Feet	Minimum Setback from Single- Family Residential Districts in Feet (See Note 1)	Minimum Setback from General Residential Districts in Feet (See Note 2)	Minimum Setback from Public ROW in feet (See 17- 283(m))
5. Existing structures ≤ 40' high and increase or add height ≤ 10'	D-1, RS-1, RS- 1A, RS-1B, RS-2, RS-3, RD, RD-2	By special exception and subject to 17-283(d)(1) and (2)	Support structure ≤ 10' above height of existing structure	n/a	0	
	RG-1, RG-1A, RG-1B, RG-2, RG-3, UTD	By special exception and subject to 17-283(d)(1) and (2)				
	C-1, C-2, C-3, C- 3A, MX-1	Yes				
	C-4, C-5, C-6, MX-2					
	M-1, M-2					
Any with DD, ID, 5P, NC or DP appendage	When underlying zoning district is "yes" or by "special exception," DDRC approval also required (17-283(e))	Same height and setback requirements as underlying zoning district				
6. Existing	D-1, RS-1, RS-	Yes for co-location upon existing	Support	n/a	0	

structure > 40' high and increase or add height ≤ 10'	1A, RS 1B, RS 2, RS 3, RD, RD-2	communication towers and no increase to height of tower; all others by special exception and subject to 17-283(d)(1)	structure ≤ 10' above height of existing structure		
	RG 1, RG 1A, RG 1B, RG 2, RG 3, UTD	Yes for co-location upon existing communication towers and no increase to height of tower; all others by special exception and subject to 17-283(d)(1)			
	C 1, C 2, C 3, C 3A, MX 1	Yes			
	C 4, C 5, C 6, MX 2				
	M 1, M 2				
Any with DD, ID, 5P, NC or DP appendage	When underlying zoning district is "yes" of by "special exception," DDRC approval also required (17-283(e))	Same height and setback requirements as underlying zoning district			

Support Structure (Number for	Zoning Districts	Article IV. Permitted?	Maximum Height in Feet	Minimum Setback from Single-Family Residential	Minimum Setback from General	Minimum Setback from Public ROW in feet (See 17-
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Reference Only)				Districts in Feet (See Note 1)	Residential Districts in Feet (See Note 2)	283(m))
7. Existing structure ≤ 40' high and increase or add height > 10' and ≤ 20'	D-1, RS-1, RS-1A, RS-1B, RS-2, RS-3, RD, RD-2	No		n/a		
	RG-1, RG-1A, RG-1B, RG-2, RG-3, UTD	By special exception and subject to 17- 283(d)(1) and (2)	Support structure ≤ 20' above height of existing structure	n/a		
	C-1, C-2, C-3, C- 3A, MX-1	By special exception and subject to 17- 283(d)(1)				
	C-4, C-5, C-6, MX- 2					
	M-1, M-2					
	Any with DD, ID, 5P, NC or DP appendage	When underlying zoning district is "yes" of by "special exception," DDRC approval also required (17-283(e))	Same height and setback requirements as underlying zoning district			
8. Existing structure > 40' high and increase	D-1, RS-1, RS-1A, RS-1B, RS-2, RS-3,	By special exception and subject to 17-	Support structure	n/a		0

or add height > 10' and ≤ 20'	RD, RD-2	283(d)(1)	≤ 20' above height of existing structure		
	RG-1, RG-1A, RG-1B, RG-2, RG-3, UTD	By special exception and subject to 17- 283(d)(1) and (2)			
	C-1, C-2, C-3, C- 3A, MX-1	Yes			
	C-4, C-5, C-6, MX- 2				
	M-1, M-2				
Any with DD, ID, 5P, NC or DP appendage	When underlying zoning district is "yes" of by "special exception," DDRC approval also required (17-283(e))	Same height and setback requirements as underlying zoning district			

Support Structure (Number for Reference Only)	Zoning Districts	Article V. Permitted?	Maximum Height in Feet	Minimum Setback from Single- Family Residential Districts in Feet	Minimum Setback from General Residential Districts in Feet	Minimum Setback from Public ROW in feet (See 17- 283(m))
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				(See Note 1)	(See Note 2)	
9. Existing structure ≤ 40' high and increase or add height > 20'	D-1, RS-1, RS-1A, RS-1B, RS-2, RS-3, RD, RD-2	No			na	
	RG-1, RG-1A, RG-1B, RG-2, RG-3, UTD	No			n/a	
	C-1, C-2, C-3, C- 3A, MX-1	By special exception and subject to 17-283(d)(1) and (2)	Support structure ≤ 1 times the height of existing structure	n/a	0	
	C-4, C-5, C-6, MX- 2					
	M-1, M-2					
Any with DD, ID, 5P, NC or DP appendage	When underlying zoning district is "yes" or by "special exception," DDRC approval also required (17-283(e))	Same height and setback requirements as underlying zoning district				
10. Existing structure > 40' high and increase or add	D-1, RS-1, RS-1A, RS-1B, RS-2, RS-3, RD, RD-2	No			na	

height > 20'	RG 1, RG 1A, RG 1B, RG 2, RG 3, UTD	By special exception and subject to 17-283(d)(1) and (2)	Support structure ≤ 40' above height of existing structure	n/a	0
	C 1, C 2, C 3, C 3A, MX-1	By special exception and subject to 17-283(d)(1)			
	C 4, C 5, C 6, MX- 2				
	M-1, M-2				
	Any with DD, ID, 5P, NC or DP appendage	When underlying zoning district is "yes" of by "special exception," DDRC approval also required (17-283(e))	Same height and setback requirements as underlying zoning district		

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Notes:	
(1)	Includes property zoned similarly within Richland or Lexington Counties as well as PUD-R where land use is single or two-family residential.
(2)	Includes property zoned similarly within Richland or Lexington Counties as well as PUD-R where land use residential other than single or two-family residential.

(3)	See 17-275, Table 2. Schedule of Major Height and Area Requirements as well as § 17-276 and § 17-278 for determination of appropriate setback from property line and/or public right-of-way.
(4)	Height may be increased by 30 feet only where the applicant demonstrates to the board of zoning appeals that (a) the additional height is necessary to accommodate co-location and (b) the structure is designed and engineered to accommodate additional wireless communication facilities.

~~(d) Special exception criteria.~~

- ~~(1) Standards for approval. In addition to the criteria for special exceptions set forth in section 17-112 (2), the board of zoning appeals shall, in considering any applications for special exceptions relating to WCF's find that:~~
- ~~a. The proposed WCF would not endanger the safety of residents, employees, or travelers, including but not limited to the likelihood of the failure of such structure;~~
 - ~~b. The proposed WCF would not be located where it would substantially detract from aesthetics and neighborhood character or impair the use of neighboring properties;~~
 - ~~c. The proposed WCF, if a communication tower is not located within 1,000 feet of another communication tower;~~
 - ~~d. The proposed user has attempted to co-locate upon existing WCFs and~~
 - ~~e. The proposed user will allow other users to co-locate upon the WCF in the future subject to the engineering capabilities of the structure.~~
- ~~(2) Additional standards for approval for stealth WCFs and certain existing WCFs upon existing structures. In addition to the criteria for special exceptions set forth in section 17-112(2) and section 17-283(d)(1) above, the board of zoning appeals shall, in considering applications for special exceptions for stealth WCFs and certain WCFs upon existing structures, find that:~~
- ~~a. The proposed WCF would emulate an architectural or landscape feature typical of, or appropriate to, the surrounding area;~~
 - ~~b. The proposed WCF would respect, and to the extent possible compliment, the style, height, bulk, mass, material and color of existing buildings, structures, vegetation or uses within the surrounding area;~~
 - ~~c. The proposed WCF would preserve existing vegetation;~~
 - ~~d. The proposed WCF would preserve scenic view sheds;~~

- ~~e. The proposed WCF would respect existing topography, including minimizing the extent to which the proposed WCF would be a dominant feature upon a hill, crest, ridgeline or other topographical high point.~~
- ~~f. Where the proposed WCF would be located within or within 300 feet of a D-1, RS-1, RS-1A, RS-1B, RS-2, RS-3 or RD, RD-2 zoning district, the applicant shall conduct a neighborhood information meeting at least 14 calendar days prior to the public hearing at the board of zoning appeals. At least 14 calendar days prior to the neighborhood information meeting, the applicant shall distribute flyers to the neighborhood president, if such person is registered with the Columbia Council of Neighborhoods, and all property owners within 1,000 feet of the proposed location, informing said persons of the date, time location and general topic of the meeting.~~
- ~~g. The applicant for a special exception under this section shall send a notice of the public hearing by certified mail return receipt requested, to all property owners of parcels that are located within 1,000 ft. of the lot to contain the wireless communication facility (cell tower) at least 14 calendar days prior to the hearing date. Addresses used for the mailing shall be the most current listed with the Richland County Tax Assessor. This notice shall contain the following information:
 - ~~1. The date, time and place of the hearing.~~
 - ~~2. A description to inform the public of the location of the property for which the special exception is requested, including the street address and the tax map reference.~~
 - ~~3. The description of the request to include the type and height of the facility (cell tower) requested.~~~~
- ~~(3) Site plan and other documentation. A site plan, elevation drawing, photographs and other appropriate documentation must be submitted with any application for special exception for a WCF including but not limited to the following information:
 - ~~a. The site plan must include the location of the WCF, guy anchors (if any), the equipment building or cabinet and other accessory uses, parking access, fences, and adjacent land use. Landscaping and required buffering must also be shown.~~
 - ~~b. Elevation drawings must clearly show the design of the WCF and materials to be used.~~
 - ~~c. Photographs must show the proposed site and the immediate area.~~
 - ~~d. Submittal of other detailed information which supports the request, such as "before" and "after" images, topography, and aerial views, is encouraged at the option of the applicant.~~~~
- ~~(e) Standards for DDRC approvals for WCFs. Where charged with review and approval, the DDRC shall, in considering applications for WCFs, find that:
 - ~~(1) The proposed WCF would emulate an architectural or landscape feature typical of, or appropriate to, the surrounding area.~~
 - ~~(2) The proposed WCF would respect, and to the extent possible compliment, the style, height, bulk mass, material, and color of existing buildings, structures, vegetation or uses within the surrounding area;~~
 - ~~(3) The proposed WCF would preserve existing vegetation;~~
 - ~~(4) The proposed WCF would preserve scenic view sheds; and~~~~

- ~~(5) The proposed WCF would respect existing topography, including minimizing the extent to which the proposed WCF would be a dominant feature upon a hill, crest, ridgeline or other topographical high point.~~
- ~~(f) Landscaping and fencing. Landscaping and fencing are to be provided as follows:~~
- ~~(1) Eight-foot-high fencing shall be provided around any communication tower and associated equipment building or cabinet. Concertina wire, barbed wire, or other like security devices are expressly prohibited unless the devices are screened entirely and year round with landscaping that achieves the required screening at the time the landscaping is installed. Any existing concertina wire, barbed wire, or other like security fencing shall be either removed within one year of the date of adoption of this amendment to the zoning ordinance or screened entirely and year round with landscaping that achieves the required screening at the time the landscaping is installed.~~
 - ~~(2) Around the base of any communication tower, outside of the fencing, at least one row of evergreen shrubs forming a continuous hedge at least five feet in height shall be provided, with individual plantings spaced not more than five feet apart. Additional landscaping, to include that associated with parking, is to be provided as required by all other relevant provisions of this article.~~
- ~~(g) Illumination. WCFs shall be illuminated only to the extent required by applicable federal or state statute or regulation.~~
- ~~(h) Signage. No signage is permitted, except:~~
- ~~(1) As is required by applicable state or federal law, rule, or regulation;~~
 - ~~(2) As is required by standard industry practice for the purpose of identification, warning, emergency function or contact; and~~
 - ~~(3) Stealth WCFs that serve as or provide a public amenity may have up to six square feet of signage only for the purpose of dedication and/or announcing corporate sponsorship.~~
- ~~(i) Abandonment. A WCF that is no longer used for communication purposes must be removed within 120 days of the date it is taken out of service.~~
- ~~(j) Permit required. A zoning permit is required prior to the beginning of any site work or WCF construction.~~
- ~~(k) Co-location. At the time of the zoning permit application for a new communication tower, satisfactory evidence shall be submitted that alternative towers, buildings, or other structures are not available for use within the applicant's communication tower site search area that are structurally capable of supporting the intended wireless communication antenna or meeting the applicant's necessary height criteria, or provide a location free of interference from other communication towers.~~
- ~~(l) Color. New communication towers shall be light gray, except as otherwise required by applicable federal or state statute or regulation.~~
- ~~(m) Fall zone letter required. A new communication tower, a new stealth communication WCF, or the support structure necessary to increase the height of an existing structure by more than 20 feet must be designed such that, in the event the WCF may fail structurally, it would not fall within a public ROW. The zoning administrator or his or her designee shall not issue a zoning permit for the support structures listed within this subsection until such time that the applicant provides a signed letter from a registered professional structural engineer certifying that the proposed WCF is designed as required above.~~

~~(Ord. No. 95-44, 9-6-95; Ord. No. 99-011, § 2, 4-21-99; Ord. No. 2000-024, § 3, 3-29-00; Ord. No. 2004-065, 7-21-04; Ord. No. 2008-025, 6-18-08; Ord. No. 2009-036, 6-3-09; Ord. No. 2009-131, 3-17-10; Ord. No. 2010-110, 7-28-10; Ord. No. 2011-034, 5-24-11)~~

Note—Formerly numbered as 17-280.