

§113.0103 Definitions

Abutting property through Alley [No change.]

Amateur radio antenna structures means any antenna, including its support structure and other equipment or apparatus, used for purposes of transmitting and receiving radio signals in conjunction with an amateur radio station licensed by the Federal Communications Commission.

Amended map through Yard [No change.]

§126.0402 When a Neighborhood Development Permit Is Required

(a) - (l) [No change.]

(m) A Neighborhood Development Permit is required for *amateur radio antenna structures* that deviate from the requirements of Section 141.0421.

§126.0404 Findings for Neighborhood Development Permit Approval

[No change first paragraph.]

(a)-(d) [No change.]

(e) Supplemental Finding- Amateur Radio Antenna Structures
A Neighborhood Development Permit required in accordance with Section 126.0402(m) for any *amateur radio antenna structure* requesting a deviation to achieve effective amateur radio communication may be approved or conditionally approved only if the decision maker makes the

following supplemental *finding* in addition to the *findings* in Section

126.0404(a):

The deviation is necessary to reasonably accommodate amateur radio

communication services.

§131.0222 Use Regulations Table for Open Space Zones

[No change.]

**Table 131-02B
Use Regulations Table of Open Space Zones**

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator		Zones				
	1st & 2nd >>	OP-		OC-	OR ⁽¹⁾ -		OF ⁽¹²⁾ -
		1-	2-	1-	1-		1-
		1	1	1	1	2	1
Open Space through Residential [No change.]							
Institutional							
Separately Regulated Institutional Uses							
Airports [No change.]							
<u>Amateur Radio Communication</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>
Botanical Gardens & Arboretums through Wireless Communication Facility [No change.]							
Retail Sales through Signs [No change.]							

Footnotes for Table 131-02B [No change.]

§131.0322 Use Regulations Table for Agricultural Zones

[No change.]

**Table 131-03B
Use Regulations Table of Agricultural Zones**

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator		Zones			
	1st & 2nd >>	AG		AR		
		1-		1-		
		1	2	1	2	

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator		Zones			
	1st & 2nd >>	AG	AR			
	3rd >>	1-	1-			
	4th >>	1	2	1	2	
Open Space through Residential [No change.]						
Institutional						
Separately Regulated Institutional Uses						
Airports [No change.]						
Amateur Radio Communication						
Botanical Gardens & Arboretums through Wireless Communication Facility [No change.]						
Retail Sales through Signs [No change.]						

Footnotes for Table 131-03B [No change.]

§131.0422 Use Regulations Table for Residential Zones

[No change.]

**Table 131-04B
Use Regulations Table of Residential Zones**

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator		Zones																					
	1 st & 2 nd >>	RE-	RS-												RX-		RT-							
	3 rd >>	1-	1-												1-		1-							
	4 th >>		1	2	3	1	2	3	4	5	6	7	8	9	10	11	12	13	14	1	2	1	2	3
Open Space through Residential [No change.]																								
Institutional																								
Separately Regulated Institutional Uses																								
Airports [No change.]																								
Amateur Radio Communication																								
Botanical Gardens & Arboretums through Wireless Communication Facility [No change.]																								
Retail Sales through signs [No change.]																								

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator		Zones															
		1st & 2nd >>		RM-														

Draft Amateur Radio Communication Amendments
2.12.09

	3rd >>			2-			3-			4-		5-
	1	2	3	4	5	6	7	8	9	10	11	12
Open Space through Residential [No change.]												
Institutional												
Separately Regulated Institutional Uses												
Airports [No change.]												
Amateur Radio Communication	<u>L</u>				<u>L</u>				<u>L</u>			<u>L</u>
Botanical Gardens & Arboretums through Wireless Communication Facility [No change.]												
Retail Sales through Signs [No change.]												

Footnotes for Table 131-04B [No change.]

§131.0522 Use Regulations Table of Commercial Zones

[No change.]

**Table 131-05B
Use Regulations Table for Commercial Zones**

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator		Zones										
	1st & 2nd >>	CN ⁽¹⁾ -	CR-		CO-		CV-		CP-				
		3rd >>	1-	1-	2-	1-	1-	1-					
		4th >>	1	2	3	1	1	1	2	1	2	1	
Open Space through Residential [No change.]													
Institutional													
Separately Regulated Institutional Uses													
Airports [No change.]													
Amateur Radio Communication			<u>L</u>				<u>L</u>	<u>L</u>	<u>L</u>			<u>L</u>	<u>L</u>
Botanical Gardens & Arboretums through Wireless Communication Facility [No change.]													
Retail Sales through Signs [No change.]													

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator		Zones															
	1st & 2nd >>	CC-																
		3rd >>	1-	2-		3-		4-			5-							
		4th >>	1	2	3	1	2	3	4	5	1	2	3	4	5	1	2	3
Open Space through Residential [No change.]																		
Institutional																		
Separately Regulated Institutional Uses																		
Airports [No change.]																		
Amateur Radio Communication						<u>L</u>			<u>L</u>	<u>L</u>				<u>L</u>			<u>L</u>	<u>L</u>
Botanical Gardens & Arboretums through Wireless Communication Facility [No change.]																		
Retail Sales through Signs [No change.]																		

Draft Amateur Radio Communication Amendments
2.12.09

Use Categories/Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator	Zones																			
	1st & 2nd >>	CC-																			
	3rd >>	1-			2-			3-			4-					5-					
	4th >>	1	2	3	1	2	3	4	5	1	2	3	4	5	1	2	3	4	5		
Open Space through Residential [No change.]																					
Institutional																					
Separately Regulated Institutional Uses																					
Airports [No change.]																					
Amateur Radio Communication	<u>L</u>			<u>L</u>			<u>L</u>			<u>L</u>			<u>L</u>			<u>L</u>					
Botanical Gardens & Arboretums through Wireless Communication Facility [No change.]																					
Retail Sales through Signs [No change.]																					

Footnotes to Table 131-05B [No change.]

§131.0622 Use Regulations Table for Industrial Zones

[No change.]

**Table 131-06B
Use Regulations Table for Industrial Zones**

Use Categories/ Subcategories [See Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone designator	Zones								
	1st & 2nd >>	IP-		IL-			IH-		IS-	
	3rd >>	1-	2-	1-	2-	3-	1-	2-	1-	
	4th >>	1	1	1	1	1	1	1	1	
Open Space through Residential [No change.]										
Institutional										
Separately Regulated Institutional Uses										
Airports [No change.]										
Amateur Radio Communication	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	
Botanical Gardens & Arboretums through Wireless Communication Facility [No change.]										
Retail Sales through Signs [No change.]										

Footnotes for Table 131-06B [No change.]

§141.0420 Wireless Communication Facilities

[No change]

(a) The following uses are exempt from the provisions of Section 141.0420:

(1) ~~Amateur (HAM) radio facilities.~~ Amateur radio communication

(2) [No change.]

§141.0421 Amateur Radio Communication

Amateur radio communication for purposes of transmitting and receiving radio signals in conjunction with an amateur radio station is permitted as a limited use in accordance with Process One in the zones indicated with an “L” in the Use Regulations Tables in Chapter 13, Article 1 (Base Zones), subject to the following regulations. The applicable regulations constitute the minimum practicable regulation to accomplish the City’s purpose of safeguarding the public health, safety, and general welfare, including neighborhood aesthetics and community character.

(a) Amateur radio communication operators shall obtain a license from the Federal Communication Commission in accordance with federal law.

(b) *Amateur radio antenna structures* shall comply with the *development* regulations of the underlying base zone, except that the maximum height of the base zone may be exceeded as follows:

(1) A licensed amateur radio operator, certified in public emergency response, may install and operate an *amateur radio antenna structure* up to a maximum height of 70 feet above grade.

(2) All other *amateur radio antenna structures* shall be limited to a maximum height of 45 feet above grade.

(c) In order to reasonably accommodate additional site specific needs for effective communication, a deviation from the requirements in Section 141.0421(b) may be requested with a Neighborhood Development Permit in accordance with Section 126.0402.

§151.0401 Uses Permitted in the Planned Districts

(a) [No change.]

(b) Limited Uses

(1) The following uses, when permitted by the applicable planned district, are subject to the regulations for limited uses in the Land Development Code section specified for each use.

(A) through (B) [No change.]

(C) Amateur Radio Communication, subject to Land Development Code Section 141.0421.

~~(C)~~(D) Pushcarts on private property, subject to Land Development Code Section 141.0619.

(2) [No change.]

(c) through (f) [No change.]

§155.0238 Use Regulations Table of CU Zones

[No change.]

**Table 155-02C
Use Regulations Table for CU Zones**

Draft Amateur Radio Communication Amendments
2.12.09

Use Categories/Subcategories [See Land Development Code Section 131.0112 for an explanation and descriptions of the Use Categories, Subcategories, and Separately Regulated Uses]	Zone Designator		Zones							
	1st & 2nd >>		CU-							
	3rd >>		1 ⁽¹⁾		2-			3-		
	4th >>		1	2	3	4	5	3 ⁽²⁾⁽¹²⁾	6	7
Open Space through Residential [No change.]										
Institutional										
Separately Regulated Institutional Uses										
Airports [No change.]										
<u>Amateur Radio Communication</u>										
<u>L</u> <u>L</u> <u>L</u>										
Botanical Gardens & Arboretums through Wireless Communication Facility [No change.]										
Retail Sales through Signs [No change.]										