

ORDINANCE NO. 15-019

**AN ORDINANCE OF THE COUNTY OF ORANGE, CALIFORNIA
ADDING SECTION 7-9-146.13 AND AMENDING SECTIONS, 7-9-24, 7-9-44, 7-9-55.3, 7-9-55.4,
7-9-58.3, 7-9-58.4, 7-9-59.4, 7-9-65.3, 7-9-65.4, 7-9-66.3, 7-9-66.4, 7-9-67.3, 7-9-67.4, 7-9-68.3, 7-9-
68.4, 7-9-74.3, 7-9-74.4, 7-9-75.3, 7-9-75.4, 7-9-76.3, 7-9-76.4, 7-9-77.3, 7-9-77.4, 7-9-78.3, 7-9-78.4, 7-
9-79.3, 7-9-79.4, 7-9-80.3, 7-9-80.4, 7-9-84.2, 7-9-84.3, 7-9-85.2, 7-9-85.3, 7-9-87.2, 7-9-87.3, 7-9-88.2,
7-9-88.3, 7-9-89.2, 7-9-89.3, 7-9-90.2, 7-9-90.3, 7-9-95.2, 7-9-95.3, 7-9-98.3 AND 7-9-98.4 OF THE
CODIFIED ORDINANCES OF THE COUNTY OF ORANGE RELATED TO PERFORMANCE
AND DEVELOPMENT STANDARDS FOR WIRELESS COMMUNICATIONS FACILITIES ON
PRIVATE PROPERTY**

The Board of Supervisors of the County of Orange ordains as follows:

SECTION 1. Section 7-9-146.13 is hereby added as follows:

Section 7-9-146.13. Performance and Development Standards for Wireless Communications Facilities.

This section shall be referred to as the “County of Orange Wireless Communications Facilities on Private Property Ordinance.”

(a) Purpose.

The purpose of this section is to provide a uniform and comprehensive set of standards for the development of wireless communications facilities and the installation of wireless antennas and related equipment on private property in the unincorporated area. The regulations contained herein are designed to protect and promote public health, safety, community welfare and aesthetic qualities of the unincorporated area. These regulations encourage managed development of wireless communications infrastructure while providing a public review process to ensure a balance between the community’s concerns for aesthetics and location and the interest in establishing such facilities.

The purpose in regulating the development and siting of wireless communications facilities is to encourage economic development, preserve aesthetics and other community values and discourage proliferation of above-ground equipment. These regulations encourage collocation of wireless communications facilities, and require the use of natural and architectural screening in a manner that is compatible with the existing development policies and constraints that have been applied uniformly and historically throughout the unincorporated area.

The County of Orange Wireless Communications Facility Ordinance is limited to the County’s review of the location and aesthetic development of wireless communications facilities and establishing reasonable time, place and manner limitations. These regulations comply with the Communications Act of 1934, as amended by the Telecommunications Act of 1996, applicable regulations of the Federal Communications Commission, and state law. These regulations are not intended to unduly restrict the development of necessary wireless communications facilities or conflict with existing public utility franchises.

(b) Definitions.

Alternative Structure: Manmade trees, clock towers, utility structures and similar alternative-design mounting structures that conceal or minimize the presence of antennas, tower or support structure.

Antenna: One (1) or more rods, poles, panels, discs, dishes, or similar devices used to transmit, receive, or transmit and receive radio frequency signals or electromagnetic signals, including but not limited to an omni-directional antenna (whip), directional antenna (panel), and parabolic antenna (dish), but excluding any pole or antenna mount.

Base Station: 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. A “non-tower support structure” means any structure (whether built for wireless purposes or not) that supports wireless transmission equipment.

California Public Utilities Commission (CPUC): An independent commission of the State of California that regulates all public utilities providing intrastate service within the State.

Camouflage: Incorporation of elements and/or techniques designed to mask or blend a wireless communications facility with the surrounding environment in such a manner to render it generally less noticeable to the casual observer. These types of facilities may include antennas located on ground mounted or building mounted antennas that blend with the surroundings and base station equipment screened by landscaping.

Collocation/Collocated: The placement or installation of wireless transmission equipment on an existing structure for the purpose of transmitting or receiving radio frequency signals for communications purposes. Collocated equipment may be separately owned and used by more than one person or entity.

Existing Structure: A tower or base station, utility structure, building or other existing object is an existing structure, for purposes of this section, if it has been reviewed and approved under the applicable County regulations or under another state or local regulatory review process. An existing structure need not be an existing wireless communications facility.

Federal Aviation Administration (FAA): The federal agency responsible for regulating civil aviation and air traffic control to promote safety.

Federal Communications Commission (FCC): The independent commission of the federal government with interstate jurisdiction over all matters pertaining to communications by wire or radio in the United States.

Height: The distance measured from the finished grade to the highest point on the tower or antenna, including the base pad and any antenna. In the case of a building tower, the height includes the portion of the building on which it is mounted. Towers that are adjustable in height shall be measured to the maximum height which the structure is capable of reaching.

Minor Change: Any modification to an existing wireless communications facility or any collocation to an existing structure that does not meet the definition of substantial modification.

Radio frequency (RF) emissions: Electromagnetic signals transmitted and received using wireless communications antenna(s).

Open Space District: Zoning District, or specific plan or planned community land use designation, which is intended to preserve natural resources and/or protect valuable, unique or sensitive environmental features.

Residential District: Zoning District, or specific plan or planned community land use designation, which has “single-family dwelling or mobilehome” as a principal permitted use.

Stealth: Wireless communications facility designed with concealment elements so visibility of any antenna or other transmission equipment associated with the facility is generally unnoticeable and so that the wireless facility fits into the context of its surroundings. By way of example, and not of limitation, a faux pine tree in an area with other natural pine trees would be considered stealth.

Substantial Change: Any modification to a wireless communications facility or any collocation to an existing structure that substantially changes the physical dimensions of the existing facility or structure. Shall have the same meaning as the term “substantial change” or “substantially change” as defined in Title 47, Code of Federal Regulations, section 1.40001(b)(7), as may be amended, which is any of the following criteria:

- (1) 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 twenty feet, whichever is greater; 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; (3) it involves installation of more than the standard number of new equipment cabinets for the technology involved, but not to exceed four cabinets; (4) it entails any excavation or deployment outside the current site of the tower or base station; (5) it would defeat the existing concealment elements of the tower or base station; or (6) 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.

Tower: Any structure built for the purpose of supporting any FCC-licensed or authorized antennas and their associated facilities.

Transmission Equipment: Any equipment that facilitates transmission for any FCC-licensed or authorized wireless communication 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.

Wireless Communications Facility (or Wireless Facility or Wireless Facilities): All equipment and other improvements installed for the purpose of providing wireless transmission of voice, data, images or other information, including, but not limited to, cellular phone service, personal wireless services, and paging services, consisting of equipment and network components, such as towers, utility poles, transmitters, base stations and emergency power systems. A wireless communications facility does not include on-site radio or television broadcast facilities.

- (c) Applicability.

- (1) This section applies to all permit applications to construct, install, collocate, or modify, and/or operate a wireless communications facility or transmission equipment received after the effective date of this section on private property.
- (2) This section shall not apply to:
 - a. Any amateur radio antennas and related facilities subject to FCC PRB1 or California Government Code section 65850.3; or
 - b. Any Over-the-Air-Receiving-Devices (“OTARDs”) as defined in 47 C.F.R. § 1.4000 *et seq.*; or
 - c. Temporary Emergency Towers. Any applicant that seeks a permit to install a wireless communications facility necessary to protect public health, safety or welfare during an emergency shall submit an application for a temporary emergency-use permit no later than one (1) calendar day after the installation of such wireless communications facility. The Director may approve such temporary wireless facility without regard for the other provisions in this section for no more than thirty (30) days. The owner of any wireless communications facility installed pursuant to this subsection shall immediately remove such facility at the end of the thirty (30) day period or the conclusion of the emergency, whichever occurs first. The County may remove any wireless communications facility installed pursuant to this subsection at the owner’s cost immediately at the end of the thirty (30) day period or the conclusion of the emergency, whichever occurs first. No predictable or prior-scheduled event, including without limitation, any sporting event, entertainment event or civic event, constitutes an “emergency” for the purposes of this section.
 - d. Wireless facilities or equipment owned and operated by CPUC-regulated electric companies for use in connection with electrical generation, transmission and distribution facilities subject to CPUC General Order 131-D.

(d) Permitted Use.

Subject to the provisions of this section, the construction, installation, collocation, modification and/or operation of a wireless communications facility or transmission equipment shall be permitted in any district, including Specific Plan areas and Planned Communities. This section shall not apply to private property in those Specific Plan areas and Planned Communities in which the Board of Supervisors adopted or approved wireless communications facility standards prior to the effective date of this ordinance.

(e) Approvals Required for Wireless Communications Facilities.

In a residential or open space district, or when within one hundred (100) feet of a residential or open space district as measured from the parcel line, new wireless communications facilities and substantial changes to an existing tower or existing structure shall be permitted subject to a use permit to the Zoning Administrator. Minor changes to an existing tower or existing structure shall be permitted and subject to a changed plan.

In commercial/industrial districts, when more than one hundred (100) feet from a residential or open space district as measured from the parcel line, new wireless communications facilities and substantial changes to an existing tower or existing structure shall be permitted subject to a site

development permit. Minor changes to an existing tower or existing structure shall be permitted and subject to a changed plan.

(f) Permit Application Requirements.

An application for a wireless communications facility shall meet the requirements of the “County of Orange Wireless Communications Facility Manual,” as approved by the Director, including the submittal of items listed in the “County of Orange Wireless Communications Facility Submittal Checklist,” and all such other information and/or materials that the County may, from time-to-time, publish as required for a complete application.

(g) Master Plan.

An applicant may elect to submit a Master Plan that contains more than one (1) wireless communications facility. The Master Plan may contain new wireless communications facilities, collocations or a combination of both. The facilities contained in the Master Plan shall meet all requirements set forth in this section. The Master Plan shall be subject to a use permit to the Planning Commission.

If the Master Plan proposes a deviation from any performance or site development standard, it shall demonstrate to the satisfaction of the Planning Commission that it would be technically infeasible to meet such standard. In addition to making findings pursuant to section 7-9-150.3(e)(1), the Planning Commission shall make the following findings prior to final action:

- a. It has been demonstrated that adherence to applicable zoning regulations will make one (1) or more of the wireless communications facilities contained in the Master Plan technically infeasible.
- b. The alternative development standard(s) will result in an equivalent or better project in terms of adverse impacts and public benefits to the immediate and surrounding community.
- c. The proposed wireless communications facilities in the Master Plan are the least intrusive means by which to locate and design the facilities.

Subsequent to approval of a Master Plan, any proposed deviation to a wireless communications facility contained in that Master Plan shall make that facility subject to section 7-9-146.13, unless an alternative approval process for deviations has been specified in the approved Master Plan.

(h) Wireless Facility Design Standards.

- (1) The applicant shall demonstrate to the satisfaction of the Director that the wireless communications facility is the least intrusive means by which to locate and design the facility. “Least intrusive means” means that all new wireless communications facilities and substantial changes shall be designed to minimize aesthetic and visual impacts, and shall include appropriate stealth or camouflage techniques given the proposed location, design, visual environment and nearby uses and/or structures. Wireless facilities shall be located in areas where existing topography, vegetation, buildings or other structures naturally conceal the facility. An applicant may be required to provide an alternative site and design analysis and demonstrate why other suitable locations do not exist.

- (2) In and within one hundred (100) feet of all residential and open space districts, new towers shall be stealth. In commercial and industrial districts, new towers shall be camouflaged.
- (3) A new tower visible by a motorist driving on a scenic highway (including landscape corridors and viewscape corridors as defined in the Orange County General Plan) shall be stealth and placed or constructed so that the entire wireless facility is below any major ridgeline (as defined by the General Plan or Specific Plan).
- (4) If the applicant demonstrates to the satisfaction of the approving authority that stealthing the facility is infeasible, then the applicant shall be required to camouflage the facility.
- (5) Modifications to existing wireless communications facilities shall match the level of stealth or camouflage of the facility, as applicable.
- (6) All new wireless communications facilities shall collocate on an existing wireless communications facility or other existing structures to the maximum extent feasible.
- (7) All transmission equipment and associated enclosures for new wireless communications facilities and substantial changes shall be designed to include appropriate stealth or camouflage techniques given the proposed location, design, visual environment and nearby uses and/or structures. In addition, it shall also be situated in a manner that utilizes existing natural or man-made features including, but not limited to, topography, vegetation, buildings or other structures to minimize visible impact from roads and residences.
- (8) Ground-mounted transmission equipment and associated enclosures for new wireless communication facilities and substantial changes shall be located either underground or completely within a fenced area. Such fence shall not exceed a maximum height of six (6) feet unless the applicant demonstrates a valid safety consideration that justifies a taller fence. No transmission equipment or associated enclosures shall protrude above the fence. Any chain link fence shall be concealed with landscaping that extends the full length and width of the fence. If technically infeasible to locate the structures underground or within a fenced area, they shall be designed to include appropriate stealth or camouflage techniques given the proposed location, design, visual environment, and nearby uses and/or structures.
- (9) All pole-mounted or wireless tower-mounted transmission equipment shall be mounted as close as technically feasible to the pole or tower so as to reduce the overall visual profile, and shall be camouflaged by painting with non-reflective colors and textured to match the support pole or wireless tower.
- (10) On all new wireless communication facilities and substantial changes, all cables, jumpers, conduits and other connections between transmission equipment and/or associated structures shall be either completely enclosed or placed underground to the maximum extent feasible.
- (11) All wireless communications towers shall be designed to prevent climbing within the first twelve (12) feet from the ground.
- (12) All wireless communications towers shall be constructed from concrete, steel, or wood.

- (13) All wireless communications facilities shall be painted or treated with non-reflective colors to provide concealment of the facility and to minimize visual disruption.
- (14) No tower shall exceed the maximum permissible height for structures in the underlying zoning district.
- (15) A tower located in or within one hundred (100) feet of residential, open space or commercial zoning districts as measured from the parcel line, shall be designed to the lowest feasible height to reasonably achieve the applicant's technical objective.
- (16) There shall be a minimum of three hundred (300) feet between any two towers. This separation requirement does not apply to collocated equipment.
- (17) Unless the County explicitly allows otherwise on a case-by-case basis, no sign shall be attached to the facility, except signs that identify the wireless communications facility owner and/or operator, and are required to comply with state or federal law.
- (18) Lighting shall be prohibited unless otherwise required under Federal Aviation Administration ("FAA") regulations. Applicants shall install only timed or motion-sensitive lights and design all lights associated with the wireless communications facility so that direct light rays shall be confined to the premises.
- (19) The facility shall comply with all applicable FAA requirements of Part 77 of Title 14 of the Code of Federal Regulations regarding installations close to airports, and the State Aeronautics Act (Part 1 (commencing with Section 21001) of Division 9 of the Public Utilities Code). If a proposed wireless communications facility is within an Airport Planning Area, the Director shall submit the application to the County Airport Land Use Commission (ALUC).
- (20) Any permit application that includes a request for a deviation from any performance or site development standard shall demonstrate to the satisfaction of the approving authority that it would be technically infeasible to meet such standard. In addition to making findings pursuant to 7-9-150.3(e)(1), the approving authority shall make the following findings prior to final action:
 - a. It has been demonstrated that adherence to applicable zoning regulations will make the project technically infeasible.
 - b. The proposed wireless communications facility is the least intrusive means by which to locate and design the facility to the extent feasible.

(i) Public Notice.

If the proposed wireless communications facility is within one thousand (1,000) feet from a military installation, within special use airspace, or beneath a low-level flight path as defined by California Government Code section 65940, the applicant shall be required to comply with California Government Code section 65944.

For use permits, notice to the public shall be provided pursuant to section 7-9-150.

(j) Applicability of the Middle Class Tax Relief and Job Creation Act of 2012.

Notwithstanding Section 7-9-150.3(h), if the applicant demonstrates to the satisfaction of the Director that Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012, codified as Title 47, United States Code, section 1455(a), as may be amended or interpreted by a court of competent jurisdiction, applies to the proposed minor modification, then the Director may not deny the changed plan application.

(k) Appeals.

A decision or action pursuant to this section may be appealed in accordance with the provisions of section 7-9-150.4.

(l) Legal Nonconforming Use.

(1) Any wireless communications facility that is lawfully constructed, erected, or approved prior to the adoption of this section, in compliance with all applicable laws, and which facility does not conform to the requirements of this section, shall be accepted and allowed as a legal nonconforming use for a ten (10) year period beginning on the effective date of this section.

(2) Legal nonconforming facilities shall comply at all times with the laws, ordinances, and regulations in effect at the time the permit was granted, and any applicable federal and state laws as they may be amended or enacted, and shall at all times comply with any conditions of approval.

(3) At the end of the ten (10) year period, or prior to improving the facility through a substantial change, if earlier, the permittee shall apply for a use permit to bring the facility to existing standards.

(m) Maintenance Requirements.

(1) At all times, a wireless communications facility shall comply with all applicable rules and regulations related to public health and safety, including, without limitation, all applicable rules and regulations related to human exposure to electromagnetic radio frequency emissions.

(2) At all times, a wireless communications facility, including all transmission equipment, associated improvements and concealment elements, shall be maintained in neat, clean and safe condition. The County may take actions reasonably necessary to maintain a wireless communications facility when the owner fails to comply with this section either after ten (10) days' notice or immediately in the case of an emergency. The owner shall reimburse the County for any costs to maintain a wireless communications facility within thirty (30) days after receipt of written notice.

(n) Change of Ownership.

The owner or operator shall provide written notice to the Director within thirty (30) days after a transfer of ownership or authorization to operate the wireless communications facility. The written notice shall include (1) the transfer date; and (2) full contact information for the transferee, including a name, direct phone number and mailing address.

(o) Abandonment.

Any permittee or operator who intends to, or does abandon or discontinue use of a wireless communications facility for any reason, shall do all of the following:

- (1) Except where discontinuance is due to the revocation of a permit, on or before the sixtieth (60th) day before the final day of use, notify the Director in writing, specifying the date of the intended abandonment or discontinuance and the applicable permit number.
- (2) Within one hundred and eighty (180) days after the abandonment or discontinuance, at the permittee's sole expense, remove any wireless communications facility and all its associated equipment in compliance with all applicable health and safety requirements and restore the site to the condition that existed before installation of the wireless communications facility, or as otherwise required by the Director.
- (3) At any time after one hundred and eighty (180) days following the abandonment or discontinuation, without further notice to the applicant, the Director may remove and store the wireless communications facility, repair any damage to the premises caused by such removal, and restore the premises as the Director deems appropriate. The permittee, and all prior owners and operators of the wireless communications facility, shall be jointly and severally liable for the entire cost of such removal, repair, restoration, and storage, and shall remit payment to the County promptly after demand for payment is made. The County may, instead of storing the removed wireless communications facility equipment, convert it to the County's use, sell it, or dispose of it in any manner deemed appropriate by the County.

(p) Conflicting Ordinances.

In the event that any County ordinance or regulation, in whole or in part, conflicts with any provisions in this section, the provisions of this section shall control.

(q) Severability.

In the event that a court of competent jurisdiction holds any section, subsection, paragraph, sentence, clause or phrase in this section unconstitutional, preempted or otherwise invalid, the invalid portion shall be severed from this section and shall not affect the validity of the remaining portions of this section.

The Board of Supervisors hereby declares that it would have adopted each section, subsection, paragraph, sentence, clause or phrase in this section irrespective of the fact that any one or more sections, subsections, paragraphs, sentences, clauses or phrases in this section might be declared unconstitutional, preempted or otherwise invalid.

SECTION 2. Section 7-9-24 is hereby amended as follows:

Communication transmitting, reception or relay facilities: See “Wireless Communications Facility” section 7-9-146.13.

SECTION 3. Section 7-9-44 is hereby amended as follows:

Wireless Communications Facility (or Wireless Facility or Wireless Facilities): See section 7-9-146.13.

SECTION 4. Section 7-9-55.3 is hereby amended as follows:

The following principal uses are permitted subject to the approval of a site development permit per section 7-9-150.

- (a) Animal hospitals and clinics per section 7-9-146.1.
- (b) Apiaries.
- (c) Employee quarters related to agricultural uses.
- (d) Grading and excavation over 5,000 cubic yards per section 7-9-139.
- (f) Landfill gas recovery operations.
- (f) Libraries and museums.
- (g) Public/private utility buildings and structures.
- (h) Wholesale nurseries.

SECTION 5. Section 7-9-55.4 is hereby amended as follows:

- (a) The following principal uses are permitted subject to the approval of a use permit by the Zoning Administrator per section 7-9-150.
 - (1) Airports and heliports.
 - (2) Cemeteries, mortuaries, mausoleums and crematories.
 - (3) Churches, temples and other places of worship.
 - (4) Commercial dairies.
 - (5) Commercial outdoor recreation.
 - (6) Commercial processing of agricultural minerals.

- (7) Commercial stables.
- (8) Country clubs, golf courses, riding clubs, swimming clubs, tennis clubs and yacht clubs.
- (9) Educational institutions.
- (10) Kennels.
- (11) Livestock feeding ranches in compliance with applicable health and safety regulations.
- (12) Mini-storage facilities.
- (13) Packing plants for agricultural products.
- (14) Permanent facilities for sale of agricultural products grown on the site.
- (15) Research and development testing facilities and activities.
- (16) Sanitary landfills.
- (17) Storage of recreation vehicles, campers, trailers and boats.
- (18) Recycling and transfer/materials recovery facilities per section 7-9-146.12.
- (19) Wireless communications facilities.

SECTION 6. Section 7-9-58.3 is hereby amended as follows:

The following principal uses are permitted subject to the approval of a site development permit per section 7-9-150.

- (a) Agriculture.
- (b) Apiaries.
- (c) Grading and excavation over 5,000 cubic yards per section 7-9-139.
- (d) Landfill gas recovery operations.
- (e) Public/private utility buildings and structures.

SECTION 7. Section 7-9-58.4 is hereby amended as follows:

- (a) The following principal uses are permitted subject to the approval of a use permit by the Zoning Administrator per section 7-9-150.
 - (1) Cemeteries.

- (2) Commercial parking lots per section 7-9-145.
 - (3) Commercial stables.
 - (4) Country clubs, golf courses, riding clubs, swimming clubs, tennis clubs and yacht clubs.
 - (5) Helistops.
 - (6) Libraries and museums.
 - (7) Restaurants serving daytime visitors/tourists only.
 - (8) Retail sales serving daytime visitors/tourists only.
 - (9) Sanitary landfills.
 - (10) Recycling and transfer/materials recovery facilities per section 7-9-146.12.
 - (11) Wireless communications facilities.
- (b) Any other use is permitted which the Planning Commission finds consistent with the purpose and intent of this district per section 7-9-150.

SECTION 8. Section 7-9-59.3 is amended as follows:

The following principal uses are permitted subject to the approval of a site development permit per section 7-9-150.

- (a) Animal hospitals and clinics per section 7-9-146.1.
- (b) Grading and excavation over 5,000 cubic yards per section 7-9-139.
- (c) Landfill gas recovery operations.
- (d) Public libraries and museums.
- (e) Public/private utility buildings and structures.
- (f) Wholesale nurseries.

SECTION 9 Section 7-9-59.4 is amended as follows:

- (a) The following principal uses are permitted subject to the approval of a use permit by the Zoning Administrator per section 7-9-150.
 - (1) Apiaries.
 - (2) Cemeteries and mausoleums.

- (3) Churches, temples, and other places of worship.
 - (4) Commercial raising of farm or ranch type animals except for livestock feeding ranches.
 - (5) Commercial stables.
 - (6) Country clubs, golf courses, riding clubs, swimming clubs, tennis clubs and yacht clubs.
 - (7) Educational institutions.
 - (8) Kennels.
 - (9) Permanent facilities for sale of agricultural products grown on the site.
 - (10) Storage of recreational vehicles, campers, trailers, and boats.
 - (11) Wireless communications facilities.
- (b) Any other use is permitted which the Planning Commission finds consistent with the purpose and intent of this district per section 7-9-150.

SECTION 10. Section 7-9-65.3 is amended as follows:

The following principal uses are permitted subject to the approval of a site development permit per section 7-9-150.

- (a) Grading and excavation over 5,000 cubic yards per section 7-9-139.
- (b) Libraries and museums.
- (c) Public/private utility buildings and structures.
- (d) Wholesale nurseries.

SECTION 11. Section 7-9-65.4 is amended as follows:

- (a) The following principal uses are permitted subject to the approval of a use permit by the Zoning Administrator per section 7-9-150.
 - (1) Apiaries.
 - (2) Churches, temples, and other places of worship.
 - (3) Country clubs, golf courses, riding clubs, swimming clubs, tennis clubs and yacht clubs.
 - (4) Educational institutions.
 - (5) Wireless communications facilities.

- (b) Any other use is permitted which the Planning Commission finds consistent with the purpose and intent of this district per section 7-9-150.

SECTION 12. Section 7-9-66.3 is amended as follows:

The following principal uses are permitted subject to the approval of a site development permit per section 7-9-150.

- (a) Grading and excavation over 5,000 cubic yards per section 7-9-139.
- (b) Public libraries and museums.
- (c) Public/private utility buildings and structures.

SECTION 13. Section 7-9-66.4 is amended as follows:

- (a) The following principal uses are permitted subject to the approval of a use permit by the Zoning Administrator per section 7-9-150.

- (1) Apiaries.
- (2) Churches, temples, and other places of worship.
- (3) Country clubs, golf courses, riding clubs, swimming clubs, and tennis clubs.
- (4) Educational institutions.
- (5) Wireless communications facilities.

- (b) Any other use is permitted which the Planning Commission finds consistent with the purpose and intent of this district per section 7-9-150.

SECTION 15. Section 7-9-67.3 is hereby amended as follows:

The following principal uses are permitted subject to the approval of a site development permit per section 7-9-150.

- (a) Grading and excavation over 5,000 cubic yards per section 7-9-139.
- (b) Public libraries and museums.
- (c) Public/private utility buildings and structures.

SECTION 15. Section 7-9-67.4 is hereby amended as follows:

- (a) The following principal uses are permitted subject to the approval of a use permit by the Zoning Administrator per section 7-9-150.

- (1) Apiaries.
 - (2) Churches, temples and other places of worship.
 - (3) Country clubs, golf courses, riding clubs, swimming clubs, and tennis clubs.
 - (4) Educational institutions.
 - (5) Wireless communications facilities.
- (b) Any other use is permitted which the Planning Commission finds consistent with the purpose and intent of this district per section 7-9-150.

SECTION 16. Section 7-9-68.3 is hereby amended as follows:

The following uses are permitted subject to the approval of a site development permit per section 7-9-150.

- (a) Grading and excavation over 5,000 cubic yards per section 7-9-139.
- (b) Libraries and museums.
- (c) Public/private utility buildings and structures.

SECTION 17. Section 7-9-68.4 is hereby amended as follows:

- (a) The following principal uses are permitted subject to the approval of a use permit by the Zoning Administrator per section 7-9-150.
 - (1) Apiaries.
 - (2) Churches, temples and other places of worship.
 - (3) Country clubs, golf courses, riding clubs, swimming clubs, tennis clubs and yacht clubs.
 - (4) Educational institutions.
 - (5) Wireless communications facilities.
- (b) Any other use is permitted which the Planning Commission finds consistent with the purpose and intent of this district per section 7-9-150.

SECTION 18. Section 7-9-74.3 is hereby amended as follows:

The following principal uses are permitted subject to the approval of a site development permit per section 7-9-150.

- (a) Public libraries and museums.
- (b) Public/private utility buildings and structures.

SECTION 19. Section 7-9-74.4 is hereby amended as follows:

- (a) The following principal uses are permitted subject to the approval of a use permit by the Zoning Administrator per section 7-9-150.
 - (1) Churches, temples, and other places of worship.
 - (2) Educational institutions.
 - (3) Wireless communications facilities.
- (b) Any other use is permitted which the Planning Commission finds consistent with the purpose and intent of this district per section 7-9-150.

SECTION 20. Section 7-9-75.3 is hereby amended as follows:

The following principal uses are permitted subject to the approval of a site development permit per section 7-9-150.

- (a) Public libraries and museums.
- (b) Public/private utility buildings and structures.

SECTION 21. Section 7-9-75.4 is hereby amended as follows:

- (a) The following principal uses are permitted subject to the approval of a use permit by the Zoning Administrator per section 7-9-150.
 - (1) Churches, temples, and other places of worship.
 - (2) Educational institutions.
 - (3) Wireless communications facilities.
- (b) Any other use is permitted which the Planning Commission finds consistent with the purpose and intent of this district per section 7-9-150.

SECTION 22. Section 7-9-76.3 is hereby amended as follows:

The following principal uses are permitted subject to the approval of a site development permit per section 7-9-150.

- (a) Public libraries and museums.
- (b) Public/private utility buildings and structures.

SECTION 23. Section 7-9-76.4 is hereby amended as follows:

- (a) The following principal uses are permitted subject to the approval of a use permit by the Zoning Administrator per section 7-9-150.
 - (1) Churches, temples, and other places of worship.
 - (2) Educational institutions.
 - (3) Residential condominium, stock cooperative, and community apartment projects per section 7-9-147 (two units maximum).
 - (4) Wireless communications facilities.
- (b) Any other use is permitted which the Planning Commission finds consistent with the purpose and intent of this district per section 7-9-150.

SECTION 24. Section 7-9-77.3 will be amended as follows:

The following principal uses are permitted subject to the approval of a site development permit per section 7-9-150.

- (a) Fire and police stations.
- (b) Libraries and museums.
- (c) Multifamily projects of five (5) or more dwelling units (except condominium, stock cooperative, and community apartment projects) per section 7-9-146.7.
- (d) Public/private utility buildings and structures.

SECTION 25. Section 7-9-77.4 will be amended as follows:

- (a) The following principal uses are permitted subject to the approval of a use permit by the Zoning Administrator per section 7-9-150.
 - (1) Churches, temples, and other places of worship.
 - (2) Congregate care facilities.
 - (3) Educational institutions.
 - (4) Mobilehome developments per section 7-9-149.
 - (5) Residential condominium, stock cooperative, and community apartment projects per section 7-9-146.7.

- (6) Wireless communications facilities.
- (b) The following principal uses are permitted subject to the approval of a use permit by the Planning Commission per section 7-9-150.
 - (1) Residential planned (unit) developments per site development standards of section 7-9-110.
 - (2) Any other use which the Planning Commission finds consistent with the purpose and intent of this district.

SECTION 26. Section 7-9-78.3 will be amended as follows:

The following principal uses are permitted subject to the approval of a site development permit per section 7-9-150.

- (a) Boarding houses serving more than six (6) persons.
- (b) Fire and police stations.
- (c) Fraternity or sorority houses.
- (d) Libraries and museums.
- (e) Multifamily projects of five (5) or more dwelling units (except condominium, stock cooperative, and community apartment projects) per section 7-9-146.7.
- (f) Public/private utility buildings and structures

SECTION 27. Section 7-9-78.4 will be amended as follows:

- (a) The following principal uses are permitted subject to the approval of a use permit by the Zoning Administrator per section 7-9-150.
 - (1) Churches, temples, and other places of worship.
 - (2) Congregate care facilities.
 - (3) Educational institutions.
 - (4) Hotels.
 - (5) Mobilehome developments per section 7-9-149.
 - (6) Residential condominium, stock cooperative and community apartment projects per section 7-9-146.7.
 - (7) Wireless communications facilities.
- (b) The following principal uses are permitted subject to the approval of a use permit by the Planning

Commission per section 7-9-150.

- (1) Residential planned (unit) developments per site development standards of section 7-9-110.
- (2) Any other use which the Planning Commission finds consistent with the purpose and intent of this district.

SECTION 28. Section 7-9-79.3 will be amended as follows:

The following principal uses are permitted subject to the approval of a site development permit per section 7-9-150.

- (a) Fire and police stations.
- (b) Libraries and museums.
- (c) Multifamily projects of five (5) or more dwelling units (except condominium, stock cooperative, and community apartments projects) per section 7-9-146.7.
- (d) Public/private utility buildings and structures.

SECTION 29. Section 7-9-79.4 will be amended as follows:

- (a) The following principal uses are permitted subject to the approval of a use permit by the Zoning Administrator per section 7-9-150.
 - (1) Churches, temples, and other places of worship.
 - (2) Congregate care facilities.
 - (3) Educational institutions.
 - (4) Mobilehome developments per section 7-9-149.
 - (5) Residential condominium, stock cooperative, and community apartment projects per section 7-9-146.7.
 - (6) Wireless communications facilities.
- (b) The following principal uses are permitted subject to the approval of a use permit by the Planning Commission per section 7-9-150.
 - (1) Residential planned (unit) development per site development standards of section 7-9-110.
 - (2) Any other use which the Planning Commission finds consistent with the purpose and intent of this district.

SECTION 30. Section 7-9-80.3 is hereby amended as follows:

The following principal uses are permitted subject to the approval of a site development permit per section 7-9-150.

- (a) Churches, temples, and other places of worship.
- (b) Civic and government uses.
- (c) Libraries and museums.
- (d) Professional and administrative offices.
- (e) Public/private utility buildings and structures.

SECTION 31. Section 7-9-80.4 is hereby amended as follows:

(a) The following principal uses are permitted subject to the approval of a use permit by the Zoning Administrator per section 7-9-150.

- (1) Educational institutions.
 - (2) Multifamily projects of four (4) or less dwelling units.
 - (3) Wireless communications facilities.
- (b) Any other use is permitted that the Planning Commission finds consistent with the purpose and intent of this district per section 7-9-150.

SECTION 32. Section 7-9-84.2. Is hereby amended as follows:

The following principal uses shall be permitted subject to the approval of a site development permit per section 7-9-150.

- (a) Administrative/professional offices (except as exempted per sec. 7-9-150.10).
- (b) Animal clinics per section 7-9-146.1.
- (c) Automobile parking lots and structures per section 7-9-145.
- (d) Automobile repair specialty shops.
- (e) Churches, temples, and other places of worship.
- (f) Civic and government uses.
- (g) Commercial recreation.

- (h) Wireless communications facilities (unless within one hundred (100) feet of a residential or open space zoning district, as defined by 7-9-146.13, as measured from the parcel line).
- (i) Day (care) nurseries.
- (j) Financial institutions.
- (k) Hotels and motels.
- (l) Libraries and museums.
- (m) Public/private utility buildings and structures.
- (n) Restaurants.
- (o) Retail/service businesses (except as exempted per section 7-9-150.10).
- (p) Wholesale business offices with samples on the premises but not to include warehousing.

SECTION 33. Section 7-9-84.3 is hereby amended as follows:

- (a) The following principal uses are permitted subject to the approval of a use permit by the Zoning Administrator per section 7-9-150.
 - (1) Automobile service stations per the standards in section 7-9-114.
 - (2) Congregate care facilities.
 - (3) Convalescent homes.
 - (4) Helistops.
 - (5) Hospitals.
 - (6) Mini-storage facilities.
 - (7) Mortuaries and crematories.
 - (8) Outdoor advertising signs per section 7-9-144.
 - (9) Vehicle washing facilities.
 - (10) Warehouses.
 - (11) Wireless communications facilities (if within one hundred (100) feet of a residential or open space zoning district, as defined by 7-9-146.13, as measured from the parcel line).
- (b) Any other use is permitted which the Planning Commission finds consistent with the purpose and intent of this district per section 7-9-150.

SECTION 34. Section 7-9-85.2 is hereby amended as follows:

The following principal uses shall be permitted subject to the approval of a site development permit per section 7-9-150.

- (a) Administrative/professional offices (except as exempted per sec. 7-9-150.10).
- (b) Animal clinics and hospitals per section 7-9-146.1.
- (c) Automobile parking lots and structures per section 7-9-145.
- (d) Automobile repair specialty shops.
- (e) Civic and government uses.
- (f) Commercial recreation.
- (g) Wireless communications facilities (unless within one hundred (100) feet of a residential or open space zoning district, as defined by 7-9-146.13, as measured from the parcel line).
- (h) Financial institutions.
- (i) Hotels and motels.
- (j) Libraries and museums.
- (k) Public/private utility buildings and structures.
- (l) Restaurants.
- (m) Retail/service businesses (except as exempted per section 7-9-150.10).
- (n) Vehicle washing facilities.
- (o) Wholesale businesses.

SECTION 35. Section 7-9-85.3 is amended as follows:

- (a) The following principal uses are permitted subject to the approval of a use permit by the Zoning Administrator per section 7-9-150.
 - (1) Automobile and truck maintenance and repair.
 - (2) Automobile and truck paint shops.
 - (3) Automobile service stations per the standards in section 7-9-114.
 - (4) Automobile wrecking and salvage yards.

- (5) Bottling plants.
 - (6) Cleaning, dyeing and laundry plants.
 - (7) Congregate care facilities.
 - (8) Contractors' storage yards, work and fabricating areas.
 - (9) Helistops.
 - (10) Metal plating.
 - (11) Mini-storage facilities.
 - (12) Mortuaries and crematories.
 - (13) Outdoor advertising signs per section 7-9-144.
 - (14) Storage of automobiles, trucks, trailers, boats, motorcycles and other types of vehicles and equipment.
 - (15) Tire retreading.
 - (16) Warehouses.
 - (17) Welding shops.
 - (18) Recycling and transfer/materials recovery facilities per section 7-9-146.12.
 - (19) Wireless communications facilities (if within one hundred (100) feet of a residential or open space zoning district, as defined by 7-9-146.13, as measured from the parcel line).
- (b) Any other use is permitted which the Planning Commission finds consistent with the purpose and intent of this district per section 7-9-150.

SECTION 36. Section 7-9-87.2 is hereby amended as follows:

The following principal uses shall be permitted subject to the approval of a site development permit per section 7-9-150.

- (a) Administrative/professional offices (except as exempted per sec. 7-9-150.10).
- (b) Animal clinics per section 7-9-146.1.
- (c) Automobile parking lots and structures per section 7-9-145.
- (d) Automobile repair specialty shops.
- (e) Churches, temples, and other places of worship.

- (f) Civic and government uses.
- (g) Commercial recreation.
- (h) Wireless communications facilities (unless within one hundred (100) feet of a residential or open space zoning district, as defined by 7-9-146.13, as measured from the parcel line).
- (f) Day (care) nurseries.
- (j) Financial institutions.
- (k) Libraries and museums.
- (l) Public/private utility buildings and structures.
- (m) Restaurants.
- (n) Retail/service businesses (except as exempted per section 7-9-150.10).
- (o) Wholesale businesses without warehousing.

SECTION 37. Section 7-9-87.3 is hereby amended as follows:

- (a) The following principal uses are permitted subject to the approval of a use permit by the Zoning Administrator per section 7-9-150.
 - (1) Automobile service stations per the standards in section 7-9-114.
 - (2) Congregate care facilities.
 - (3) Helistops.
 - (4) Hospitals.
 - (5) Hotels and motels.
 - (6) Mini-storage facilities.
 - (7) Mortuaries and crematories.
 - (8) Outdoor advertising signs per section 7-9-144.
 - (9) Vehicle washing facilities.
 - (10) Wireless communications facilities (if within one hundred (100) feet of a residential or open space zoning district, as defined by 7-9-146.13, as measured from the parcel line).
- (b) Any other use is permitted which the Planning Commission finds consistent with the purpose and intent of this district per section 7-9-150.

SECTION 38. Section 7-9-88.2 is hereby amended as follows:

The following principal uses shall be permitted subject to the approval of a site development permit per section 7-9-150.

- (a) Animal clinics per section 7-9-146.1.
- (b) Automobile parking lots and structures per section 7-9-145.
- (c) Automobile repair specialty shops.
- (d) Bus, railroad and taxi stations.
- (e) Commercial recreation.
- (f) Wireless communications facilities (unless within one hundred (100) feet of a residential or open space zoning district, as defined by 7-9-146.13, as measured from the parcel line).
- (g) Financial institutions.
- (h) Hotels and motels.
- (i) Police and fire stations.
- (j) Public/private utility buildings and structures.
- (k) Restaurants.
- (l) Retail/service businesses (except as exempted per section 7-9-150.10).

SECTION 39. Section 7-9-88.3 is hereby amended as follows:

- (a) The following principal uses are permitted subject to the approval of a use permit by the Zoning Administrator per section 7-9-150.
 - (1) Automobile and truck maintenance and repair.
 - (2) Automobile service stations per the Standards in section 7-9-114.
 - (3) Congregate care facilities.
 - (4) Impound and auto storage yards.
 - (5) Mini-storage facilities.
 - (6) Outdoor advertising signs per section 7-9-144.
 - (7) Rental and sales agencies for agricultural, industrial and construction equipment.

- (8) Vehicle washing facilities.
 - (9) Recycling and transfer/materials recovery facilities per section 7-9-146.12.
 - (10) Wireless communications facilities (if within one hundred (100) feet of a residential or open space zoning district, as defined by 7-9-146.13, as measured from the parcel line).
- (b) Any other use is permitted which the Planning Commission finds consistent with the purpose and intent of this district per section 7-9-150.

SECTION 40. Section 7-9-89.2 is hereby amended as follows:

The following principal uses shall be permitted subject to the approval of a site development permit per section 7-9-150.

- (a) Administrative/professional offices (except as exempted per sec. 7-9-150.10).
- (b) Animal clinics per section 7-9-146.1.
- (c) Civic and government uses.
- (d) Churches, temples, and other places of worship.
- (e) Wireless communications facilities (unless within one hundred (100) feet of a residential or open space zoning district, as defined by 7-9-146.13, as measured from the parcel line).
- (f) Day (care) nurseries.
- (g) Financial institutions.
- (h) Libraries and museums.
- (i) Public/private utility buildings and structures.
- (j) Restaurants.
- (k) Retail/service businesses (except as exempted per section 7-9-150.10).

SECTION 41. Section 7-9-89.3 is amended as follows:

- (a) The following principal uses are permitted subject to the approval of a use permit by the Zoning Administrator per section 7-9-150.
 - (1) Automobile service stations per the standards in section 7-9-114. (2)
 - (2) Mini-storage facilities.

- (3) Wireless communications facilities (if with within one hundred (100) feet of a residential or open space zoning district, as defined by 7-9-146.13, as measured from the parcel line).
- (b) Any other use is permitted which the Planning Commission finds consistent with the purpose and intent of this district per section 7-9-150.

SECTION 42. Section 7-9-90.2 is hereby amended as follows:

The following principal uses are permitted subject to the approval of a site development permit per section 7-9-150.

- (a) Automobile parking lots per section 7-9-145.
- (b) Churches, temples, and other places of worship.
- (c) Civic and government uses.
- (d) Wireless communications facilities (unless within one hundred (100) feet of a residential or open space zoning district, as defined by 7-9-146.13, as measured from the parcel line).
- (e) Day (care) nurseries.
- (f) Educational institutions serving adults.
- (g) Financial institutions.
- (h) Libraries and museums.
- (i) Professional/administrative offices (except as exempted per sec. 7-9-150.10)
- (j) Public/private utility buildings and structures.

SECTION 43. Section 7-9-90.3 is hereby amended as follows:

The following principal uses are permitted subject to the approval of a use permit by the Planning Commission per section 7-9-150.

- (a) Wireless communications facilities (if within one hundred (100) feet of a residential or open space zoning district, as defined by 7-9-146.13, as measured from the parcel line).
- (b) Any use which the Planning Commission finds consistent with the purpose and intent of this district.

SECTION 44. Section 7-9-95.2 is hereby amended as follows:

The following principal uses are permitted, subject to the approval of a site development permit per section 7-9-150.

- (a) Assembly of component or finished products.
- (b) Automobile parking lots and structures per section 7-9-145.
- (c) Wireless communications facilities (unless within one hundred (100) feet of a residential or open space zoning district, as defined by 7-9-146.13, as measured from the parcel line).
- (d) Mail-order businesses.
- (e) Manufacturing of component or finished products.
- (f) Mini-storage facilities or warehouses.
- (g) Motion picture and recording studios; radio or television stations.
- (h) Police and fire stations.
- (i) Recycling businesses for beverage and food containers and paper products.
- (j) Utility facilities.
- (k) Wholesale businesses.
- (l) Industry-supporting commercial activities.
 - (1) Administrative, professional and business offices (defined as labor/business associations, commercial insurance, loan brokerage, commodity brokers and dealers, security services, accountants, planning, engineering and design firms, attorneys, and related uses).
 - (2) Advertising and publishing businesses.
 - (3) Answering (and communication) services.
 - (4) Automobile and truck rental agencies.
 - (5) Barber and beauty shops.
 - (6) Blueprinting, reproduction and copying services, and photo supplies.
 - (7) Cocktail lounges and bars.
 - (8) Credit unions (and commercial credit institutions).
 - (9) Delicatessen (specialty food product) sales and catering.
 - (10) Dispensing pharmacy.
 - (11) Emergency health service facilities.

- (12) Employment search, placement, and temporary help agencies.
- (13) Engineering and stationery supplies.
- (14) Florists without arrangement displays.
- (15) Health and athletic clubs.
- (16) Janitorial businesses.
- (17) Landscaping businesses.
- (18) Messenger, mail and delivery service.
- (19) Office furniture, equipment, and supplies (including computer equipment, office furnishing, installation, and interior decoration).
- (20) Photoengraving, printing and bookbinding.
- (21) Restaurants.
- (22) Travel agencies.
- (23) Vocational schools.

SECTION 45. Section 7-9-95.3 is hereby amended as follows:

- (a) The following principal uses are permitted subject to the approval of a use permit by the Zoning Administrator per section 7-9-150.
 - (1) Automobile service stations per the standards in section 7-9-114.
 - (2) Automobile wrecking and salvage yards.
 - (3) Building and industrial materials storage.
 - (4) Freight terminals and transfer stations.
 - (5) Heliports.
 - (6) Hotels and motels.
 - (7) Metal plating businesses.
 - (8) Other industry-supporting commercial activities not described in section 7-9-95.2.
 - (9) Other types of professional and administrative offices not described in section 7-9-95.2.
 - (10) Outdoor advertising signs per section 7-9-144.

- (11) Rental, repair, and storage yards for construction, farming, and industrial vehicles/equipment.
 - (12) Research, testing and development laboratories.
 - (13) Quarters for employee temporary use.
 - (14) Tire retreading.
 - (15) Vehicle engine/transmission rebuilding, fender and body repair, and paint shops.
 - (16) Recycling and transfer/materials recovery facilities per section 7-9-146.12.
 - (17) Wireless communications facilities (if within one hundred (100) feet from a residential or open space zoning district, as defined by 7-9-146.13, as measured from the parcel line).
- (b) Any other use is permitted which the Planning Commission finds consistent with the purpose and intent of this district per section 7-9-150.

SECTION 46. Section 7-9-98.3 is hereby amended as follows:

The following principal uses are permitted subject to the approval of a site development permit per section 7-9-150.

- (a) Wireless communications facilities (unless within one hundred (100) feet of a residential or open space zoning district, as defined by 7-9-146.13, as measured from the parcel line).
- (b) Grading and excavation over 5,000 cubic yards per section 7-9-139.
- (c) Landfill gas recovery operations per section 7-9-146.8.
- (d) Public/private utility structures and uses.

SECTION 47. Section 7-9-98.4 is hereby amended as follows:

- (a) The following principal uses are permitted subject to the approval of a use permit by the Zoning Administrator per section 7-9-150.
 - (1) Churches, temples, and other places of worship.
 - (2) Educational institutions.
 - (3) Heliports.
 - (4) Research, development, and testing laboratories and facilities.
 - (5) Wireless communications facilities (if within one hundred (100) feet of a residential or open space zoning district, as defined by 7-9-146.13, as measured from the parcel line).

- (b) Any other use is permitted which the Planning Commission finds consistent with the purpose and intent of this district per section 7-9-150.