

Sec. 12-2-45. - Siting of rooftop mounted antennas.

(A) *Commercial communications antennas.*

- (1) Rooftop mounted commercial communications antennas may be installed, erected or constructed in the Governmental Center District, the Palafox Historic Business District and the Gateway Redevelopment District, subject to the review and approval of the appropriate review board based on the following standards:
  - (a) Rooftop mounted commercial communications antennas shall not exceed the height of twenty (20) feet above the existing roofline of the building;
  - (b) Antenna support structures shall be set back from the outer edge of the roof a distance equal to or greater than ten (10) percent of the rooftop length and width;
  - (c) Such structures shall be the same color as the predominant color of the exterior of the top floor of the building, and/or the penthouse structure;
  - (d) Where technically possible, microwave antennas shall be constructed of open mesh design rather than solid material;
  - (e) Where possible, the design elements of the building (i.e., parapet wall, screen enclosures, other mechanical equipment) shall be used to screen the commercial communications antenna. Such rooftop mounted commercial communications antennas, which comply with the above standards and are approved by the appropriate review board, are exempt from the review and approval process set forth in subsection 12-2-45(A)(3), below.
- (2) Rooftop mounted commercial communications antennas located in commercial and industrial zones outside the special districts identified in subsection 12-2-45(A)(1), will be permitted if such structures are determined to be in compliance with the standards set forth in subsection 12-2-45(A)(1)(a) through (e) by the building inspection department. Rooftop mounted commercial communications antennas which do not comply with said standards shall be subject to the review and approval process outlined in subsection 12-2-45(A)(3), below.
- (3) City staff approval of plans. The city planning department and building inspection department shall approve the plans if they find:

- (a) That the height and mass of the antenna shall not exceed that which is essential for its intended use and public safety; and
  - (b) That the proposed antenna support structure meets the applicable co-location requirements as specified in subsection 12-2-44(D); and
  - (c) That the proposed antenna support structure has been approved by the FAA, if required; and
  - (d) That there exists no other communications tower or antenna support structure that can reasonably serve the needs of the owner of the proposed rooftop mounted antenna; and
  - (e) That the proposed antenna or antenna support structure is not designed in such a manner as to result in needless height, mass and guy-wire supports, and
  - (f) That the color of the proposed antenna shall be of such light tone as to minimize its visual impact, and blend into the surrounding environment; and
  - (g) That the proposed antenna shall fully comply with all applicable building codes, safety codes, and local ordinances.
- (4) Consultant expense. Costs incurred by the city for the use of outside consultants, both legal and technical, in the review of applications and plans for the installation of antennas and support structures shall be reimbursed to the city by the applicant.
- (B) *Personal wireless antennas.*
- (1) Permitted locations. Rooftop mounted personal wireless antennas may be installed in zoning districts R-1AAAAA, R-1AAAA, R-1AAA, R-1AA, R-1A, R-ZL, R-2A, R-2, R-NC, C-1, C-2A, C-2, R-C, C-3, M-1, and M-2 and in the Pensacola Historic District, the North Hill Preservation District, the Old East Hill Preservation District, the Governmental Center District, the Palafox Historic Business District, the South Palafox Business District, the Waterfront Redevelopment District, the Gateway Redevelopment District and the Airport Land Use District, provided that they are mounted on structures over forty (40) feet in height and have been approved by any applicable review board.
  - (2) Structures. Personal wireless antennas not mounted on communications towers may be installed as an ancillary use to any commercial, industrial, office, institutional,

multi-family or public utility structure, or permanent nonaccessory sign.

- (3) Conditional use. Rooftop mounted personal wireless antennas may be permitted by conditional use approval, as provided in section 12-2-79, on structures less than forty (40) feet in height or on any lot whose primary use is as a single-family dwelling. In addition, personal wireless antennas shall not be installed, erected or constructed on any lot within three hundred (300) feet of Bayou Texar, Escambia Bay, Pensacola Bay or the Pensacola Historic District except in accordance with a conditional use permit.
- (4) Inventory of existing sites. Each applicant for permission to install a personal wireless antenna shall provide to the city an inventory of its existing towers, antennas, or sites approved for towers or antennas, that are either within the jurisdiction of the city or within one (1) mile of the border thereof, including specific information about the location, height and design of each tower. The planning department may share such information with other applicants applying for administrative approvals or conditional use permits under this section and with other organizations seeking to locate antennas within the city, provided, however that the planning department shall not, by sharing such information, be deemed to be in any way representing or warranting that such sites are available or suitable.
- (5) Plans approved.
  - (a) Review. Installation of personal wireless antennas and associated equipment cabinets must be reviewed and approved by the city planning department and building inspection department pursuant to the standards set forth in this section. Installations of personal wireless antennas and associated equipment cabinets in the Pensacola Historic District, the North Hill Preservation District, the Old East Hill Preservation District, the Governmental Center District and the Palafox Historic Business District must be approved by the Architectural Review Board in accordance with the standards applicable to the relevant district, in addition to the requirements of subsection (6) below. Installation of personal wireless antennas and accessory equipment within the Gateway Redevelopment District must be approved by the ~~Gateway Review Board~~ Planning Board. Installations of personal wireless

antennas and associated equipment cabinets in the Airport Land Use District must be approved by the city council after consultation with the Pensacola Regional Airport. Installation of personal wireless antennas on personal wireless towers shall be governed by section 12-2-44.

- (b) Contents of plans. Each applicant for a permit to install a personal wireless antenna shall submit a design plan showing how the applicant proposes to comply with the requirements of this section. Applicants shall make appropriate use of stealth technology and shall describe their plans for doing so.
- (6) Site design standards. All installations of personal wireless antennas and associated equipment cabinets shall comply with the following requirements:
- (a) No personal wireless antennas or associated equipment cabinets shall be installed on any lot whose primary use is as a single-family dwelling.
  - (b) No personal wireless antenna shall be installed on any structure that is less than forty (40) feet in height.
  - (c) No personal wireless antenna shall be mounted so as to extend more than twenty (20) feet above the highest point of the structure on which it is mounted.
  - (d) Equipment cabinets shall be completely screened from view by compatible solid wall or fence, except when a ground-mounted cabinet, or combination of all ground-mounted cabinets on a site, is smaller than one hundred eighty (180) cubic feet. Equipment cabinets smaller than one hundred eighty (180) cubic feet may not be required to be screened from view if the cabinets have been designed with a structure, material, colors or detailing that are compatible with the character of the area.
  - (e) All equipment cabinets with air conditioning units shall be enclosed by walls, if located within three hundred (300) feet of existing single-family detached homes.
  - (f) Any exterior lighting within a wall shall be mounted on poles or on the building wall below the height of the screening fence or wall.

- (g) Rooftop-mounted equipment cabinets shall be screened from off-site views to the extent possible by solid screen walls or the building parapet.
  - (h) Building-mounted personal wireless antennas shall be mounted a minimum of two (2) feet below the top of the parapet, shall be extended no more than twelve (12) inches from the face of the building, and shall be either covered or painted to match the color and texture of the building, as approved by the planning department. Where a building has a penthouse, a rooftop structure containing or screening existing equipment, or other structure set back from the outer perimeter of the building, building-mounted antennas shall be mounted on such structure rather than the outer parapet, if feasible.
  - (i) Building-mounted equipment, which is part of a new structural addition on top of a roof, shall not exceed heights allowed by this chapter and shall be either covered or painted to match the color and texture of the building, as approved by the planning department.
  - (j) The support structure for antenna arrays shall be minimized as much as possible, while maintaining structural integrity.
  - (k) All installations of personal wireless facilities shall comply with all applicable building codes and all applicable FCC and FAA regulations.
- (7) Stealth technology. In addition to the site design standards required by subsection 12-2-45(B)(6), the planning department and any applicable review board may impose additional requirements for stealth technology, depending on the nature and location of the planned installation and the character of the surrounding area.
- (8) Removal of unused antennas. If a personal wireless antenna is no longer being used for its original intended purpose, the owner of the antenna shall notify the city in writing within thirty (30) days after the use of the antenna ceases. An antenna shall be considered abandoned if it has not been used for its original intended purpose for more than one hundred eighty (180) days. The city may require the owner of any abandoned antenna to remove the antenna and any associated equipment cabinets at the owner's expense within thirty (30) days after written notice from the city. The owner shall restore the site to a condition as good as or better than its condition prior to installation of the antenna and the equipment cabinet.

If the owner of an abandoned antenna fails to remove the antenna and any associated equipment within thirty (30) days, the city may remove the antenna and the equipment and place a lien on the property for the amount required to reimburse the costs of removal.

- (9) Siting on city property. Personal wireless antennas to be located on city property shall be exempt from the provisions of this section, provided that the owner of the antenna enters into a lease with the city providing for the payment of compensation and compliance with such conditions, including, without limitation, requirements for co-location and stealth technology, that the city deems reasonable in light of the character of the site and the surrounding area.

(Ord. No. 33-95, § 6, 8-10-95; Ord. No. 12-98, § 1, 3-26-98;  
Ord. No. 27-98, § 3, 7-23-98; Ord. No. 09-02, § 1, 3-14-02)