

ORDINANCE NO. 2019 - 08

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, AMENDING SUBSECTIONS 17.112.060 (WIRELESS COMMUNICATIONS FACILITIES) OF THE SOUTH JORDAN CITY MUNICIPAL CODE TO REDUCE THE SETBACK REQUIREMENTS FOR MONOPOLES.

WHEREAS, Utah Code § 10-9a-102 grants the City Council of the City of South Jordan (the “City Council”) authority to enact ordinances that it considers necessary or appropriate for the use and development of land in the City of South Jordan (the “City”), including the City’s aesthetics; and

WHEREAS, the City Council has adopted Title 17 of the City of South Jordan Municipal Code (“City Code”); and

WHEREAS, the City Council desires to amend City Code § 17.112.060 of Title 17 to decrease the setback for monopoles from a street right-of-way; and

WHEREAS, the South Jordan Planning Commission held a public hearing, and reviewed and made a recommendation concerning the subject text amendment; and

WHEREAS, the City Council held a public hearing and reviewed the subject text amendment; and

WHEREAS, the City Council finds that the subject text amendment will enhance the public health, safety and welfare, and will promote the goals of the General Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH:

SECTION 1. Amendment. City Code § 17.112.060 is amended as shown in Exhibit A to this Ordinance.

SECTION 2. Severability. If any section, part or provision of this Ordinance is held invalid or unenforceable, such invalidity or unenforceability shall not affect any other portion of this Ordinance and all sections, parts, provisions and words of this Ordinance shall be severable.

SECTION 3. Effective Date. This Ordinance shall become effective immediately upon publication or posting as required by law.

[SIGNATURE PAGE FOLLOWS]

PASSED AND ADOPTED BY THE CITY COUNCIL OF THE CITY OF SOUTH JORDAN, UTAH, ON THIS 14 DAY OF April, 2019 BY THE FOLLOWING VOTE:

	YES	NO	ABSTAIN	ABSENT
Patrick Harris	<u>X</u>	_____	_____	_____
Bradley Marlor	<u>X</u>	_____	_____	_____
Donald Shelton	<u>X</u>	_____	_____	_____
Tamara Zander	<u>X</u>	_____	_____	_____
Jason McGuire	<u>X</u>	_____	_____	_____

Mayor: *Dawn R. Ramsey*
 Dawn R. Ramsey

Attest: *Anna M. West*
 City Recorder

Approved as to form:

[Signature]
 Office of the City Attorney



EXHIBIT A

(Text Amendment – deletions in ~~striketrough~~, additions in **bolded underline**)

17.112.060: MONOPOLES

The following standards shall govern the installation and use of monopoles with communications equipment:

- A. "Monopoles" shall be defined as any freestanding pole or tower, taller than forty five feet (45'), which is used for the purpose of facilitating communication equipment.
- B. Only maximum one hundred foot (100') monopoles may be used for freestanding installations of communications equipment and only after adequate technological justification is provided for said installations. Monopoles shall not exceed the height necessary to meet the technological requirements of the installation. Lattice or guyed structures are not permitted.
- C. Monopoles shall be located only in rear yard areas and in areas least intrusive on the public view and neighboring uses.
- D. A minimum one mile distance is required between monopoles unless adequate technological justification for a lesser distance can be provided.
- E. Monopoles may not be located closer than one hundred ~~fty~~-feet (**150'**) from any street right of way.
- F. Monopole height and distance from a residential property line shall be governed by the following table:

<u>Monopole Height</u>	<u>Distance From Residential Property Line</u>
> 45 feet	200 feet
. 60 feet	225 feet
. 70 feet	250 feet
. 80 feet	275 feet
. 90 feet	300 feet
. 100 feet	325 feet

- G. Only the initial installation of the monopole or other support structure shall require a conditional use permit; provided that collocators meet all conditions of the original approval and all requirements of this chapter.

- H. Monopoles and related antennas and equipment shall have nonreflective galvanized or powder coated surfaces with unobtrusive colors.
- I. External pole mounted antennas shall be flush mounted to the pole, projecting no more than eighteen inches (18") away from the side of the pole to which the antennas are attached.
- J. The planning commission may require that the monopole, antennas and other pole mounted equipment be further made stealth based upon proposed location and height (i.e., internal mounted antennas, light poles, flagpoles, windmills, water towers, ball field lights, bell towers, clock towers, etc.).
- K. All ground equipment associated with a freestanding monopole shall be placed in a below grade vault or completely enclosed and screened from view within a solid decorative masonry building with trees, landscaped berms, and/or other landscaping materials. A six foot (6') decorative masonry wall or other suitable fence as may be appropriate, may also be required as determined by the planning commission. Ground equipment buildings shall not exceed seven hundred fifty (750) square feet in area nor twelve feet (12') in height and shall be secured with a lock. Expansion of the original ground equipment, site area, or enclosures shall require a conditional use permit. (Ord. 2009-11, 8-4-2009)