

Section 105. Satellite Antennas and Other Antennas.

- A. **Application.** This section shall govern the erection or construction of all conventional television and radio antennas and satellite television antennas in all residential zones.

(Amended 12/16/97)

Whenever the height or other restrictions of this section conflict with other restrictions of the City Code as applied to a particular antenna, the restrictions set out in this section shall control as to that particular antenna.

- B. **Purpose and Intent.** The purpose of this law is to further the health, safety, and welfare of the citizens of the City of Jacksonville. More specifically, the Council finds that the uncontrolled proliferation of certain receive-only antennas is likely and this will adversely affect the health, safety, and general welfare of the City. Among other things, reasonable controls contribute to the good appearance of the City, stabilize and even increase property values, assure the safety of the owner and others, and, in general, contribute to the preservation of a pleasant community in which to work and live. This ordinance is intended to comply fully with the Report and Order of the Federal Communications Commission released January 14, 1986 (FCC 86-28) to the extent that Report and Order validly preempts local zoning regulations deemed unduly restrictive with respect to satellite television receiving antennas. The City hereby determines that the bulk and visual impact of such antennas create aesthetic problems making it appropriate to have some special limitations as to size and placement thereof. However, this ordinance shall be construed and administered so as not unduly to hamper reasonably satisfactory reception of satellite television signals.

- C. **Permit Required.** No satellite antenna or other antenna may be constructed or placed on any lot or structure without first obtaining a permit from the zoning administrator. A reasonable fee for the processing of an application for placement of an antenna may be charged by the City.

- D. **Location.**

1. No conventional or satellite television or radio antenna may be placed in the front yard, beyond the front of the principal structure, of any lot in the City.
2. A ground-mounted conventional television or radio antenna may be placed on a lot only in the rear yard.
3. A satellite television antenna may be placed on a lot only in the rear yard, provided however, that on a convincing showing that a reasonably satisfactory television signal cannot be obtained from a rear yard location, the zoning administrator shall permit the antenna to be located in the side yard, and if such a signal cannot be obtained in either yard, the zoning administrator shall permit the antenna to be located on the roof of any main or accessory building on the lot.
4. All ground-mounted television and radio receiving antennas and satellite television antennas shall be located no less than five (5) feet from any lot line.

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5. No ground-mounted receiving antenna or satellite television antenna may be erected on a public easement.

E. Antenna Size and Number.

1. No ground-mounted satellite television antenna may exceed ten (10) feet in height, as measured from the ground to the highest point of the antenna, provided however, that on a convincing showing that a reasonably satisfactory television signal cannot be obtained within the ten (10) foot height limitation, the zoning administrator may permit the antenna to be constructed at a height not to exceed eighteen (18) feet.
2. A roof-mounted satellite television antenna may extend above the roof line no more than three feet, unless it is to be installed on multi-story buildings of four or more stories, in which case the antenna may not exceed ten (10) feet in height above the level of the roof upon which it is placed.
3. The diameter of satellite television antennas shall not exceed 12 feet.
4. No lot shall have, at any one time, more than one satellite television antenna.

F. Miscellaneous.

1. The color of any satellite television antenna shall be dark brown, black, forest green, or beige and shall be of solid color and unadorned.
2. A ground-mounted conventional television, radio, or satellite television antenna shall be effectively screened year round from view at ground level from any adjacent lot, public or private street, right-of-way, or easement to a minimum height of six (6) feet above grade. Said screening is not required to be so complete that it interferes with the reception of the antenna. If an antenna or dish should exceed ten (10) feet in height, said screening shall be a minimum of fifty percent (50%) of the height of the structure.

Screening shall be provided by one or more of the following: the dwelling of the lot where the antenna is located; garages, storage buildings, or other provisions that meet zoning requirements; a solid wood or masonry fence or wall; or, natural plants or trees so planted as to provide year round screening.

If a landscape treatment is used, all plant materials must be medium to fine texture evergreen and at least three (3) feet in height when planted, and spaced in such a manner that when mature will be completely opaque to the required minimum height of six (6) feet. If an antenna or dish should exceed ten (10) feet in height the screening plants shall be twenty-five percent (25%) of the height of the structure when planted and

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spaced in such a manner that when mature will be completely opaque to the required minimum height of fifty percent (50%) of the height of the structure.

3. All roof-mounted satellite television antennas extending more than three feet above the roof line shall be concealed from ground level view either by a parapet wall or by exterior architectural material.
4. All television and radio antennas shall be grounded against direct lightning strike.
5. All television and radio antennas shall be erected in a secure, wind-resistant manner as prescribed by the North Carolina Building Code.
6. All wiring necessary for the use of the antenna between any ground-mounted antenna and a building or between the building on which the antenna is located and any other building on the lot shall be buried underground.