

TOWN OF MONTREAT ZONING ORDINANCE

ARTICLE XV – ANTENNA CONFORMANCE CODE

This code is established to protect the scenic views enjoyed by many Montreat property owners, to enhance the rustic and un-commercialized character of Montreat, and to protect the residents of and visitors to Montreat from dangerous or faulty installation of antennas by regulating the installation of any antenna in any Zoning District or within 100 feet of any residence.

No Building Permit shall be issued after January 1, 1996 for any purpose where said permit relates to property containing an exterior antenna installed prior to January 1, 1996 and which does not conform to this code.

Any antenna used for the reception or transmission of communications by a radio station described in Section 153(q) of Title 47 United States Code, and operating under a license by the Federal Communications Commission pursuant to Part 97 of Title 47, Code of Federal Regulations preempts these regulations and are, therefore, exempted from the requirements of this code.

1500 Requirements for Antenna Placement.

1500(a): Any antenna having any dimension of twenty inches or less shall meet the following requirements:

- 1) Placement shall be behind the front Building line;
- 2) Maximum height shall not exceed the elevation height of the roof line of the principal Building, less three feet;
- 3) Setback distance of any antenna from property lines, including all support parts, shall be a minimum of five feet;
- 4) The maximum number of antennas shall be two per lot;
- 5) No existing landscaping shall be removed, relocated, or reduced in conjunction with antenna installation; and
- 6) Antenna color shall not obviously contrast with colors within its surroundings placement area. No bright or white finishes shall be used.

1500(b): Any antenna having any dimension greater than twenty inches shall not be installed prior to site plan approval by the Planning and Zoning Commission. The Commission shall consider the following provisions in approving or disapproving the required site plan of the proposed antenna installation:

- 1) Site Plan. The Commission shall not review an incomplete site plan. A site plan is incomplete if it does not adequately convey the following information:
 - A. Owner's name and address;
 - B. Date of the site plan;
 - C. Scale of the site plan;
 - D. Property lines and dimensions;
 - E. Identification of adjacent streets;
 - F. Location and dimensions of Buildings, walkways, driveway and fences within the property;
 - G. Location and horizontal dimensions of the proposed antenna, including all support components;
 - H. Minimum distance between an antenna and the nearest property line;
 - I. Location, length, width and height of all landscapes screening intended to be a visual barrier of antenna from adjoining lots; and
 - J. An elevation drawing inset describing the antenna, its height from grade, the Structures contained on the property and their heights from grade, and the location and the height of landscaping screening.

Horizontal/Vertical Placement. The antenna shall be situated on the property at a location that allows signal capture or transmission, but that will otherwise limit adverse impact to the aesthetic quality of the area to the maximum degree practical. Antennas shall be situated as far away as possible from streets, property lines, and areas easily viewed from locations off the property. Antenna shall be situated as close to grade as practical to allow adequate signal capture or transmission. Where proposed antenna height extends beyond ten feet in elevation above grade, horizontal placement of the antenna behind Buildings, screens, and/or vegetative landscaping shall be considered.

- (1) Landscaping. Landscaping shall be used to screen the antenna and its support from adjoining lots, streets or areas off the property. In instances where existing landscaping cannot provide an effective visual screen of antenna or its support components, new landscaping and other reasonable

measures shall be employed to reduce visibility to the maximum degree practical.

- (2) Color/Graphics. No antenna shall be a bright, shiny or glare-reflective finish. Every antenna shall be finished in color to blend with, rather than contrast with, the sky and site improvements immediately surrounding, providing that, whenever feasible, a light or mid-tone color be used to meet this requirement. No antenna shall be used to display a sign or any other graphic.