

## CHAPTER 1123

### SATELLITE EARTH STATIONS

#### 1123.01 PURPOSE AND INTENT

Satellite earth stations, except those described in Section 1123.08, shall require a permit approved by the Director of Safety and Service. In all zoning districts, as applicable per Section 1123.08, in the City of Orrville, satellite earth stations shall be an accessory use. Satellite earth stations shall be an accessory use to any permitted use in any zoning district. (Ord. 55-97. Passed 9-15-97.)

#### 1123.02 DEFINITION

Satellite earth station: Any dish-type satellite signal receiving antenna also referred to as an earth station or ground station. (Ord. 55-97. Passed 9-15-97.)

#### 1123.03 PERMIT REQUIRED

Any person, corporation or other entity desiring to erect or install a satellite earth station as an accessory use in any zoning district within the corporation limits of the City of Orrville shall make application to the Director of Safety and Service for a zoning permit for said satellite earth station and shall not erect or install said satellite earth station until such zoning permit is granted. Direct Broadcast Satellite Earth Stations and similar antennas as described in Section 1123.08 shall not require permits but shall comply with all other applicable sections of this chapter. (Ord. 55-97. Passed 9-15-97.)

#### 1123.04 PERMIT PROCEDURE

The following information must be provided with the application for a Zoning Certificate for a satellite earth station.

- A. A plot plan that shows the dimensions of the parcel proposed for location of an earth station; the exact location of the earth station, including all dimensions and materials of the earth station; and the exact location and dimensions of all other buildings or structures on the same parcel as proposed for the earth station.
- B. A plan that shows detailed construction and installation specifications and plans prepared by a professional engineer. These plans must also show the location of all coaxial cable between the earth station and the receiver, and driving motors, grounding rods, low noise amplifiers, or other accessories to the earth station. The plans may be approved by other than a professional engineer if the applicant provides a copy of the manufacturer's specifications regarding construction and installation of the satellite earth station.

- C. The name and address of the following: the owner of the real estate; the applicant; the professional engineer who prepared the construction plans and specifications or the manufacturer's name and address; and the person or firm which will construct the proposed earth station.

## **1123.05 GENERAL CONDITIONS**

A zoning permit for a satellite earth station may be granted for any location in any zoning district in the City of Orrville subject to the conditions as set forth in this Chapter 1123 of the Codified Ordinances. Said zoning permit may be in addition to any use otherwise permitted or conditionally permitted on the premises. Prior to granting a zoning certificate for a satellite earth station, the Director of Safety and Service shall ascertain that all conditions of this chapter have been met with regard to the impact of a satellite earth station on safety and aesthetics as well as the following requirements:

- A. No earth station, including its concrete base or slab, shall be constructed closer than ten (10) feet from any property line.
- B. No earth station shall have advertising or signage on any part of its structure.
- C. Both roof- and ground-mounted earth stations shall be appropriately landscaped or screened to conceal said earth station from view. The planting shall have a minimum height of one-half the height of the earth station at finished construction and installation height except in the direction of the intercept and be completed before final zoning approval by the Director of Safety and Service. Roof-mounted units must be appropriately screened from view.
- D. Any earth station must be designed to withstand a wind force of eighty (80) miles per hour without the use of supporting guy wires.
- E. All structural supports for earth stations shall be of a rust resistant metal.
- F. All wiring between the earth station and a receiver shall be placed a minimum of six (6) inches below grade within rigid conduit.
- G. Any earth station must be bonded to a grounding rod.
- H. Any driving motor shall be limited to 110V maximum power design and shall be encased in protective guards.
- I. A licensed architect or engineer or manufacturer's engineering specifications must certify that the structural mounting for a roof-mounted earth station will withstand a wind force of eighty (80) miles per hour.
- J. Earth stations in single and multifamily residential districts shall be used only for

private, noncommercial purposes.

(Ord. 55-97. Passed 9-15-97.)

### **1123.06 RESIDENTIAL ZONING DISTRICT PROVISIONS**

In addition to the requirements and conditions imposed on satellite earth stations by other provisions in the Codified Ordinances, satellite earth stations in residential zoning districts shall also be subject to the following conditions.

- A. A ground-level earth station can only be erected in the rear yard of the main structure on the parcel.
- B. No earth station may be linked physically or electronically with any receiver not located on the parcel upon which the earth station is installed, except cooperatively where two or more neighbors wish to construct an earth station for their personal use. All parties involved must sign the application for a zoning certificate.
- C. Roof mounting on the primary or accessory structure is prohibited unless the earth station is a DBS earth station or antenna as described in Section 1123.08 and the antenna structure is not erected any closer to the lot line than the total height of the antenna structure above the roof. Such antenna structure shall not be located within ten feet of electric power lines or any street right-of-way. Such roof mounting shall be done in a manner which will not be visible from a public right-of-way unless such locations impair signal reception as defined by the service provider. (Ord. 55-97. Passed 9-15-97.)
- D. An earth station may not be mounted on appurtenances such as towers, trees or spires.
- E. No more than one earth station shall be constructed on any given parcel.
- F. Maximum sizes of satellite earth stations:

<u>Area of Lot</u>	<u>Diameter of Dish</u>	<u>Installation Height</u>
Less than 1/4 acre	8 feet	12 feet
1/4 to 1/2 acre	10 feet	14 feet
Over 1/2 acre	12 feet	16 feet
- G. An earth station must be placed at least ten (10) feet from the property line.
- H. On a corner lot, the placement of the satellite earth station must be approved by the Director of Safety and Service, except if the satellite earth station or antenna meets the requirements of Section 1123.08. (Ord. 55-97. Passed 9-15-97.)
- I. This section shall not govern multifamily developments of more than five dwelling units which are governed by Section 1123.07.

**1123.07 NONRESIDENTIAL ZONING DISTRICT AND MULTIFAMILY HOUSING DEVELOPMENT PROVISIONS**

In addition to the requirements and conditions imposed on satellite earth stations by other provisions in the Codified Ordinances, satellite earth stations in nonresidential zoning districts and in multifamily housing developments with more than three units shall also be subject to the following conditions.

- A. No ground-mounted earth station shall have a dish exceeding fifteen (15) feet in diameter. Height to be approved by the Planning Commission.
- B. Location of ground- and roof-mounted earth stations must be approved by the Planning Commission.
- C. No more than one (1) earth station will be permitted on a given parcel without the approval of the Planning Commission.
- D. Satellite earth stations which are two meters or less in diameter located in commercial and industrial areas shall be exempt from Sections 1123.03, 1123.04, 1123.07(B), and 1123.07(C).

**1123.08 DIRECT BROADCAST SATELLITE (DBS) AND SIMILAR ANTENNAS**

Any antenna structure that is designed to receive direct broadcast satellite service, multipoint distribution services, including multichannel, multipoint distribution services, instructional television fixed services and local multipoint distribution services that is one meter or less in diameter or a satellite earth station located in a commercial or industrial zoning district and two meters or less in diameter or an antenna structure designed to receive television broadcast signals is hereby exempted from permit and review requirements associated with Sections 1123.03 and 1123.04 of this chapter. However, all such antenna structures shall be required to comply with all other requirements of this zoning code and this chapter. These provisions are designed to maintain safety and aesthetics for the community and in no way shall impair signal reception for DBS and similar related antennas described above.

- A. DBS and similar antenna structures shall be painted a color to blend into the background on which it is mounted.
- B. DBS and similar antenna structures shall be placed in the rear yard area or mounted on the rear roof area of a structure unless such placement would impair reception of an acceptable signal as defined by the service provider. The purpose of this section is to allow placement that would not be visible from a public street, yet not impair reception of the signal in any way.
- C. DBS and similar antenna structures shall not be located in any easement area for any utility or within ten (10) feet of any public right-of-way to insure safety of pedestrians and vehicles in the public right-of-way.

- D. No antenna shall be placed in the front yard of any parcel located on a corner lot unless such location does not block vehicular or pedestrian sight distance as defined by the Director of Safety and Service.
- E. No antenna structure shall be placed on any structure listed on or eligible for listing on the National Register of Historic Places unless approved by the Planning Commission for design compatibility.

(Ord. 55-97. Passed 9-15-97.)