

**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**

DEPARTMENT: Planning and Inspections, Planning Division

AGENDA DATE: Introduction – April 14, 2020

PUBLIC HEARING DATE: May 12, 2020

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DISTRICT(S) AFFECTED: All Districts

STRATEGIC GOAL: #3 Promote the Visual Image of El Paso

SUBJECT:

An Ordinance amending Title 20 (Zoning), Appendix A (Table of Permissible Uses); Title 20 (Zoning), Chapter 20.10 (Supplemental Use Regulations), Section 20.10.455 (Personal Wireless Service Facilities), Subsection D; and Title 20 (Zoning), Chapter 20.10 (Supplemental Use Regulations), Section 20.10.455 (Personal Wireless Service Facilities) Subsection F of the El Paso City Code to update the Table of Permissible Uses and update the supplemental use regulations for Personal Wireless Service Facilities. The penalty is as provided for in Chapter 20.24 of the El Paso City Code. **(All Districts)**

BACKGROUND / DISCUSSION:

On February 20th, 2020, the amendments regarding Personal Wireless Service Facility regulations found within Item #17.1 from the January 7th 2020 City Council meeting were presented to the City Plan Commission (CPC) in order to receive their recommendations. This included the revisions to the amendments approved by City Council on January 7th 2020 (Ordinance #019016), which was identified as Item #17.2. The City Plan Commission recommended to adopt Item #17.1 in lieu of Item #17.2 to City Council. (CPC Recommendation: 5 to 2). The CPC recommendation was presented to the City Council on March 17th, 2020, and it was voted to reintroduce the Ordinance that included the amendments found within Item #17.1.

PRIOR COUNCIL ACTION:

January 7, 2020 – City Council approved Ordinance #019016 (Item #17.2 from that agenda).

January 7, 2020 – City Council directed staff to send revisions (Item #17.1 from that agenda) to the City Plan Commission for their recommendations and return to City Council with those recommendations.

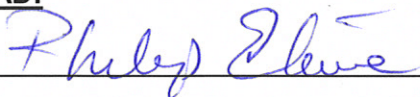
March 17, 2020 – City Council voted to reintroduce the Ordinance regarding the amendments to Personal Wireless Service Facility regulations (Item #17.1 from the January 7, 2020 City Council agenda).

AMOUNT AND SOURCE OF FUNDING:

N/A

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD:



ORDINANCE NO. _____

AN ORDINANCE AMENDING TITLE 20 (ZONING), APPENDIX A (TABLE OF PERMISSIBLE USES); TITLE 20 (ZONING), CHAPTER 20.10 (SUPPLEMENTAL USE REGULATIONS), SECTION 20.10.455 (PERSONAL WIRELESS SERVICE FACILITIES), SUBSECTION D; AND TITLE 20 (ZONING), CHAPTER 20.10 (SUPPLEMENTAL USE REGULATIONS), SECTION 20.10.455 (PERSONAL WIRELESS SERVICE FACILITIES) SUBSECTION F OF THE EL PASO CITY CODE TO UPDATE THE TABLE OF PERMISSIBLE USES AND UPDATE THE SUPPLEMENTAL USE REGULATIONS FOR PERSONAL WIRELESS SERVICE FACILITIES. THE PENALTY IS AS PROVIDED FOR IN CHAPTER 20.24 OF THE EL PASO CITY CODE.

WHEREAS, on January 7, 2020 the City of El Paso adopted Ordinance No. 019016 to update the supplemental use regulations for Personal Wireless Service Facilities; and

WHEREAS, on February 20, 2020 the City Plan Commission approved additional changes to Section 20.10.455.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

Section 1. Title 20 (Zoning), Appendix A (Table of Permissible Uses) Table 17.00 (Towers & related structures) of the El Paso City Code is replaced in its entirety with the table attached to this ordinance as Attachment "A":

Section 2. Title 20 (Zoning), Chapter 20.10 (Supplemental Use Regulations), Section 20.10.455 (Personal Wireless Service Facilities), Subsection D is amended in its entirety to read as follows:

D. Proposed PWSF Facility Site Location and Zoning District Location Hierarchy Preferences.

1. The following list indicates the City's preferences for facility site locations, in descending order of preference. Subject to all other requirements of the El Paso City Code and provided the City Code allows for such location, applicants are not prohibited from applying for any type of facility site location listed below. If applicant is seeking a permit for a facility site location listed under 20.10.455(D)(1)(a)(ii) to 20.10.455(D)(1)(e) below, then the applicant will submit with the application a due diligence analysis. At a minimum, the due diligence analysis must contain the following: a map showing all facility site locations considered within 500 feet of the proposed location that are higher on the preference list and a narrative explaining why the other facility site locations higher on the preference list are not feasible. City staff shall accept a due diligence analysis for facility site locations if such complies with the requirements above. Applications submitted by an applicant must still comply with all other requirements under the El Paso City Code. The following is the list of facility

site location preferences:

- a. Antennae Co-location on existing camouflaged PWSF
 - i. Facility
 - ii. Roof
 - iii. Ground-Mounted
- b. Antennae Co-location on existing PWSF
 - i. Facility
 - ii. Roof
 - iii. Ground-Mounted
- c. New Facility-Mounted PWSF, meeting applicable camouflaging and screening requirements
- d. New Roof-Mounted PWSF, meeting applicable camouflaging and screening requirements
- e. New Ground-Mounted PWSF, meeting applicable camouflaging and screening requirements.

2. The following list indicates the City's preferences for zoning district locations, in descending order of preference. Subject to all other requirements of the El Paso City Code and provided the City Code allows for such location, applicants are not prohibited from applying to locate any facility in any zoning district location listed below. If applicant is seeking a permit to locate a facility on a zoning district listed under 20.10.455(D)(2)(b) to 20.10.455(D)(2)(c) below, then the applicant will submit with the application a due diligence analysis. At a minimum, the due diligence analysis must contain the following: a map showing all zoning districts considered within 500 feet of the proposed location that are higher on the preference list and a narrative explaining why the other zoning district locations higher on the preference list are not feasible. City staff shall accept a due diligence analysis for zoning district locations if such complies with the requirements above. Applications submitted by an applicant must still comply with all other requirements under the El Paso City Code. The following is the list of zoning district location preferences:

- a. Heavy commercial and manufacturing zoning districts
- b. Light commercial and special purpose zoning districts.
- c. Residential and apartment zoning districts.

Section 3. Title 20 (Zoning), Chapter 20.10 (Supplemental Use Regulations), Section 20.10.455 (Personal Wireless Service Facilities), Subsection F is amended in its entirety to read as shown in Attachment "B" attached to this Ordinance.

Section 4. Except as herein amended, Title 20 (Zoning), Chapter 20.10 (Supplemental Use Regulations), Section 20.10.455 (Personal Wireless Service Facilities) remains in full force and effect.

ADOPTED This _____ day of _____ 2020.


THE CITY OF EL PASO:

ATTEST:

Dee Margo, Mayor

Laura Prine, City Clerk

APPROVED AS TO FORM:



Omar A. De La Rosa
Assistant City Attorney

APPROVED AS TO CONTENT:



Philip Etiwe, Director
Planning and Inspections

ORDINANCE NO. _____
16-1007-1883 | 979823
PWSF Title 20 Amendment
OAR

Attachment A

Appendix A - TABLE OF PERMISSIBLE USES

Use	Residential														Commercial					Manufacturing				Special Purpose											Supplemental Standards	Accessory Uses Permitted to Specific Use		
	R-1	R-2	R-2A	R-3	R-3A	R-4	R-5	RMH	A-1	A-2	A-3	A-4	A-O	A-3/O	A-M	C-OP	C-1	C-2	C-3	C-4	C-5	Q	M-1	M-2	M-3	R-F	PMD****	S-D**	U-P**	P-R I**	P-R II**	P-C**	P-I**	SRR**			R-MU**	G-MU**
17.00 Towers & related structures																																						
17.01	Amateur & CB radio stations (federally licensed)																																					
17.02	Personal Wireless Service Facility (PWSF), facility-mounted																																					
17.03	PWSF, ground-mounted																																					
17.04	PWSF, roof-mounted																																					
17.05	Radio broadcasting antenna																																					
17.06	Radio receiving station (residential-type)																																					

17.07	Satellite receiving dish, antenna	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	X	§ 20.10.010; § 20.10.020; § 20.10.590
17.08	Solar conversion system	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	X	§ 20.10.010; § 20.10.020; § 20.10.200
17.09	Television broadcasting antenna	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	P	P	P	P	S	S	S	S	S	S	D	S	Z	Z	Z	X	§ 20.10.010; § 20.10.020; § 20.10.700		
17.10	Television receiving station (residential-type)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	X	§ 20.10.010; § 20.10.020; § 20.10.710	
17.11	Wind-driven electrical generator, pump	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	Z	Z	Z	X	§ 20.10.010; § 20.10.020; § 20.10.200

* In addition to the use being permitted through a Master Zoning Plan, the use is only allowed by an additional Special Permit with a detailed site plan approval in the respective zoning district obtained from the city council in accordance with Chapter 20.04 (Administrative Provisions), and shall be subject to the general restrictions and performance standards found in Chapter 20.10 (Supplemental Use Regulations) and other applicable regulations of this title.

Attachment B

F. All PWSF shall comply with the requirements under this subsection listed on the PWSF Table below. Meeting the special permit requirements under this subsection and PWSF Table is not a guarantee of approval of a special permit. All special permit applications must meet the requirements of Chapter 20.04 (Administrative Provisions), Article V (Special Permit Approval Process) of the El Paso City Code. The requirements for all PWSF are as listed in the following PWSF Table:

0.0	Zoning Districts	A. Residential and Apartment Districts (including RF, SRR, PR-I, PR-II, & PMD)	B. C-1, C-2, P-C and C-OP Commercial Districts, S-D Special Development, and Special Purpose Districts (excluding RF, SRR, PR-I, PR-II, PMD, and P-I)	C. C-3, C-4 and C-5 Commercial Districts	D. M-1, M-2, M-3, P-1, & Q (Manufacturing, Industrial and Quarry Districts)
1.0	Ground Mounted PWSF				
1.1	Permitted	Special Permit Required	Permitted by right in C-1 and C-2 zoning districts only. Special Permit approval required in all other zoning districts in Section F.0.0.B. Special permit approval required also if exceptions or modifications are requested, or unless otherwise indicated.	Permitted by right. Special Permit approval required if exceptions or modifications are requested	Permitted by right. Special Permit approval required if exceptions or modifications are requested
1.2	Setbacks	<p>3' from any abutting property line for every 1' of structure height abutting Residential and Apartment zoning districts (including RF, SRR, PR-I, PR-II, & PMD);</p> <p>2' from any property line for every 1' of structure height abutting Residential and Apartment zoning districts (including RF, SRR, PR-I, PR-II, & PMD) for facilities camouflaged as a Low Visibility Facility only;</p> <p>1' from any abutting property line for every 1' of tower height abutting all other zoning districts in Section F.0.0.B, Section F.0.0.C., and Section F.0.0.D.</p> <p>For a property line that abuts right of way. The base zoning setback standard applies provided however that if the right of way separates the property from a Residential or Apartment zoning district (including RF, SRR, PR-I, PR-II, & PMD), the following minimum setbacks must be maintained measured from the base of the antenna support structure to the property line of the Residential or Apartment zoning district (including RF, SRR, PR-I, PR-II, & PMD) across the right of way:</p> <p>3' setback for every 1' of tower height for facilities that are not camouflaged as a Low Visibility Facility. The width of the right of way may be included in the setback measurement in accordance to Section F.1.2.1 below;</p> <p>2' setback for every 1' of tower height for facilities camouflaged as a Low Visibility Facility. The width of the right of way may be included in the setback measurement in accordance to Section F.1.2.1 below.</p> <p>For a property line that abuts right of way. The base zoning setback standard applies provided however that if the right of way separates the property from any zoning district other than a Residential or Apartment zoning district (including RF, SRR, PR-I, PR-II, & PMD), then a minimum 1' setback for every 1' of tower height must be maintained measured from the base of the antenna support structure to the property line of the zoning district across the right of way. The width of the right of way may be included in the setback measurement in accordance to Section F.1.2.1 below.</p>	<p>3' from any abutting property line for every 1' of structure height abutting Residential and Apartment zoning districts (including RF, SRR, PR-I, PR-II, & PMD);</p> <p>2' from any property line for every 1' of structure height abutting Residential and Apartment zoning districts (including RF, SRR, PR-I, PR-II, & PMD) for facilities camouflaged as a Low Visibility Facility only;</p> <p>1' from any abutting property line for every 1' of tower height abutting all other zoning districts in Section F.0.0.B, Section F.0.0.C., and Section F.0.0.D.</p> <p>For a property line that abuts right of way. The base zoning setback standard applies provided however that if the right of way separates the property from a Residential or Apartment zoning district (including RF, SRR, PR-I, PR-II, & PMD), the following minimum setbacks must be maintained measured from the base of the antenna support structure to the property line of the Residential or Apartment zoning district (including RF, SRR, PR-I, PR-II, & PMD) across the right of way:</p> <p>3' setback for every 1' of tower height for facilities that are not camouflaged as a Low Visibility Facility. The width of the right of way may be included in the setback measurement in accordance to Section F.1.2.1 below;</p> <p>2' setback for every 1' of tower height for facilities camouflaged as a Low Visibility Facility. The width of the right of way may be included in the setback measurement in accordance to Section F.1.2.1 below.</p> <p>For a property line that abuts right of way. The base zoning setback standard applies provided however that if the right of way separates the property from any zoning district other than a Residential or Apartment zoning district (including RF, SRR, PR-I, PR-II, & PMD), then a minimum 1' setback for every 1' of tower height must be maintained measured from the base of the antenna support structure to the property line of the zoning district across the right of way. The width of the right of way may be included in the setback measurement in accordance to Section F.1.2.1 below.</p>	<p>1' from any abutting property line for every 1' of tower height abutting Residential and Apartment zoning districts (including RF, SRR, PR-I, PR-II, & PMD);</p> <p>All other zoning districts in Section F.0.0.B, Section F.0.0.C., and Section F.0.0.D. subject to base zoning setback standards.</p> <p>For a property line that is abutting right of way, the base zoning setback standard applies provided however that if right of way separates the property from a Residential or Apartment zoning district (including RF, SRR, PR-I, PR-II, & PMD), a minimum 1' setback for every 1' of tower height must be maintained from the base of the antenna support structure to the property line of the Residential or Apartment zoning district (including RF, SRR, PR-I, PR-II, & PMD) across the right of way. Applicant may include the width of the right of way in the setback measurement in accordance to Section F.1.2.1 below.</p>	<p>1' from any abutting property line for every 1' of tower height abutting Residential and Apartment zoning districts (including RF, SRR, PR-I, PR-II, & PMD);</p> <p>All other zoning districts in Section F.0.0.B, Section F.0.0.C., and Section F.0.0.D. subject to base zoning setback standards.</p> <p>For a property line that is abutting right of way, the base zoning setback standard applies provided however that if right of way separates the property from a Residential or Apartment zoning district (including RF, SRR, PR-I, PR-II, & PMD), a minimum 1' setback for every 1' of tower height must be maintained from the base of the antenna support structure to the property line of the Residential or Apartment zoning district (including RF, SRR, PR-I, PR-II, & PMD) across the right of way. Applicant may include the width of the right of way in the setback measurement in accordance to Section F.1.2.1 below.</p>
1.2.1	Additional Setback Standards for Ground Mounted PWSF	If abutting ROW or easement, the width of the ROW or easement may be included in the setback measurement			
1.3	Reductions in minimum setback requirements	For facilities that abut Residential and Apartment zoning districts (including RF, SRR, PR-I, PR-II, & PMD) and that are camouflaged as a Low Visibility Facility, setbacks may be reduced with a special permit provided that setback may not be reduced below 1' from any abutting property line for every 1' of tower height (see Section F.1.3.1 below)	For facilities that abut Residential and Apartment zoning districts (including RF, SRR, PR-I, PR-II, & PMD) and that are camouflaged as a Low Visibility Facility, setbacks may be reduced with a special permit provided that setback may not be reduced below 1' from any abutting property line for every 1' of tower height (see Section F.1.3.1 below)	N/A	N/A
1.3.1	Additional Standards for Special Permits Applicable to Reductions in required minimum setbacks for Ground Mounted PWSF	<p>Modifications to Required Setbacks must meet the following criteria:</p> <p>i. The property on which the PWSF antenna support structure is to be located is the only property reasonably available for use by the applicant that will enable the applicant to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable;</p> <p>ii. The applicant is unable to collocate its antennas on an existing PWSF antenna support structure that is used by a third person or entity and located such that the applicant is able to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable;</p> <p>iii. The applicant cannot use another PWSF antenna support structure that is located such that the applicant is able to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable or that the other PWSF antenna support structures used by the applicant will not safely support additional antennas; and</p> <p>iv. Facility is camouflaged as a Low Visibility Facility.</p>			
1.4	Minimum separation (measured base of existing to base of proposed)	One-half mile	One-half mile	2,000'	1,760'
1.5	Reductions in minimum separation requirements for Ground Mounted PWSF	Minimum separation may be reduced for facilities camouflaged as a Low Visibility Facility only with a special permit, but not below 2,000' (see Section F.1.5.1)	Minimum separation may be reduced for facilities camouflaged as a Low Visibility Facility only with a special permit, but not below 1,760' (see Section F.1.5.1)	Minimum separation may be reduced for facilities camouflaged as a Low Visibility Facility only with a special permit (see Section F.1.5.1)	Minimum separation may be reduced for facilities camouflaged as a Low Visibility Facility only with a special permit (see Section F.1.5.1)
1.5.1	Additional Standards for Special Permits Applicable to Reductions in required minimum separation for Ground Mounted PWSF	<p>Modifications to Required Minimum Separation must meet the following criteria:</p> <p>i. The applicant is reasonably unable to use property that meets the minimum separation distance in Section F.1.4 from another PWSF antenna support structure and be able to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable;</p> <p>ii. The property on which the PWSF antenna support structure is to be located is the only reasonably available property for use within the minimum separation distance in Section F.1.4 of another PWSF antenna support structure that will enable the applicant to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable;</p> <p>iii. The area designated by the applicant cannot be reasonably served in a manner that is technically feasible and commercially reasonable by locating additional antennas on the applicant's existing PWSF antenna support structures because such existing PWSF antenna support structures cannot safely support additional antennas;</p> <p>iv. The applicant is unable to collocate its antennas on an existing PWSF antenna support structure that is owned or operated by a third person or entity and located such that the applicant is able to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable;</p> <p>v. The applicant shall submit a list of addresses/locations showing all existing PWSF within the radius of the minimum separation distance in Section F.1.4 of the proposed site and a map depicting such locations with the special permit application; and</p> <p>vi. Facility is camouflaged as a Low Visibility Facility.</p>			
1.6	Maximum Height Permitted (measured to top of steel)	35'	C-1 and C-2 zoning districts only: 35'. For all other zoning districts in Section F.0.0.B, height shall be limited to 45'.	60'	60'
1.7	Allowable Increases in Maximum Height Permitted	N/A	C-1 and C-2 zoning districts only: Height shall be permitted up to 45' if facility is camouflaged as a Low Visibility Facility.	N/A	N/A
1.8	Special Permit for Additional Height	<p>Height shall be permitted up to 45' with a special permit provided the applicant meets the requirements of Section F.1.8.1.A.1 below.</p> <p>Height shall be permitted up to 60' with a special permit provided the applicant meets the requirements of Section F.1.8.1.A.2 below.</p>	C-1 and C-2 zoning districts only: Height shall be permitted up to 60' with a special permit provided the applicant meets the requirements of Section F.1.8.1.B.1 below.	Height shall be permitted up to 75' with a special permit provided applicant meets the requirements of Section F.1.8.1.C.1 below. Height shall be permitted up to 90' with a special permit provided the applicant meets the requirements of Section F.1.8.1.C.2 below.	Height shall be permitted up to 75' with a special permit provided applicant meets the requirements of Section F.1.8.1.D.1 below. Height shall be permitted up to 90' with a special permit provided the applicant meets the requirements of Section F.1.8.1.D.2 below.

					<p>C. C-3, C-4 and C-5 Commercial Districts.</p> <p>1. Must meet the following criteria for height to be permitted up to 75':</p> <p>i. Facility has been designed and structurally engineered to accommodate for collocation of a second carrier or agency; and</p> <p>ii. If facility is proposed within 500' of a Residential or Apartment zoning district (including RF, SRR, PR-I, PR-II, & PMD), facility must be camouflaged as a Low Visibility Facility.</p> <p>2. Must meet the following criteria for height to be permitted up to 90':</p> <p>i. Facility has been designed and structurally engineered to accommodate for collocation of two (2) additional carriers or agencies for a total of three (3) carriers or agencies;</p> <p>ii. Facility is camouflaged as a Low Visibility Facility;</p> <p>iii. The property on which the PWSF antenna support structure is to be located is the only property reasonably available for use by the applicant for a PWSF antenna support structure of the height being proposed by the applicant that will enable the applicant to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable;</p> <p>iv. The applicant is unable to collocate its antennas on an existing PWSF antenna support structure that is owned or operated by a third person or entity and located such that the applicant is able to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable;</p> <p>v. The applicant cannot use another PWSF antenna support structure that is located such that will enable the applicant to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable or that the other PWSF antenna support structures used by the applicant will not safely support additional antennas; and</p> <p>vi. Due to topographical conditions, the proposed height of the PWSF antenna support structure is reasonably necessary to enable the applicant to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable.</p>	<p>D. M-1, M-2, M-3, P-1, & Q. (Manufacturing, Industrial and Quarry Districts)</p> <p>1. Must meet the following criteria for height to be permitted up to 75':</p> <p>i. Facility has been designed and structurally engineered to accommodate for collocation of a second carrier or agency; and</p> <p>ii. If facility is proposed within 500' of a Residential or Apartment zoning district (including RF, SRR, PR-I, PR-II, & PMD), facility must be camouflaged as a Low Visibility Facility.</p> <p>2. Must meet the following criteria for height to be permitted up to 90':</p> <p>i. Facility has been designed and structurally engineered to accommodate for collocation of two (2) additional carriers or agencies for a total of three (3) carriers or agencies;</p> <p>ii. Facility is camouflaged as a Low Visibility Facility;</p> <p>iii. The property on which the PWSF antenna support structure is to be located is the only property reasonably available for use by the applicant for a PWSF antenna support structure of the height being proposed by the applicant that will enable the applicant to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable;</p> <p>iv. The applicant is unable to collocate its antennas on an existing PWSF antenna support structure that is owned or operated by a third person or entity and located such that the applicant is able to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable;</p> <p>v. The applicant cannot use another PWSF antenna support structure that is located such that will enable the applicant to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable or that the other PWSF antenna support structures used by the applicant will not safely support additional antennas; and</p> <p>vi. Due to topographical conditions, the proposed height of the PWSF antenna support structure is reasonably necessary to enable the applicant to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable.</p>
1.8.1	Additional Standards for Special Permits for Additional Height for Ground Mounted PWSF	<p>A. Residential and Apartment zoning districts (including RF, SRR, PR-I, PR-II, & PMD).</p> <p>1. Must meet the following criteria for height to be permitted up to 45':</p> <p>i. Facility is camouflaged as a Low Visibility Facility.</p> <p>2. Must meet the following criteria for height to be permitted up to 60':</p> <p>i. Facility is camouflaged as a Low Visibility Facility; and</p> <p>ii. Located on a property whose principal use is a church, school, or other permitted non-residential use.</p>	<p>B. C-1 and C-2 zoning districts only.</p> <p>1. Must meet the following criteria for height to be permitted up to 60':</p> <p>i. Facility is camouflaged as a Low Visibility Facility.</p>			
1.9	Camouflage and Screening	<p>i. All ground-mounted PWSF shall be camouflaged. Camouflaging is a method of disguising or concealing the appearance of an object by changing its usual color, modifying its shape, or locating it in a structure that complements the natural setting, existing and surrounding structures. Color cannot be the used as the only method of camouflaging. In the context of this section, camouflaging includes, but is not limited to, making PWSF antenna support structures resemble man-made trees, locating PWSF antenna support structures in bell steeples or clock towers, or on similar alternative-design mounting structures.</p> <p>ii. All ground-mounted PWSF shall be located to blend in with surrounding area and located in areas where the existing topography, vegetation, buildings, and other structures provide the greatest amount of screening, and sited so as to not stand out of the landscape as a wireless telecommunications facility. Considerations such as architectural designs, adjacent land uses, scale, color, and texture should be reviewed to make facility as compatible as possible to the surrounding area, including views from public areas as well as from private residences. A visual analysis, which may include renderings, photos, and design mockups, shall be submitted showing the proposed facility from adjacent properties, nearby residences, and public rights-of-way (at least one from 1,000 feet away on nearby roadways) to assess the visual impact. The applicant will need to demonstrate how the proposed camouflaging blends in with the surrounding area and why the design is compatible. Multiple design options may need to be submitted to ensure other options have been explored. Staff shall review the visual analysis to ensure a compatible design has been submitted and provide comments if the design is not appropriate for the area.</p> <p>iii. All ground-mounted PWSF will be categorized as High Visibility and Low Visibility based on the context of the proposed facility. High Visibility facilities shall include designs such as man-made trees and are encouraged for existing open space or parkland areas where they may blend more easily. A "Low Visibility Facility" is a facility that is designed and constructed in a manner in which (1) the antennas, cables, and fixtures are completely enclosed so that such antennas, cables, and fixtures are not visible from any angle, (2) the facility resembles the material, color, and texture of buildings or structures located within the subject property and, (3) the facility serves or performs a function that is associated with the current use of the subject property. Without limiting the types of designs, the following are examples of Low Visibility Facilities: a bell steeple located on a church property, a clock tower on a school campus, a flag pole (with flag) on a government building, windmill on a rural district lot, or an operational light pole on a parking lot. The Zoning Administrator is the person responsible for determining whether a proposed facility meets the criteria to be classified as a Low Visibility Facility.</p> <p>iv. Metallic surfaces shall be painted to reduce glare and reflections. No exterior paint colors shall be used which have a light reflecting value (LRV) greater than forty percent. The LRV of a paint is available from paint manufacturers and it measures the amount of light reflected by a certain color.</p> <p>v. Screening of antennas on PWSF antenna support structures may include the use of existing parapets, walls, or similar architectural elements provided that it is painted and texturized to integrate with the architecture of the surrounding structure.</p> <p>vi. Landscaping shall comply with all code requirements for landscaping.</p>				
1.10	Screening Fence	A six-foot high screening wall or fence of other than chain-link shall be constructed around the base of a PWSF antenna support structure to provide for security. The gate which provides access to the PWSF antenna support structure shall remain locked at all times except when being used for access by maintenance personnel.				
1.11	Access Driveway	The access driveway and off-street parking space for use by maintenance vehicles shall be paved as approved by the building official				
1.12	Increase in Elevation on Existing Ground Mounted PWSF Antenna Support Structure	An increase in elevation, not to exceed height found in Section F.1.6 and Section F.1.7 plus allowed modifications and Section F.1.8 above, of an existing permitted PWSF antenna support structure may be permitted only to allow for collocation of additional antennas, unless otherwise permitted by FCC provisions of Section 6409 (a) and Section 332 (c) (7). A structural recertification report prepared and sealed by a licensed professional engineer shall be required, and such report shall be reviewed and approved by the building official prior to issuance of a building permit.				
1.13	Other Requirements Applicable to Ground Mounted PWSF	<p>The following must accompany a request for a special permit or building permit:</p> <p>i. All towers located within two hundred (200) feet of a recognized federal, state or local historic district are subject to review and approval by the Historic Preservation Officer.</p> <p>ii. A detailed site development plan showing the PWSF antenna support structure, antennas, and equipment in relation to the existing surroundings including screening, fencing, camouflage, off-street parking, and access from the PWSF antenna support structure to the nearest public street;</p> <p>iii. Evidence of satisfactory completion of a certification of compliance for personal wireless service providers issued by the public safety technology office prior to actual use of the proposed facility, such certification to include a verification letter that all required Federal Aviation Administration (FAA) and Federal Communications Commission (FCC) approvals have been requested and that site-specific structural engineering and nonionizing electromagnetic radiation (NIER) reports are available on request from the applicant; and</p> <p>iv. The design of related support structures for new PWSF antenna support structures and appurtenant equipment storage facilities shall incorporate materials, colors, textures, screening, or camouflaging techniques that will blend them to the extent reasonably possible into the natural setting, existing and surrounding structures. The applicant will be required to provide photographs of predevelopment views versus post-development illustrations, at ninety-degree angles for a full three hundred sixty-degree radius, shown to scale. The building official shall review and consider any of the five items above to mitigate negative visual impacts created by the proposed PWSF antenna support structure and may require reasonable revisions necessary to bring the application into compliance with one or more of the five items above.</p>				
1.14	Collocation or installation of additional antennas	Permitted as per FCC provisions of Section 6409 (a) and Section 332 (c) (7). A structural recertification report prepared and sealed by a licensed professional engineer shall be required, and such report shall be reviewed and approved by the building official prior to issuance of a building permit.				
1.15	Existing non-conforming ground-mounted PWSF	An existing ground-mounted PWSF shall be allowed to be modified under the FCC provisions of Section 6409 (a) and Section 332 (c) (7). All non-conforming ground-mounted PWSF's may continue in existence as a nonconforming structure and are allowed to be modified or rebuilt on the same property as permitted in Section 20.22.100.				

		A. Residential and Apartment Districts (including RF, SRR, PR-I, PR-II, & PMD)	B. C-1, C-2, P-C and C-OP Commercial Districts, S-D Special Development, and Special Purpose Districts (excluding RF, SRR, PR-I, PR-II, PMD, and P-I)	C. C-3, C-4 and C-5 Commercial Districts	D. M-1, M-2, M-3, P-I, & Q (Manufacturing, Industrial and Quarry Districts)
2.0	Roof-Mounted PWSF				
2.1	Permitted	Only on residential structures consisting of five or more units or on nonresidential structures	Only on Commercial or Mixed Use structures or those residential structures consisting of five or more units	Only on Commercial or Mixed Use structures or those residential structures consisting of five or more units	Only on Commercial or Mixed Use structures or those residential structures consisting of five or more units
2.2	Maximum Height Permitted (measured to top of steel or antennae, whichever is greater)	15' in height above the existing roofline			
2.3	Allowable Increases in Maximum Height Permitted	N/A	Up to 15' above the Maximum Height Permitted in Section F.2.2 above allowed by approval of a Special Permit (see Section F.2.3.1 below)	Up to 15' above the Maximum Height Permitted in Section F.2.2 above allowed by approval of a Special Permit (see Section F.2.3.1 below)	Up to 15' above the Maximum Height Permitted in Section F.2.2 above allowed by approval of a Special Permit (see Section F.2.3.1 below)
2.3.1	Additional Standards Applicable to permitted increases in Height for Roof-mounted PWSF	<p>i. The property on which the PWSF antenna support structure is to be located is the only property reasonably available for use by the applicant for a PWSF antenna support structure of the height being proposed by the applicant that will enable the applicant to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable;</p> <p>ii. The applicant is unable to collocate its antennas on an existing PWSF antenna support structure that is owned or operated by a third person or entity and located such that the applicant is able to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable;</p> <p>iii. The applicant cannot use the roof on the same structure on which it is located such that will enable the applicant to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable or that the other PWSF antenna support structures used by the applicant will not safely support additional antennas; and</p> <p>iv. Due to topographical conditions, the proposed height of the PWSF antenna support structure is reasonably necessary to enable the applicant to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable.</p>			
2.4	Camouflage and Screening	<p>i. Camouflaging is a method of disguising or concealing the appearance of an object by changing its usual color, modifying its shape, or locating it in a structure that complements the natural setting, existing and surrounding structures. In the context of this section, camouflaging includes, but is not limited to, making PWSF antenna support structures resemble man-made trees, locating PWSF antenna support structures such as in bell steeples or clock towers, or on similar alternative-design mounting structures.</p> <p>ii. Metallic surfaces shall be painted to reduce glare and reflections. No exterior paint colors shall be used which have a light reflecting value (LRV) greater than forty percent. The LRV of a paint is available from paint manufacturers and it measures the amount of light reflected by a certain color.</p> <p>iii. Screening of antennas on roof-mounted PWSF antenna support structures may include the use of existing parapets, walls, or similar architectural elements provided that it is painted and texturized to integrate with the architecture of the surrounding structure. Screening is not required when the height of the roofline exceeds thirty-five feet. Screening may be waived by the building official on buildings where the height of the roofline is thirty-five feet or less based on evidence provided by the applicant that the roof cannot structurally support the screen.</p>			
2.5	Other Requirements	<p>The following must accompany a request for a special permit or building permit:</p> <p>i. A detailed site development plan showing the PWSF antenna support structure, antennas, and equipment in relation to the existing surroundings including screening, fencing, camouflage, off-street parking, and access from the PWSF antenna support structure to the nearest public street;</p> <p>ii. Evidence of satisfactory completion of a certification of compliance for personal wireless service providers issued by the public safety technology office prior to actual use of the proposed facility, such certification to include a verification letter that all required Federal Aviation Administration (FAA) and Federal Communications Commission (FCC) approvals have been requested and that site-specific structural engineering and nonionizing electromagnetic radiation (NIER) reports are available on request from the applicant; and</p> <p>iii. Satisfactory completion of a certification of compliance for personal wireless service providers issued by the public safety technology office prior to actual use of the proposed facility, such certification to include a verification letter that all required FAA and FCC approvals have been requested and that site-specific structural and the roof and a nonionizing electromagnetic radiation (NIER) reports are available on request from the applicant.</p>			
2.6	Collocation	Collocation or installation of additional antennas on an existing PWSF antenna support structure is permitted. A structural recertification report for both the structure and the roof, prepared and sealed by a licensed professional engineer, shall be required, and such report shall be reviewed and approved by the building official prior to issuance of a building permit.			

		A. Residential and Apartment Districts (including RF, SRR, PR-I, PR-II, & PMD)	B. C-1, C-2, P-C and C-OP Commercial Districts, S-D Special Development, and Special Purpose Districts (excluding RF, SRR, PR-I, PR-II, PMD, and P-I)	C. C-3, C-4 and C-5 Commercial Districts	D. M-1, M-2, M-3, P-I, & Q (Manufacturing, Industrial and Quarry Districts)
3.0	Facility-mounted PWSF				
3.1	Permitted	Must be attached to a structure used for something other than a PWSF antenna support structure			
3.2	Maximum Height Permitted (measured to top of steel or antennae, whichever is greater)	Limited to maximum height permitted in base zoning district in which the facility is located as indicated in Appendix B, Density and Dimensional Standards of Title 20			
3.3	Allowable Increases in Maximum Permitted Height	As per Section 20.12.030.C, 15 additional feet on an existing facility to accommodate collocation of additional antennas			
3.4	Camouflage and Screening	<p>i. Camouflaging is a method of disguising or concealing the appearance of an object by changing its usual color, modifying its shape, or locating it in a structure that complements the natural setting, existing and surrounding structures. In the context of this section, camouflaging includes, but is not limited to, making PWSF antenna support structures resemble man-made trees, locating PWSF antenna support structures such as in bell steeples or clock towers, or on similar alternative-design mounting structures. Facility-mounted PWSF shall be painted to integrate and blend with the facility-structure.</p> <p>ii. Metallic surfaces shall be painted to reduce glare and reflections. No exterior paint colors shall be used which have a light reflecting value (LRV) greater than forty percent. The LRV of a paint is available from paint manufacturers and it measures the amount of light reflected by a certain color.</p> <p>iii. Screening of antennas on facility-mounted PWSF antenna support structures may include the use of existing parapets, walls, or similar architectural elements provided that it is painted and texturized to integrate with the architecture of the surrounding structure. Screening is not required when the height of the roofline exceeds thirty-five feet. Screening may be waived by the building official on buildings where the height of the roofline is thirty-five feet or less based on evidence provided by the applicant that the roof cannot structurally support the screen.</p>			
3.5	Other Requirements	<p>The following must accompany a request for a building permit:</p> <p>i. A detailed plan showing the facility structure, antenna structures and equipment in relation to the existing surroundings, including screening, fencing, camouflage, off-street parking and access from the facility structures site to the nearest public street;</p> <p>ii. Satisfactory completion of a certification of compliance for personal wireless service providers issued by the public safety technology office prior to actual use of the proposed facility accompanied by a verification letter that all required Federal Aviation Administration (FAA) and Federal Communications Commission (FCC) approvals have been requested and that site-specific structural engineering and nonionizing electromagnetic radiation (NIER) reports are available on request from the applicant; and</p> <p>iii. The applicant shall provide documentation to the building official that the applicant has the permission from the structure owner to install the antenna(s) on the structure.</p>			
3.6	Collocation	Collocation of additional PWSF antennas on an existing facility structure is permitted. A structural recertification report prepared and sealed by a licensed professional engineer shall be required, and such report shall be reviewed and approved by the building official prior to issuance of a building permit.			

MEMORANDUM

DATE: April 8, 2020 (UPDATED-May 11, 2020)

TO: The Honorable Mayor and City Council
Tommy Gonzalez, City Manager

FROM: Jeff Howell, Project Manager

SUBJECT: **An Ordinance amending Title 20 (Zoning), Appendix A (Table of Permissible Uses); Title 20 (Zoning), Chapter 20.10 (Supplemental Use Regulations), Section 20.10.455 (Personal Wireless Service Facilities), Subsection D; and Title 20 (Zoning), Chapter 20.10 (Supplemental Use Regulations), Section 20.10.455 (Personal Wireless Service Facilities) Subsection F**

On January 7th, 2020, City Council approved Ordinance #019016 (Item #17.2 from that agenda). Also on January 7th, 2020, City Council directed staff to send the revisions (Item #17.1 from that agenda) to the City Plan Commission for their recommendations and return to City Council with those recommendations.

On February 20th, 2020, the amendments regarding Personal Wireless Service Facility regulations found within Item #17.1 from the January 7th 2020 City Council meeting were presented to the City Plan Commission (CPC) in order to receive their recommendations. This included the revisions to the amendments approved by City Council on January 7th 2020 (Ordinance #019016), which was identified as Item #17.2. The City Plan Commission recommended to adopt Item #17.1 in lieu of Item #17.2 to City Council. (CPC Recommendation: 5 to 2). The CPC recommendation was presented to the City Council on March 17th, 2020.

On March 17th, 2020, City Council voted to reintroduce the Ordinance regarding the amendments to Personal Wireless Service Facility regulations (Item #17.1 from the January 7th, 2020 City Council agenda).

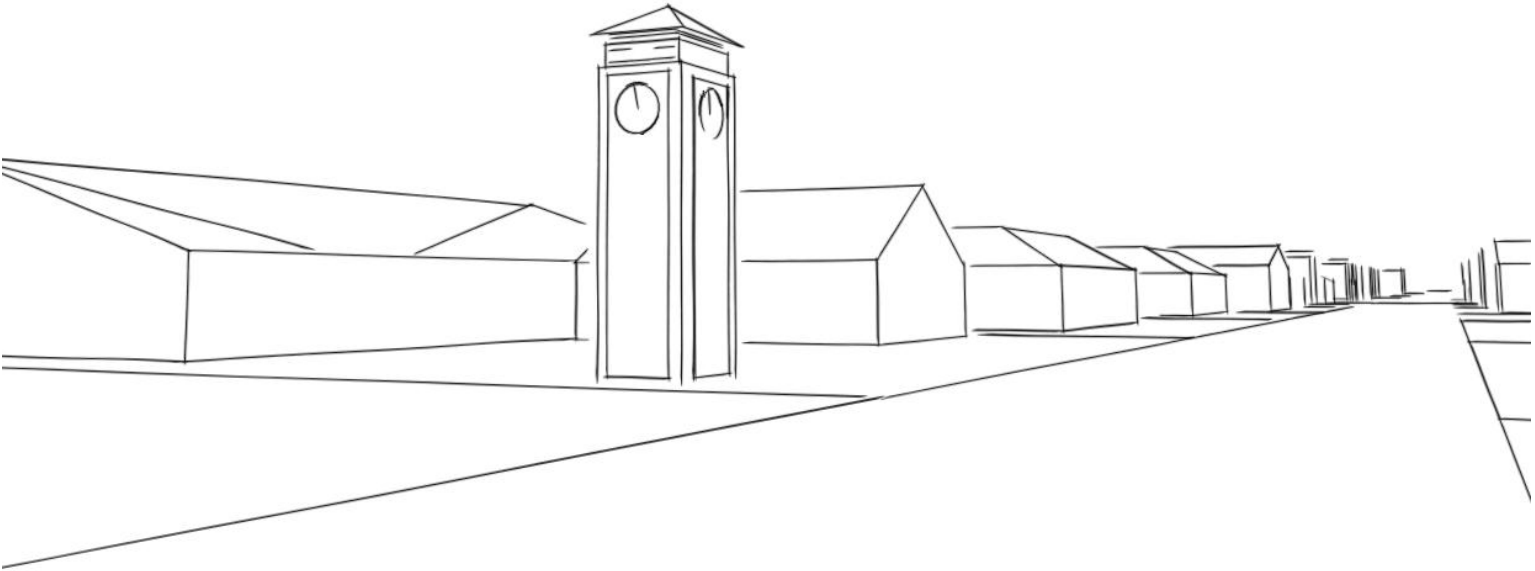
Applicant: City of El Paso

Attachments:
Updated PWSF Policy Guide to be adopted by the Director
Redlines of amendments
Comments received

City of El Paso | 2020

PERSONAL WIRELESS SERVICE FACILITY (PWSF)

Policy Guide



Applicability

This document is to serve as a supplement to be used in conjunction with the applicable provisions of the City Code.

This document includes various depictions of acceptable designs, but does not encompass all potential alternatives which could be submitted. The guidelines are intended to provide the applicant, reviewing departments, advisory boards, and City Council with a basis for determining whether a proposed Personal Wireless Service Facility (PWSF) complies with the intent of the applicable code provisions.

Introduction

This document includes design guidelines which are intended to encourage co-location of personal wireless service facilities to minimize the visual impact on the City's landscape. The design guidelines contained in this document are intended to provide additional reference in support of 20.10.455, Personal Wireless Service Facilities, and may be amended by the Planning and Inspections Director or City Manager Designee.

Purpose

The purposes of these design guidelines are to assure a degree of predictability and consistency in the review process. These guidelines provide direction to service providers and their consultants in regard to the types of facilities that are encouraged and discouraged within the City of El Paso. Inclusive within these guidelines are various illustrations and depictions which are intended for illustrative purposes and are not intended to be reflective of all potential designs, solutions, or scenarios but rather a guide to use in the review process of applications for new facilities. The City recognizes the complexity and uniqueness inherent to these types of facilities and not all design guidelines will be applicable on all projects, and the guidelines are suggestive versus restrictive.

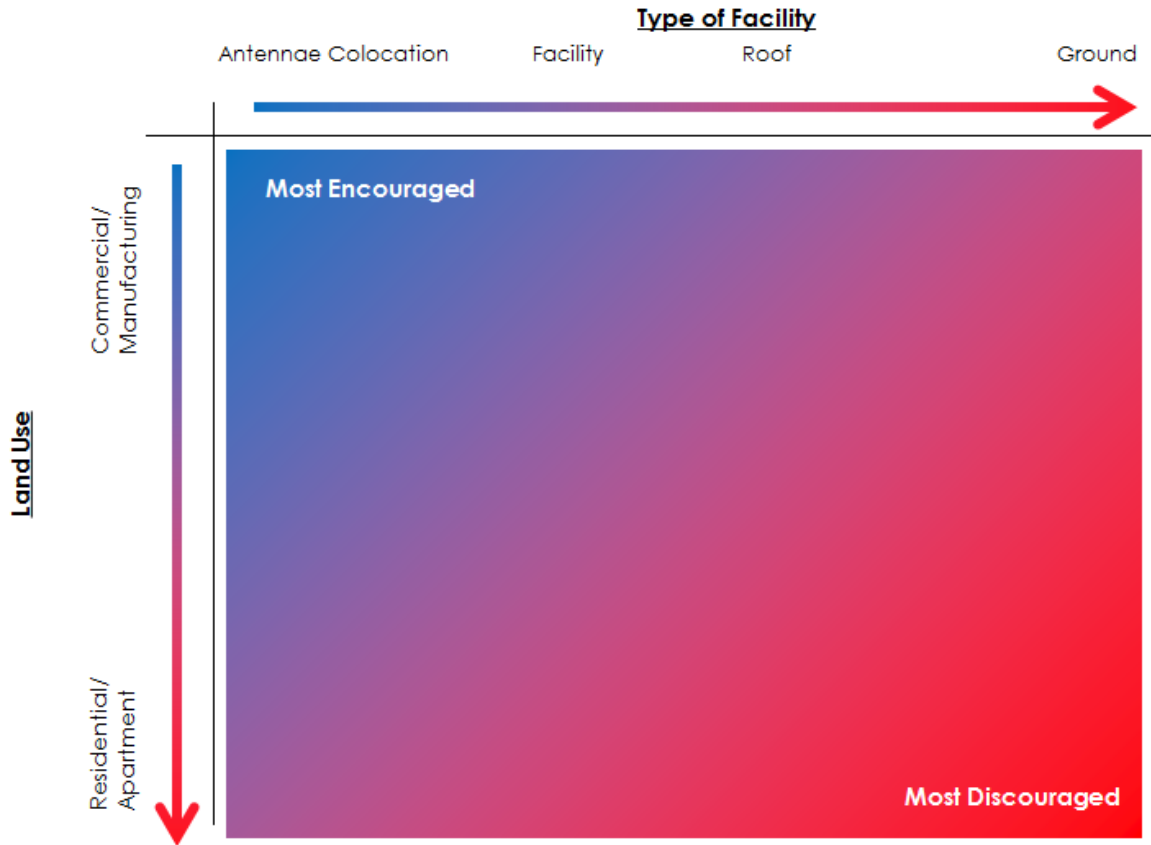
How to use the Policy Guide

This guide is to be used as a supplement for Staff, City Plan Commission, and City Council to formulate recommendations and make decisions on new PWSF applications. It is also meant to be used to provide more information to applicants to help them select the best location/ type of facility for their proposal. Section 20.10.455 of the El Paso City Code identifies the requirements that need to be followed in order to meet the zoning regulations, while the Policy Guide indicates the City's preferences on new facilities. When reviewing applications for new facilities, the following is a list of factors to be considered for approval of the request:

- **Location**
 - Preferred vs Not Preferred
- **Type**
 - Preferred vs Not Preferred
- **Scale and Context**
 - Appropriate vs. Inappropriate
- **Camouflaging**
 - Low Visibility Facilities
 - Encouraged vs Discouraged

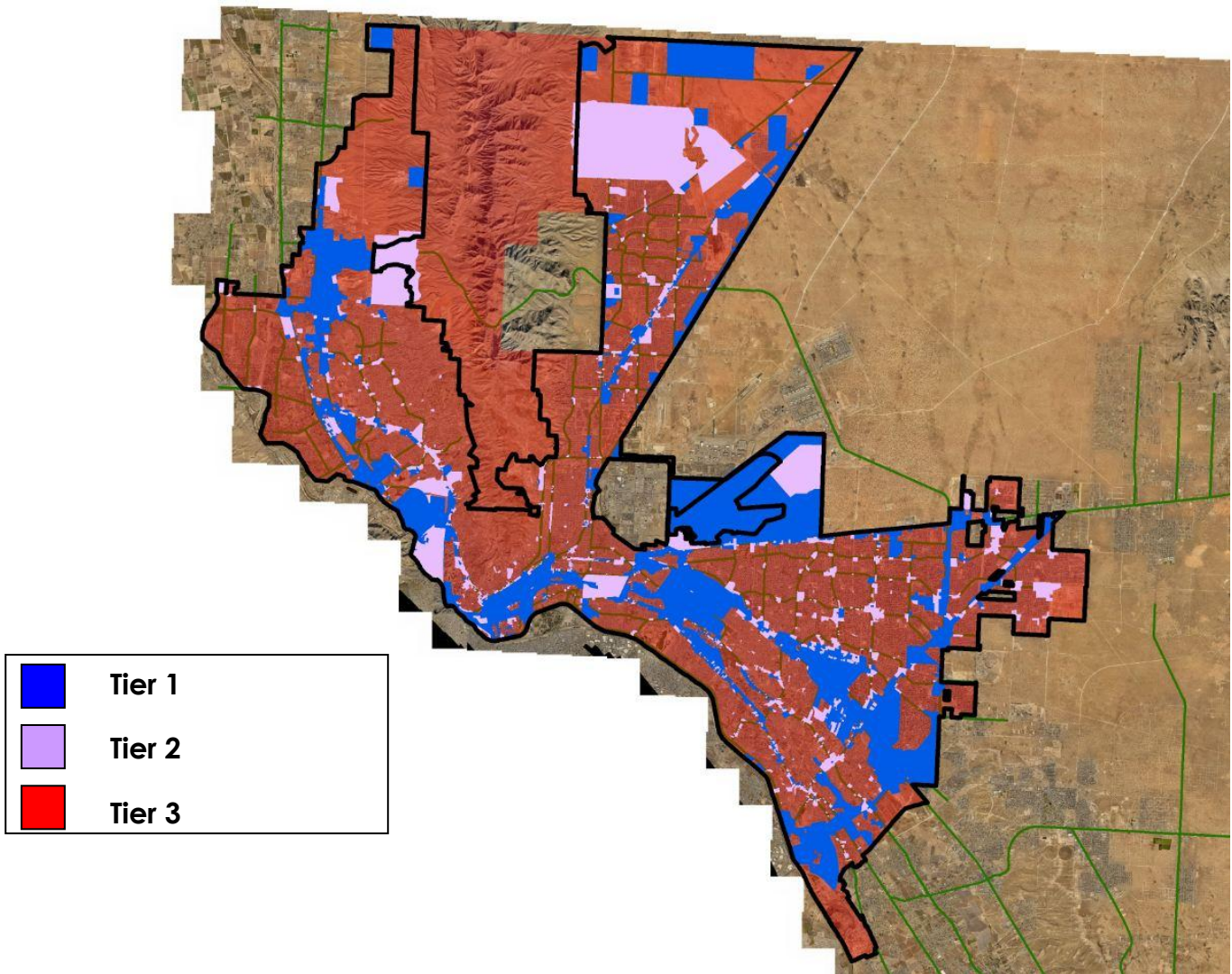
Location and Type Policies

Preference Matrix

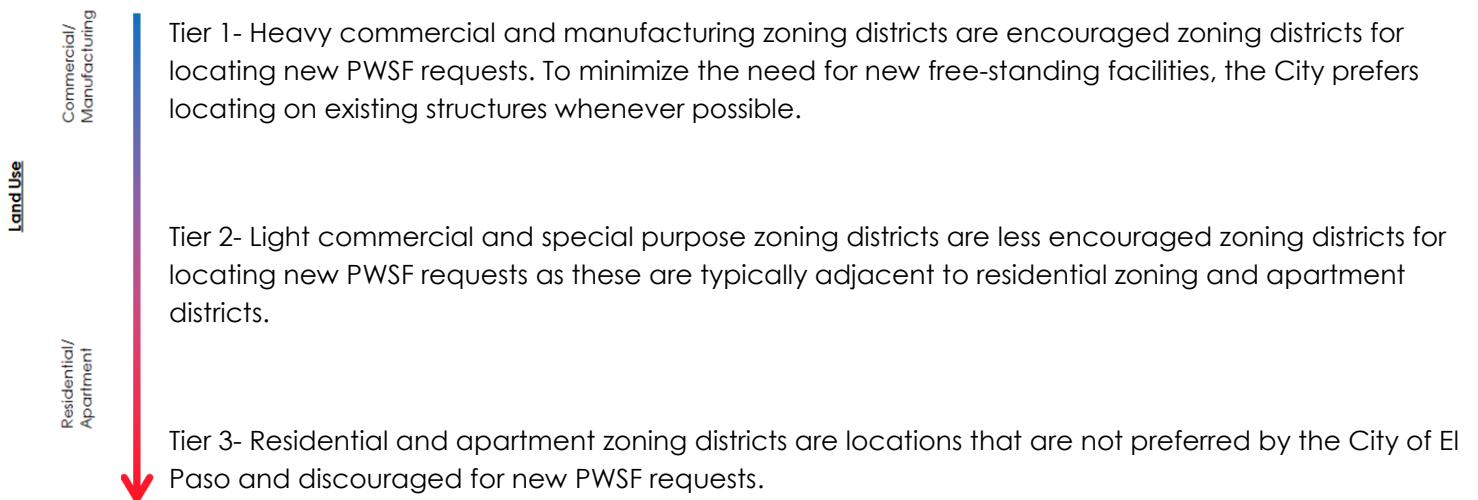


Location Policies

The location guidelines establish a location siting hierarchy for new proposed personal wireless service facility (PSWF) requests.



*This map is for illustrative purposes only and are not regulatory.



Type Policies

In addition and in-line with the location preferences, in descending order (from encouraged to discouraged) are the City's preferences for PWSF types are shown below:

1. Antennae Co-location on existing camouflaged PWSF (Facility, Roof, Ground-Mounted)
2. Antennae Co-location on existing PWSF (Facility, Roof, Ground-Mounted)
3. New Facility-Mounted PWSF on existing buildings or structures, meeting applicable camouflaging and screening requirements
4. New Roof-Mounted PWSF on existing buildings or structures, meeting applicable camouflaging and screening requirements

In all instances, a new ground-mounted facility is a discouraged type of PSWF and should be seen as a last resort for new requests.

5. New Ground-Mounted PWSF, meeting applicable camouflaging and screening requirements

Due Diligence Analysis

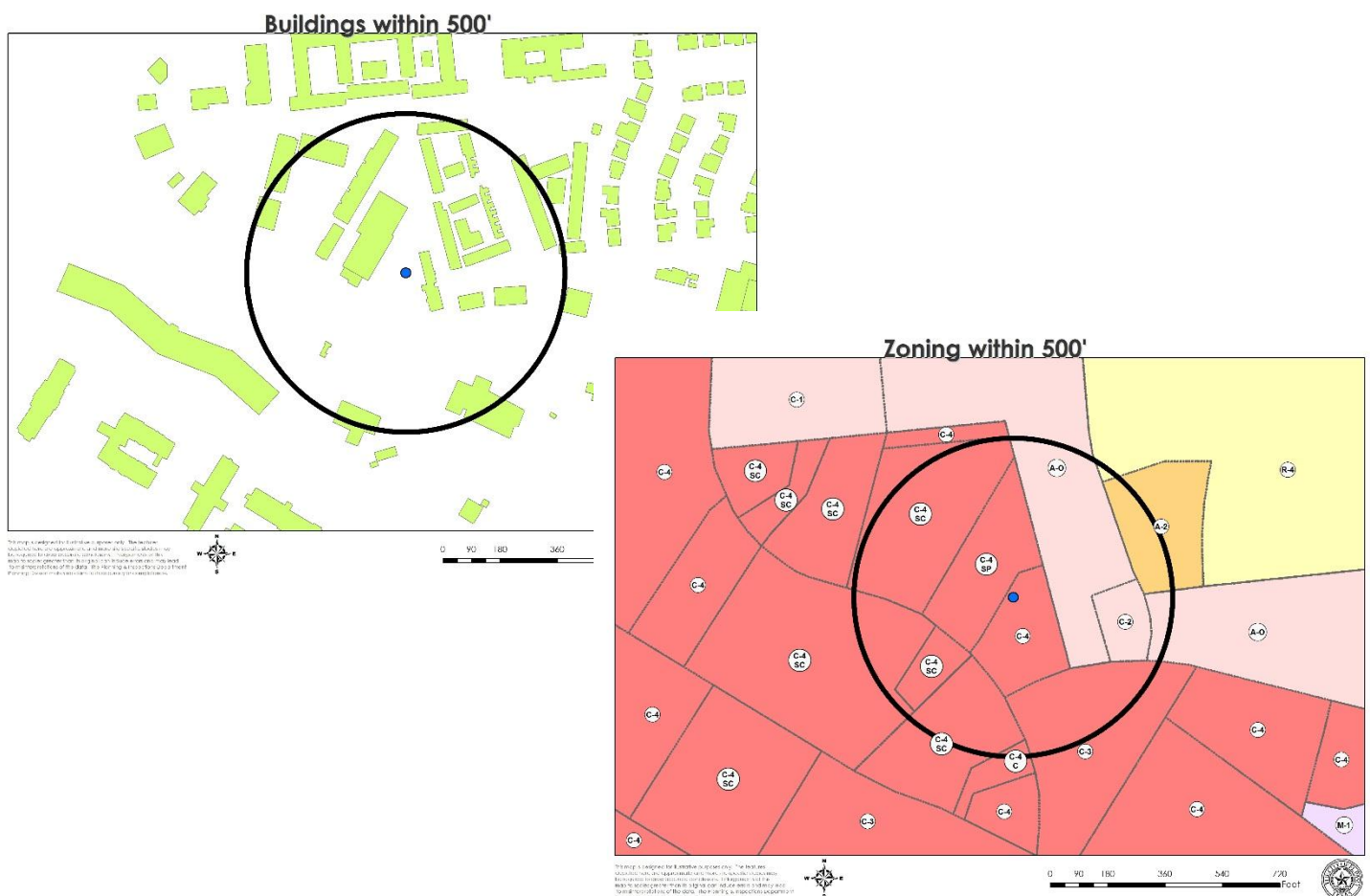
In accordance with 20.10.455, a facility location and/or zoning district lower on the preference list may be requested when the following information has been provided by the applicant as part of an application submittal:

- A map showing of existing facilities, structures, or buildings in the area which depicts the structures or buildings on which the proposed facility may be able to locate (i.e. colocation, facility and/or roof mounted) and a narrative on why these facility locations are not feasible; and/or
- A map showing the zoning districts in the area which depicts the other districts in which the proposed facility may be able to locate (i.e. Heavy commercial/Manufacturing and/or Light commercial/Special Purpose zoning districts) and a narrative on why these zoning districts are not feasible.

Information and analysis that would indicate why an existing facility cannot be used or a lower tier zoning district cannot be located within may contain information such as:

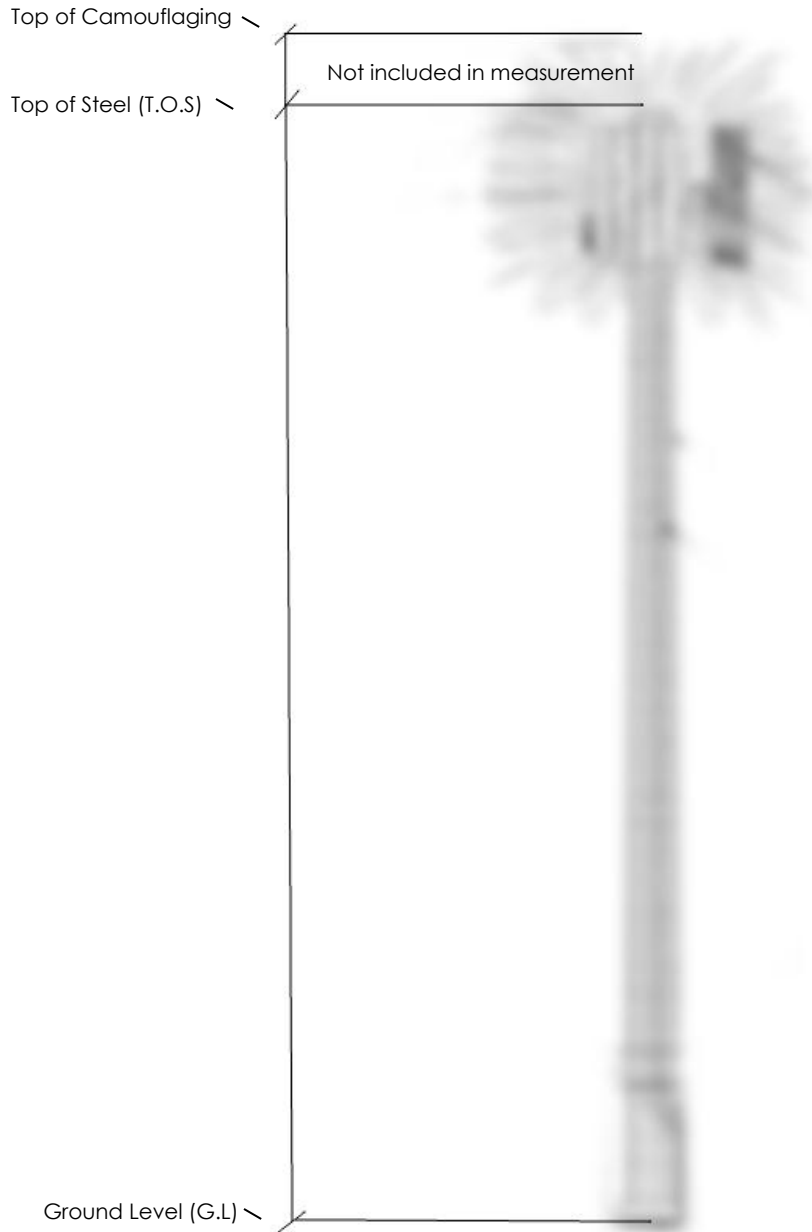
- The current structure cannot support additional facilities.
- The location will cause interference with existing facilities.
- An existing ground mounted PWSF does not have the capacity for additional antenna and/or does not provide the required coverage needed.
- The existing structures or buildings in the area cannot support colocation.
- The zoning district may contain unsuitable properties.

There is no minimum length of the narrative, however it should provide information to staff to demonstrate that a reasonable investigation into the other preferred options was conducted. Additional information, maps, or analysis may also be provided by the applicant as part of the due diligence analysis.

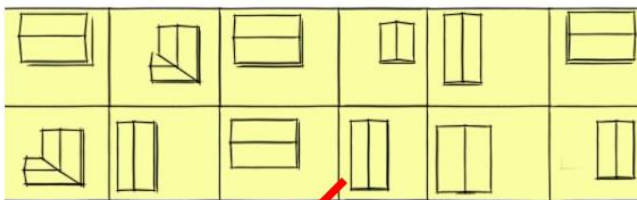
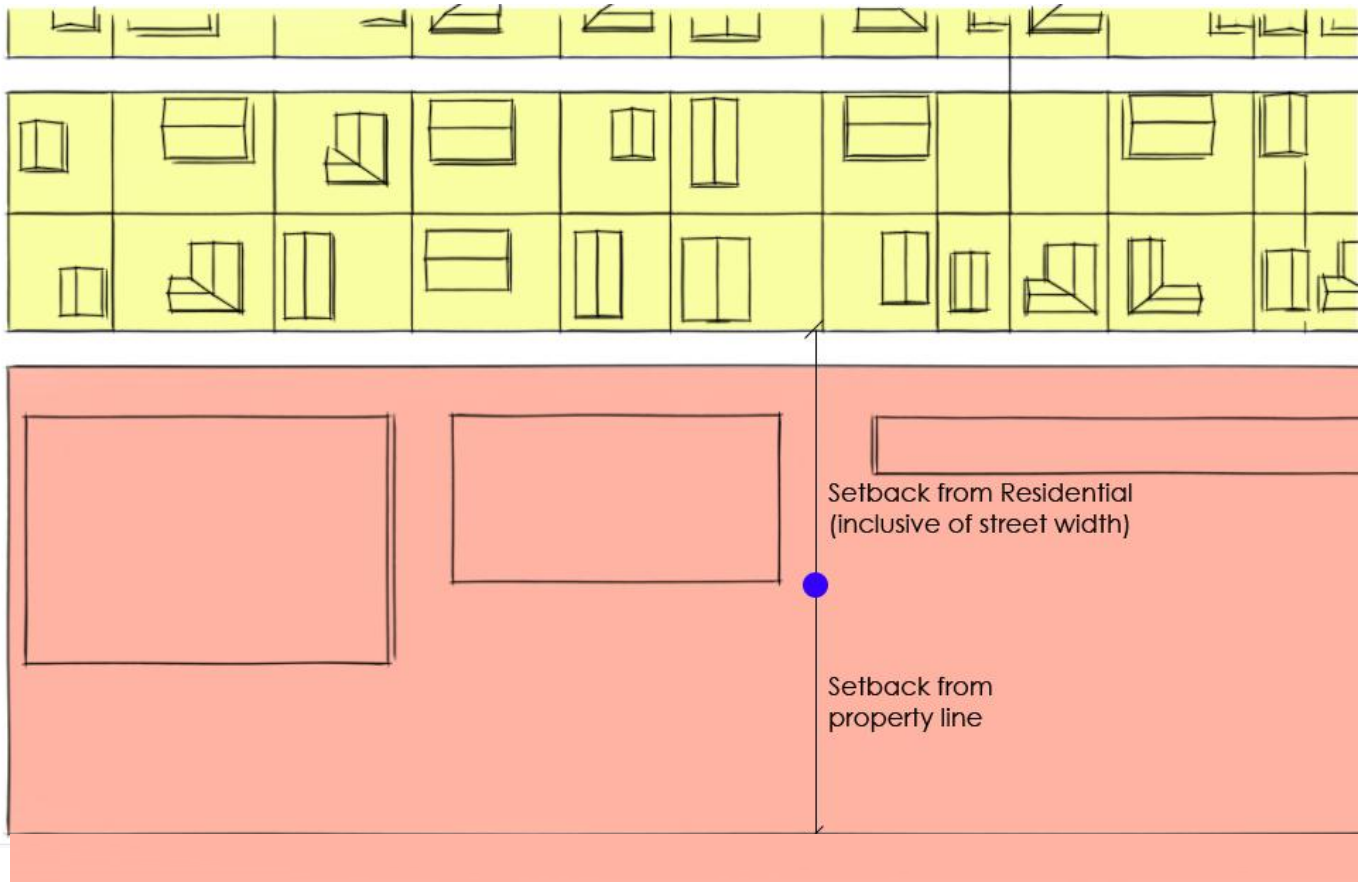


Measurements

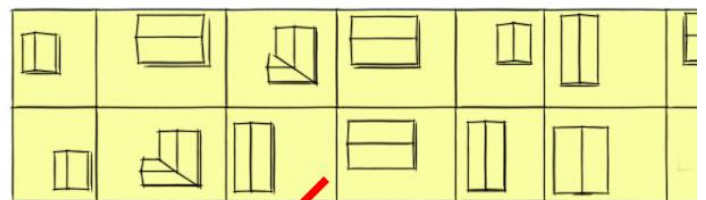
- In order to determine height and setback requirements a PWSF will be measured from the ground level (G.L.) to the top of steel (T.O.S.). The camouflaging materials (such as palm fronds, structural elements, pine tree branches, etc.) will not be included in the measurements as they are required to achieve the method of camouflaging.



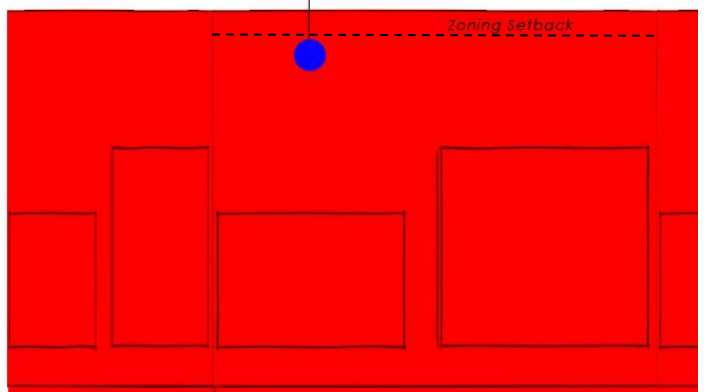
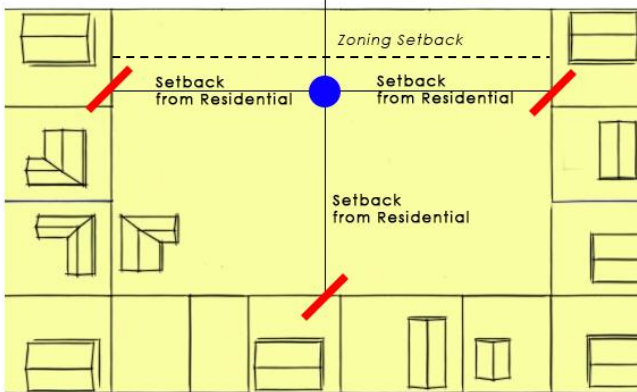
- The setbacks of the PWSF shall be measured from the base of the proposed tower. The camouflaging materials (such as palm fronds, structural elements, pine tree branches, etc.) will not be included in the measurements as they are required to achieve the method of camouflaging. If abutting ROW or easement, the depth/width of the ROW or easement may be included in the setback measurement. In the case where ROW separates the Residential or Apartment zoning district, the measurement is taken from the property line across the ROW as illustrated below:



Setback from Residential



Setback from Residential



- In order to verify if a special permit is required, the radius for PWSF separation shall be measured from the base of the proposed facility. This radius varies by zoning district between the proposed facility and any existing ground-mounted facility. This is to be verified with the database of PWSF from the City of El Paso and **only** applies to ground mounted facilities.



Camouflaging and Screening Guidelines

When reviewing new PWSF applications, items that will be taken into consideration, in addition to the location of the proposed facility, as it relates to camouflaging include:

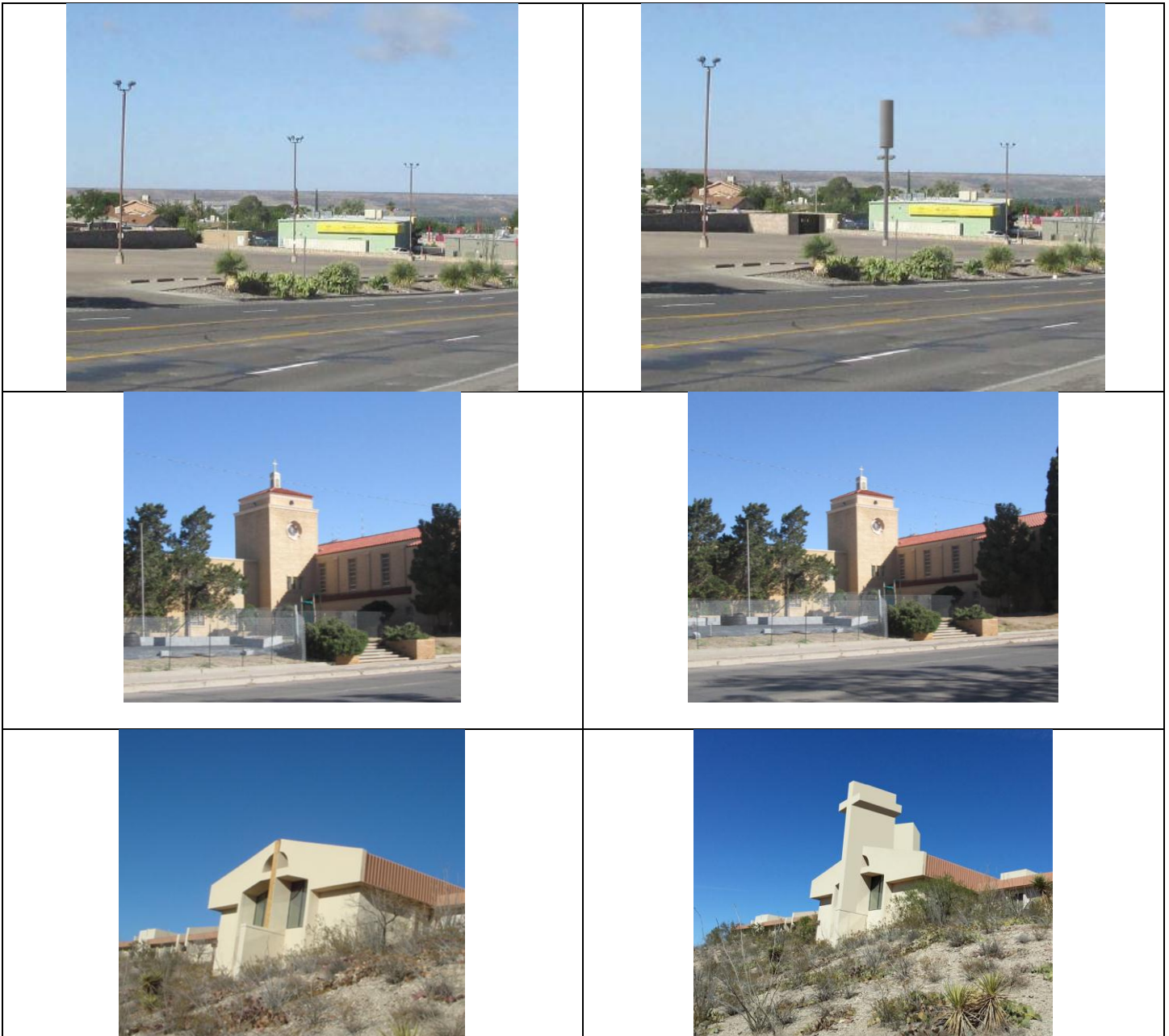
- Scale and Context
- Visibility classification of facilities
- Types
 - Ground-Mounted
 - Roof Mounted
 - Facility Mounted
- Landscaping
- Screening

Scale and Context

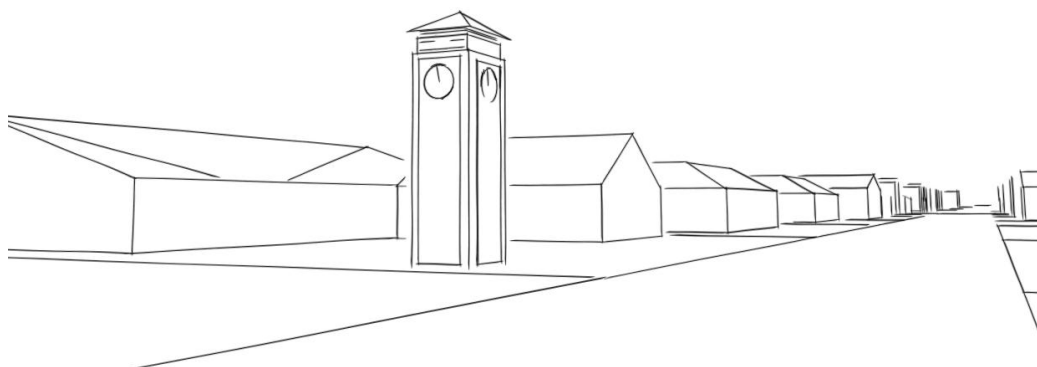
All ground-mounted PWSF should be located to blend in with surrounding area and located in areas where the existing topography, vegetation, buildings, and other structures provide the greatest amount of screening, and sited so as to not stand out of the landscape. Considerations such as architectural designs, adjacent land uses, scale, color, and texture should be reviewed to make facility as compatible as possible to the surrounding area, including views from public areas as well as from private residences. A visual analysis, which may include renderings, photos, and design mockups, shall be submitted showing the proposed facility from adjacent properties, nearby residences, and public rights-of-way (at least one from 1,000 feet away on nearby roadways) to assess the visual impact. The applicant will need to describe how the proposed camouflaging blends in with the surrounding area and why the design is compatible.

Before

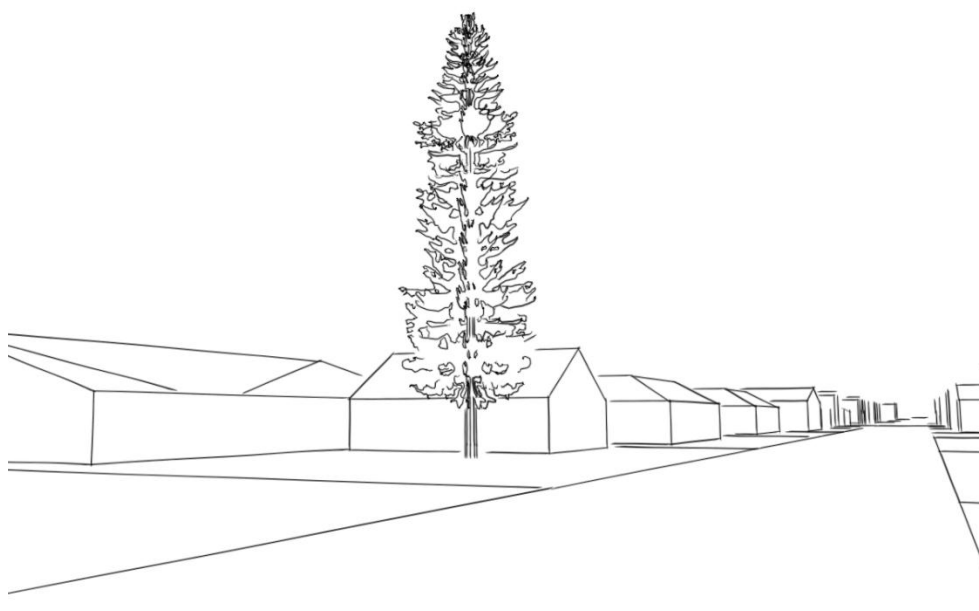
After



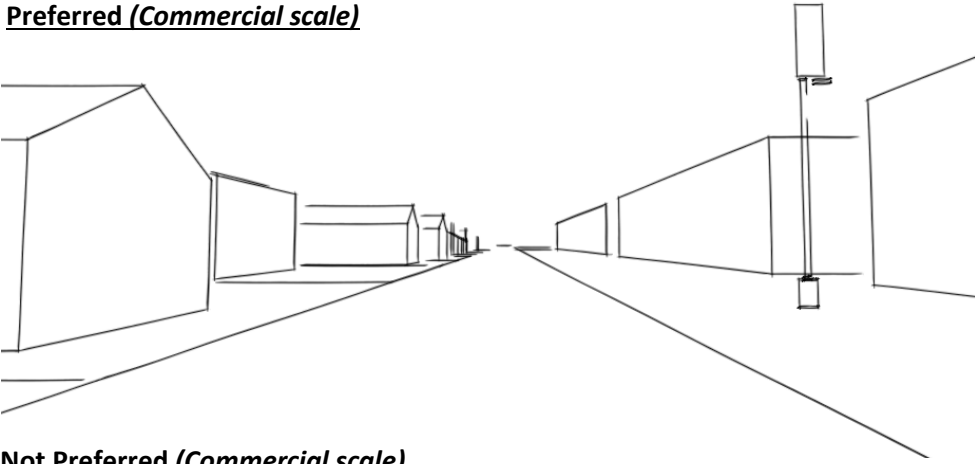
Preferred (Residential scale)



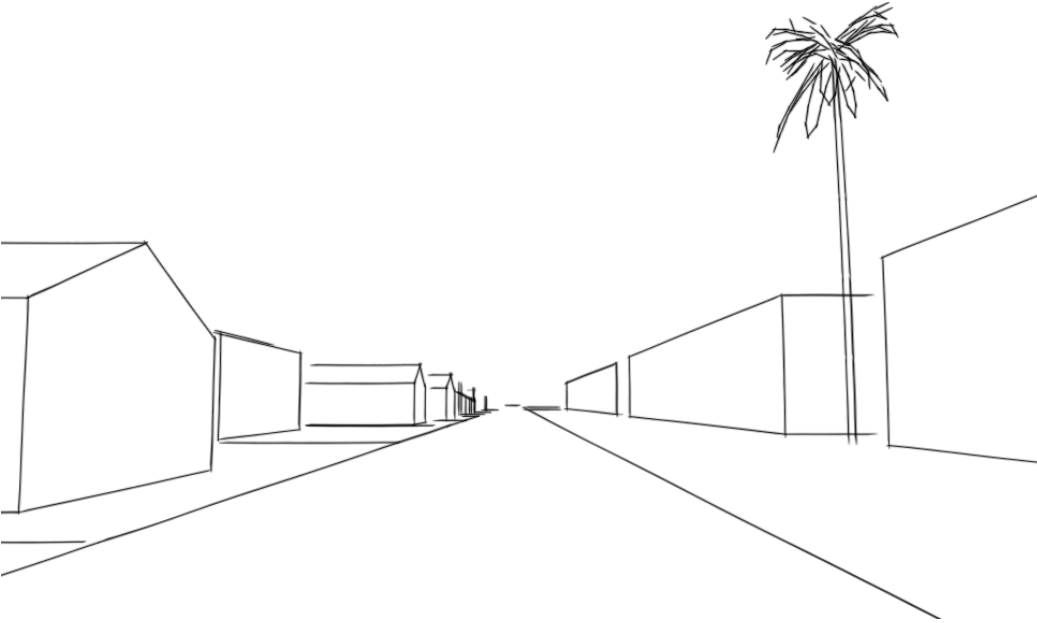
Not Preferred (Residential scale)



Preferred (Commercial scale)



Not Preferred (Commercial scale)



High Visibility



These examples are high visibility as they tend to be less compatible more and are encouraged for existing open space or parkland areas where they may blend more easily.

Low Visibility



These examples are low visibility as they resemble a function of permitted uses, are consistent with existing development and buildings, as well as screen the antennae. Low Visibility facilities are encouraged in residential and commercial areas where there is potential for greater impact.

Low Visibility Facilities

In conjunction with 20.10.455, included below are a few example images that may be used to assist in determining whether proposed ground-mounted facilities meet the criteria to be classified as Low Visibility Facilities. Facilities that are classified as a "Low Visibility Facility" may utilize the more flexible regulations when it comes to setbacks, separation, and height as specified in 20.10.455, which may also require Special Permit approval. There are three (3) different criteria that are included as part of the definition of "Low Visibility Facility", which all must be satisfied:

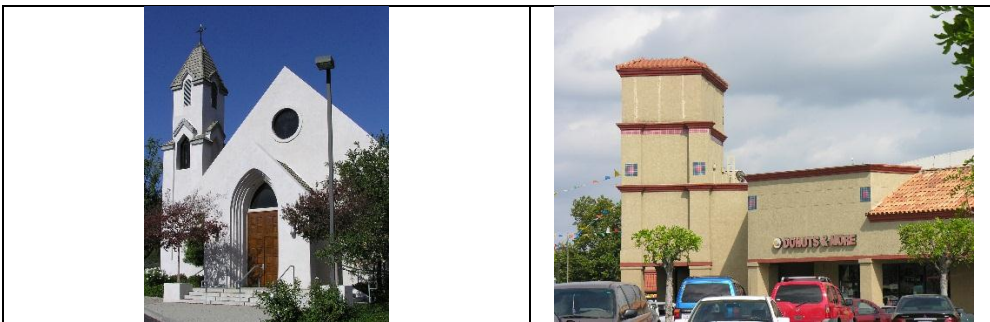
1. The antennas, etc. are enclosed so that they are not visible from any angle,
2. The facility resembles the material and color of the buildings or structures on the property, and
3. Serves a function that is associated with the current use on the property.

Below are examples of the *individual* criteria, however **all three (3) criteria** must be satisfied in order to meet the definition and the determination of meeting the criteria will be by the Zoning Administrator:

Examples of Criteria #1 (Visual Enclosure/Screening)



Examples of Criteria #2 (Architectural Character)



Examples of Criteria #3 (Associated Function)



Ground-Mounted Facilities

Ground-Mounted PWSF: man-made trees

- For locations where there is existing similar vegetation at or near the proposed site, camouflaging methods such as man-made palm trees or pine trees may be more appropriate. This would also be applicable to existing parks or open space where a tree will blend in more.

Discouraged



These examples are placed in a context where there is no existing vegetation around to assist in minimizing the visual impact of a new PWSF.

Encouraged



These examples blend in well with existing vegetation not only in material, but also in scale to the natural vegetation that already exists.

Ground-Mounted PWSF: within Residential areas

- For locations within or adjacent to residential neighborhoods, camouflaging methods such as bell towers, clock towers or water towers may be more appropriate to lessen the impact on nearby residents. These should resemble structures associated with uses that are already permitted in the underlying zoning districts (i.e. churches, schools, etc.) to better blend into existing and future development.

Discouraged



These facilities, while appropriate in the right context, appear to stand out and are not consistent with the scale and development of area.

Encouraged

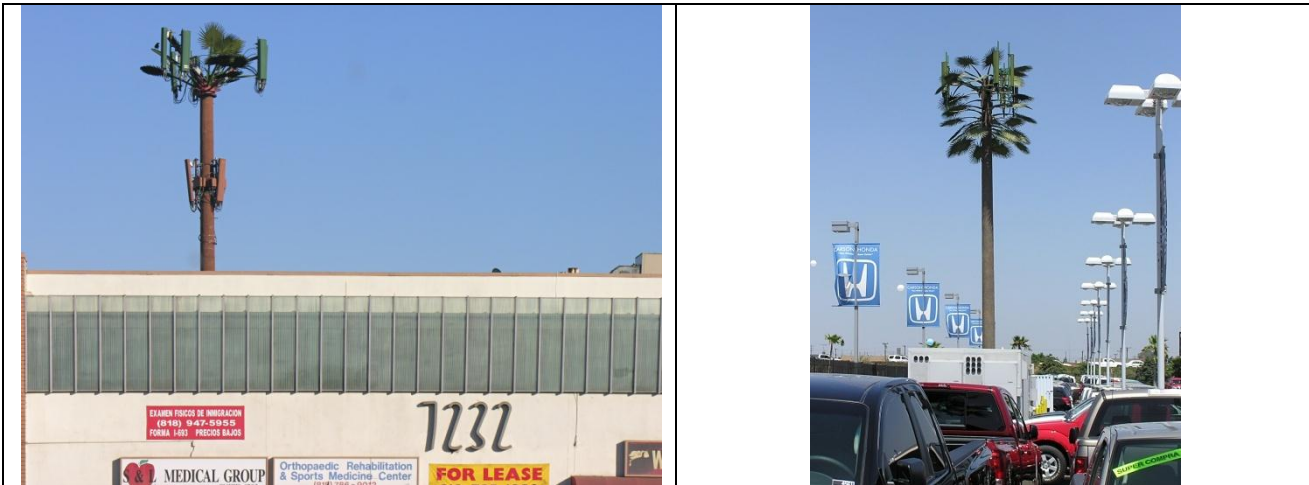


The facilities above blend in more naturally with the adjacent development and do not appear drastically out of place with the existing permitted uses of the underlying zoning district.

Ground-Mounted PWSF: within Commercial areas

- For locations within commercial or manufacturing areas, camouflaging methods such as light poles, flag poles, public art, or structures similar to existing buildings may be more appropriate. These should resemble existing uses, structures, and amenities found in commercial developments.

Discouraged



The facilities although camouflaged do not blend in to the surrounding landscape and are placed in commercial areas where no other trees around to assist in blending them into their surroundings. Other designs may have been more appropriate given their context.

Encouraged



The facilities above blend in more naturally with a commercial setting and serve a purpose other than just a PWSF and resemble amenities typically found with commercial uses.

Roof Mounted Facilities

- Roof mounted PWSF are to be designed to blend in with the existing structure to which it is attached when the roof of the main structure is 35' or below. This can be achieved by shielding it with a sheath to disguise it as a chimney or vent, adding a new parapet to the existing structure, or changing its color to match existing structural projections.

Discouraged



The roof mounted facilities above should be located behind the parapet to completely screen them from below or screened by a different method when possible.

Encouraged



The roof mounted facilities above added screening to make them blend in to the structure in which they are attached to make them appear they have always been a part of the structure.

Facility Mounted Facilities

- Facility mounted PWSF are to be designed to blend in with the existing structure to which it is attached. This can be achieved by changing its color, shielding it with a sheath to disguise it as an architectural accent or placing it behind existing structural projections.

Discouraged



The facilities above are not located behind any structure or façade nor are they painted to blend in with the structure to which it is attached.

Encouraged



The facilities above are painted and enclosed within sheaths which match the structures to which they are attached and only project a small distance from the structure.

Landscaping

- Additional landscaping may be required in areas where there is an opportunity to camouflage equipment or assist in the camouflaging method chosen.

Discouraged



The placements of these facilities do not lend themselves to the placement of additional landscaping to screen equipment.

Encouraged



The locations of these facilities allow them to be placed in the context of existing vegetation while also allowing new landscaping to be added.

Screening

- Screening and fencing is required around all ground equipment. This may be provided around both the freestanding structure, or just around the equipment, depending on the location and camouflaging method chosen.

Discouraged



The ground equipment is not screened with a rockwall or wrought-iron fence and no additional landscaping is provided to screen the equipment.

Encouraged



The equipment is move to the edge of the property and screened to blend into the surroundings, as well as another screening example where it is incorporated into the design to blend in.

ADOPTED This _____ day of _____ 2020.

APPROVED: _____
Philip F. Etiwe, Director
Planning and Inspections

Attachment A

Appendix A - TABLE OF PERMISSIBLE USES

	Use	Residential															Commercial					Manufacturing				Special Purpose										Supplemental Standards	Accessory Uses Permitted to Specific Use					
		R-1	R-2	R-2A	R-3	R-3A	R-4	R-5	RMH	A-1	A-2	A-3	A-4	A-O	A-3/O	A-M	C-OP	C-1	C-2	C-3	C-4	C-5	Q	M-1	M-2	M-3	R-F	PMD****	S-D**	U-P**	P-R I**	P-R II**	P-C**	P-I**	SRR**			R-MU**	G-MU**	I-MU**	NOS	URD
17.00 Towers & related structures																																										
17.01	Amateur & CB radio stations (federally licensed)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	X	§ 20.10.010; § 20.10.020; § 20.10.070		
17.02	Personal Wireless Service Facility (PWSF), facility-mounted	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	D	D	D	D	D	D	D	D	Z	Z	Z	X	§ 20.10.010; § 20.10.020; § 20.10.455		
17.03	PWSF, ground-mounted	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	Z*	Z*	Z*	X	§ 20.10.010; § 20.10.020; § 20.10.455	
17.04	PWSF, roof-mounted	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	D	D	D	D	D	D	D	D	Z	Z	Z	X	§ 20.10.010; § 20.10.020; § 20.10.455		
17.05	Radio broadcasting antenna	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	Z	Z	Z	X	§ 20.10.010; § 20.10.020; § 20.10.700
17.06	Radio receiving station (residential-type)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	X	§ 20.10.010; § 20.10.020; § 20.10.710		

17.07	Satellite receiving dish, antenna	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		X	§ 20.10.010; § 20.10.020; § 20.10.590		
17.08	Solar conversion system	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		X	§ 20.10.010; § 20.10.020; § 20.10.200	
17.09	Television broadcasting antenna	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	P	P	P	P	S	S	S	S	S	S	D	S	Z	Z	Z		X	§ 20.10.010; § 20.10.020; § 20.10.700			
17.10	Television receiving station (residential-type)	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A	A		X	§ 20.10.010; § 20.10.020; § 20.10.710		
17.11	Wind-driven electrical generator, pump	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	Z	Z	Z		X	§ 20.10.010; § 20.10.020; § 20.10.200

* In addition to the use being permitted through a Master Zoning Plan, the use is only allowed by an additional Special Permit with a detailed site plan approval in the respective zoning district obtained from the city council in accordance with Chapter 20.04 (Administrative Provisions), and shall be subject to the general restrictions and performance standards found in Chapter 20.10 (Supplemental Use Regulations) and other applicable regulations of this title.

20.10.455.D

D. Proposed PWSF ~~Siting~~ Facility Site Location and Zoning District Location ~~and location~~ Hierarchy Preferences.

1. The following list indicates the City's preferences for ~~facility~~ facility site locations ~~locations~~, in descending order of preference. Subject to all other requirements of the El Paso City Code and provided the City Code allows for such location, applicants are not prohibited from applying for any type of facility site location listed below. If applicant is seeking a permit for a facility site location listed under 20.10.455(D)(1)(a)(ii) to 20.10.455(D)(1)(e) below, then the applicant will submit with the application a due diligence analysis. At a minimum, the due diligence analysis must contain the following: a map showing all facility site locations considered within 500 feet of the proposed location that are higher on the preference list and a narrative explaining why the other facility site locations higher on the preference list are not feasible. City staff shall accept a due diligence analysis for facility site locations if such complies with the requirements above. Applications submitted by an applicant must still comply with all other requirements under the El Paso City Code. The following is the list of facility site location preferences ~~Applicants are required to demonstrate reasons for not being able to locate PWSFs in accordance to the following preferences:~~

- a. Antennae Co-location on existing camouflaged PWSF
 - i. Facility
 - ii. Roof
 - iii. Ground-Mounted
- b. Antennae Co-location on existing PWSF
 - i. Facility
 - ii. Roof
 - iii. Ground-Mounted
- c. New Facility-Mounted PWSF, meeting applicable camouflaging and screening requirements
- d. New Roof-Mounted PWSF, meeting applicable camouflaging and screening requirements

- e. New Ground-Mounted PWSF, meeting applicable camouflaging and screening requirements.

2. The following list indicates the City's preferences for zoning district locations, in descending order of preference. Subject to all other requirements of the El Paso City Code and provided the City Code allows for such location, applicants are not prohibited from applying to locate any facility in any zoning district location listed below. If applicant is seeking a permit to locate a facility on a zoning district listed under 20.10.455(D)(2)(b) to 20.10.455(D)(2)(c) below, then the applicant will submit with the application a due diligence analysis. At a minimum, the due diligence analysis must contain the following: a map showing all zoning districts considered within 500 feet of the proposed location that are higher on the preference list and a narrative explaining why the other zoning district locations higher on the preference list are not feasible. City staff shall accept a due diligence analysis for zoning district locations if such complies with the requirements above. Applications submitted by an applicant must still comply with all other requirements under the El Paso City Code. The following is the list of zoning district location preferences: ~~The following list indicates the City's preferences for facility locations, in descending order of preference regarding zoning. Applicants are required to demonstrate reasons for not being able to locate PWSFs in accordance to the following preferences:~~

- a. Heavy commercial and manufacturing zoning districts
- b. Light commercial and special purpose zoning districts.
- c. Residential and apartment zoning districts.

Attachment B

F. All PWSF shall comply with the requirements under this subsection listed on the PWSF Table below. Meeting the special permit requirements under this subsection and PWSF Table is not a guarantee of approval of a special permit. All special permit applications must meet the requirements of Chapter 20.04 (Administrative Provisions), Article V (Special Permit Approval Process) of the El Paso City Code. The requirements for all PWSF are as listed in the following PWSF Table:

0.0	Zoning Districts	A. Residential and Apartment Districts (including RF, SRR, PR-1, PR-II, & PMD)	B. C-1, C-2, P-C and C-OP Commercial Districts, S-D Special Development, and Special Purpose Districts (excluding RF, SRR, PR-1, PR-II, PMD, and P-I)	C. C-3, C-4 and C-5 Commercial Districts	D. M-1, M-2, M-3, P-I, & Q (Manufacturing, Industrial and Quarry Districts)
1.0	Ground Mounted PWSF				
1.1	Permitted	Special Permit Required	Special-Permit-Required Permitted by right in C-1 and C-2 zoning districts only. Special Permit approval required in all other zoning districts in Section F.0.0.B. Special permit approval required also if exceptions or modifications are requested, or unless otherwise indicated.	Permitted by right. Special Permit approval required if exceptions or modifications are requested	Permitted by right. Special Permit approval required if exceptions or modifications are requested
1.2	Setbacks	<p>3' from any abutting property line for every 1' of structure height abutting Residential and Apartment zoning districts (including RF, SRR, PR-1, PR-II, & PMD) (see Section 1.2.1 below);</p> <p>2' from any property line for every 1' of structure height abutting Residential and Apartment zoning districts (including RF, SRR, PR-1, PR-II, & PMD) for facilities camouflaged as a Low Visibility Facility only;</p> <p>1'-setback from any abutting property line for every 1' of tower height abutting all other zoning districts in Section F.0.0.B, Section F.0.0.C, and Section F.0.0.D.</p> <p>For a property line that abuts right of way. The base zoning setback standard applies provided however that if the right of way separates the property from a Residential or Apartment zoning district (including RF, SRR, PR-1, PR-II, & PMD), the following minimum setbacks must be maintained measured from the base of the antenna support structure to the property line of the Residential or Apartment zoning district (including RF, SRR, PR-1, PR-II, & PMD) across the right of way:</p> <p>3' setback for every 1' of tower height for facilities that are not camouflaged as a Low Visibility Facility. The width of the right of way may be included in the setback measurement in accordance to Section F.1.2.1 below;</p> <p>2' setback for every 1' of tower height for facilities camouflaged as a Low Visibility Facility. The width of the right of way may be included in the setback measurement in accordance to Section F.1.2.1 below.</p> <p>For a property line that abuts right of way. The base zoning setback standard applies provided however that if the right of way separates the property from any zoning district other than a Residential or Apartment zoning district (including RF, SRR, PR-1, PR-II, & PMD), then a minimum 1' setback for every 1' of tower height must be maintained measured from the base of the antenna support structure to the property line of the zoning district across the right of way. The width of the right of way may be included in the setback measurement in accordance to Section F.1.2.1 below.</p>	<p>3' from any abutting property line for every 1' of structure height abutting Residential and Apartment zoning districts (including RF, SRR, PR-1, PR-II, & PMD) (see Section 1.2.1 below);</p> <p>2' from any property line for every 1' of structure height abutting Residential and Apartment zoning districts (including RF, SRR, PR-1, PR-II, & PMD) for facilities camouflaged as a Low Visibility Facility only;</p> <p>1' setback from any abutting property line for every 1' of tower height abutting all other zoning districts in Section F.0.0.B, Section F.0.0.C, and Section F.0.0.D., except when abutting ROW or easement, at which point it is subject to the base zoning setback standards</p> <p>For a property line that abuts right of way. The base zoning setback standard applies provided however that if the right of way separates the property from a Residential or Apartment zoning district (including RF, SRR, PR-1, PR-II, & PMD), the following minimum setbacks must be maintained measured from the base of the antenna support structure to the property line of the Residential or Apartment zoning district (including RF, SRR, PR-1, PR-II, & PMD) across the right of way:</p> <p>3' setback for every 1' of tower height for facilities that are not camouflaged as a Low Visibility Facility. The width of the right of way may be included in the setback measurement in accordance to Section F.1.2.1 below;</p> <p>2' setback for every 1' of tower height for facilities camouflaged as a Low Visibility Facility. The width of the right of way may be included in the setback measurement in accordance to Section F.1.2.1 below.</p> <p>For a property line that abuts right of way. The base zoning setback standard applies provided however that if the right of way separates the property from any zoning district other than a Residential or Apartment zoning district (including RF, SRR, PR-1, PR-II, & PMD), then a minimum 1' setback for every 1' of tower height must be maintained measured from the base of the antenna support structure to the property line of the zoning district across the right of way. The width of the right of way may be included in the setback measurement in accordance to Section F.1.2.1 below.</p>	<p>1' from any abutting property line for every 1' of tower height abutting Residential and Apartment zoning districts (including RF, SRR, PR-1, PR-II, & PMD) (see Section 1.2.1 below); otherwise All other zoning districts in Section F.0.0.B, Section F.0.0.C, and Section F.0.0.D. subject to base zoning setback standards.</p> <p>For a property line that is abutting right of way, the base zoning setback standard applies provided however that if right of way separates the property from a Residential or Apartment zoning district (including RF, SRR, PR-1, PR-II, & PMD), a minimum 1' setback for every 1' of tower height must be maintained from the base of the antenna support structure to the property line of the Residential or Apartment zoning district (including RF, SRR, PR-1, PR-II, & PMD) across the right of way. Applicant may include the width of the right of way in the setback measurement in accordance to Section F.1.2.1 below.</p>	<p>1' from any abutting property line for every 1' of tower height abutting Residential and Apartment zoning districts (including RF, SRR, PR-1, PR-II, & PMD) (see Section 1.2.1 below); otherwise All other zoning districts in Section F.0.0.B, Section F.0.0.C, and Section F.0.0.D. subject to base zoning setback standards.</p> <p>For a property line that is abutting right of way, the base zoning setback standard applies provided however that if right of way separates the property from a Residential or Apartment zoning district (including RF, SRR, PR-1, PR-II, & PMD), a minimum 1' setback for every 1' of tower height must be maintained from the base of the antenna support structure to the property line of the Residential or Apartment zoning district (including RF, SRR, PR-1, PR-II, & PMD) across the right of way. Applicant may include the width of the right of way in the setback measurement in accordance to Section F.1.2.1 below.</p>
1.2.1	Additional Setback Standards for Ground Mounted PWSF	If abutting ROW or easement, the width of the ROW or easement may be included in the setback measurement			
1.3	Reductions in minimum setback requirements	For facilities that abut Residential and Apartment zoning districts (including RF, SRR, PR-1, PR-II, & PMD) and that are camouflaged as a Low Visibility Facility, setbacks may be reduced with a special permit but not below the following: 1'-of setback per 1'-of tower height when tower is below 50'; 2'-of setback per 1'-when tower is above 50'-in height provided that setback may not be reduced below 1' from any abutting property line for every 1' of tower height (see Section F.1.3.1 below).	For facilities that abut Residential and Apartment zoning districts (including RF, SRR, PR-1, PR-II, & PMD) and that are camouflaged as a Low Visibility Facility, setbacks may be reduced with a special permit but not below the following: 1'-of setback per 1'-of tower height when tower is below 50'; 2'-of setback per 1'-when tower is above 50'-in height provided that setback may not be reduced below 1' from any abutting property line for every 1' of tower height (see Section F.1.3.1 below).	N/A	N/A
1.3.1	Additional Standards for Special Permits Applicable to Reductions in required minimum setbacks for Ground Mounted PWSF	<p>Modifications to Required Setbacks must meet the following criteria:</p> <p>i. The property on which the PWSF antenna support structure is to be located is the only property reasonably available for use by the applicant that will enable the applicant to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable;</p> <p>ii. The applicant is unable to collocate its antennas on an existing PWSF antenna support structure that is used by a third person or entity and located such that the applicant is able to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable; and</p> <p>iii. The applicant cannot use another PWSF antenna support structure that is located such that the applicant is able to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable or that the other PWSF antenna support structures used by the applicant will not safely support additional antennas; and</p> <p>iv. Facility is camouflaged as a Low Visibility Facility.</p>			
1.4	Minimum separation (measured base of existing to base of proposed)	One-half mile	One-half mile	One-half mile- 2,000'	One-half mile- 1,760'
1.5	Reductions in minimum separation requirements for Ground Mounted PWSF	N/A- Minimum separation may be reduced for facilities camouflaged as a Low Visibility Facility only with a special permit, but not below 2,000' (see Section F.1.5.1)	N/A- Minimum separation may be reduced for facilities camouflaged as a Low Visibility Facility only with a special permit, but not below 1,760' (see Section F.1.5.1)	Minimum separation may be reduced for facilities camouflaged as a Low Visibility Facility only with a special permit (see Section F.1.5.1)	Minimum separation may be reduced for facilities camouflaged as a Low Visibility Facility only with a special permit (see Section F.1.5.1)
1.5.1	Additional Standards for Special Permits Applicable to Reductions in required minimum separation for Ground Mounted PWSF	<p>Modifications to Required Minimum Separation must meet the following criteria:</p> <p>i. The applicant is reasonably unable to use property that is more than one-half mile from another PWSF antenna support structure and be able to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable;</p> <p>ii. The property on which the PWSF antenna support structure is to be located is the only reasonably available property for use within one-half mile of another PWSF antenna support structure that will enable the applicant to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable;</p> <p>iii. The area designated by the applicant cannot be reasonably served in a manner that is technically feasible and commercially reasonable by locating additional antennas on the applicant's existing PWSF antenna support structures because such existing PWSF antenna support structures cannot safely support additional antennas;</p> <p>iv. The applicant is unable to collocate its antennas on an existing PWSF antenna support structure that is owned or operated by a third person or entity and located such that the applicant is able to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable; and</p> <p>v. The applicant shall submit a list of addresses/locations showing all existing PWSF within a one-half mile radius of the proposed site and a map depicting such locations with the special permit application;</p>			
<p>Modifications to Required Minimum Separation must meet the following criteria:</p> <p>i. The applicant is reasonably unable to use property that meets the minimum separation distance in Section F.1.4 from another PWSF antenna support structure and be able to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable;</p> <p>ii. The property on which the PWSF antenna support structure is to be located is the only reasonably available property for use within the minimum separation distance in Section F.1.4 of another PWSF antenna support structure that will enable the applicant to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable;</p> <p>iii. The area designated by the applicant cannot be reasonably served in a manner that is technically feasible and commercially reasonable by locating additional antennas on the applicant's existing PWSF antenna support structures because such existing PWSF antenna support structures cannot safely support additional antennas;</p> <p>iv. The applicant is unable to collocate its antennas on an existing PWSF antenna support structure that is owned or operated by a third person or entity and located such that the applicant is able to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable;</p> <p>v. The applicant shall submit a list of addresses/locations showing all existing PWSF within the radius of the minimum separation distance in Section F.1.4 of the proposed site and a map depicting such locations with the special permit application; and</p> <p>vi. Facility is camouflaged as a Low Visibility Facility.</p>					

1.6	Maximum Height Permitted (measured to top of steel)	<p>Limited to maximum height permitted in base zoning district in which the facility is located as indicated in Appendix B, Density and Dimensional Standards of Title 20. When height is allowed to increase based on setbacks, height shall be limited based on the measurement to the property line or the nearest lease area boundary, whichever is less.</p>			
		35'	C-1 and C-2 zoning districts only: 35'. For all other zoning districts in Section F.0.0.B, height shall be limited to 45'.	60'	60'
1.7	Allowable Increases in Maximum Height Permitted	<p>15' of additional height if the applicant is collocating a second carrier or agency on a structure. Must have contract in place or agreement to place an additional carrier or agency for height increase. The structure needs to be engineered to support the additional carrier.</p>			
		N/A	C-1 and C-2 zoning districts only: Height shall be permitted up to 45' if facility is camouflaged as a Low Visibility Facility.	N/A	N/A
1.8	Special Permit for Additional Height beyond increases allowed in 1.7	N/A	N/A	C-3 and C-4 Commercial Districts Only (see Section 1.8.1 below)	Permitted (see Section 1.8.1 below)
		Height shall be permitted up to 45' with a special permit provided the applicant meets the requirements of Section F.1.8.1.A.1 below. Height shall be permitted up to 60' with a special permit provided the applicant meets the requirements of Section F.1.8.1.A.2 below.	C-1 and C-2 zoning districts only: Height shall be permitted up to 60' with a special permit provided the applicant meets the requirements of Section F.1.8.1.B.1 below.	Height shall be permitted up to 75' with a special permit provided applicant meets the requirements of Section F.1.8.1.C.1. below. Height shall be permitted up to 90' with a special permit provided the applicant meets the requirements of Section F.1.8.1.C.2 below.	Height shall be permitted up to 75' with a special permit provided applicant meets the requirements of Section F.1.8.1.D.1. below. Height shall be permitted up to 90' with a special permit provided the applicant meets the requirements of Section F.1.8.1.D.2 below.
1.8.1	Additional Standards for Special Permits for Additional Height for Ground Mounted PWSF	<p>Special Permits for increases in the maximum height permitted may be granted for a maximum of an additional 15', when providing contracts or agreements and space for a total of three (3) carriers or agencies, when the following criteria are met:</p> <p>i. The property on which the PWSF antenna support structure is to be located is the only property reasonably available for use by the applicant for a PWSF antenna support structure of the height being proposed by the applicant that will enable the applicant to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable;</p> <p>ii. The applicant is unable to collocate its antennas on an existing PWSF antenna support structure that is owned or operated by a third person or entity and located such that the applicant is able to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable;</p> <p>iii. The applicant cannot use another PWSF antenna support structure that is located such that will enable the applicant to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable or that the other PWSF antenna support structures used by the applicant will not safely support additional antennas; and</p> <p>iv. Due to topographical conditions, the proposed height of the PWSF antenna support structure is reasonably necessary to enable the applicant to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable.</p>			
		<p>A. Residential and Apartment zoning districts (including RF, SRR, PR-I, PR-II, & PMD).</p> <p>1. Must meet the following criteria for height to be permitted up to 45':</p> <p>i. Facility is camouflaged as a Low Visibility Facility.</p> <p>2. Must meet the following criteria for height to be permitted up to 60':</p> <p>i. Facility is camouflaged as a Low Visibility Facility; and</p> <p>ii. Located on a property whose principal use is a church, school, or other permitted non-residential use.</p>	<p>B. C-1 and C-2 zoning districts only.</p> <p>1. Must meet the following criteria for height to be permitted up to 60':</p> <p>i. Facility is camouflaged as a Low Visibility Facility.</p>	<p>C. C-3, C-4 and C-5 Commercial Districts.</p> <p>1. Must meet the following criteria for height to be permitted up to 75':</p> <p>i. Facility has been designed and structurally engineered to accommodate for collocation of a second carrier or agency; and</p> <p>ii. If facility is proposed within 500' of a Residential or Apartment zoning district (including RF, SRR, PR-I, PR-II, & PMD), facility must be camouflaged as a Low Visibility Facility.</p> <p>2. Must meet the following criteria for height to be permitted up to 90':</p> <p>i. Facility has been designed and structurally engineered to accommodate for collocation of two (2) additional carriers or agencies for a total of three (3) carriers or agencies;</p> <p>ii. Facility is camouflaged as a Low Visibility Facility;</p> <p>iii. The property on which the PWSF antenna support structure is to be located is the only property reasonably available for use by the applicant for a PWSF antenna support structure of the height being proposed by the applicant that will enable the applicant to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable;</p> <p>iv. The applicant is unable to collocate its antennas on an existing PWSF antenna support structure that is owned or operated by a third person or entity and located such that the applicant is able to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable;</p> <p>v. The applicant cannot use another PWSF antenna support structure that is located such that will enable the applicant to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable or that the other PWSF antenna support structures used by the applicant will not safely support additional antennas; and</p> <p>vi. Due to topographical conditions, the proposed height of the PWSF antenna support structure is reasonably necessary to enable the applicant to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable.</p>	<p>D. M-1, M-2, M-3, P-1, & Q (Manufacturing, Industrial and Quarry Districts)</p> <p>1. Must meet the following criteria for height to be permitted up to 75':</p> <p>i. Facility has been designed and structurally engineered to accommodate for collocation of a second carrier or agency; and</p> <p>ii. If facility is proposed within 500' of a Residential or Apartment zoning district (including RF, SRR, PR-I, PR-II, & PMD), facility must be camouflaged as a Low Visibility Facility.</p> <p>2. Must meet the following criteria for height to be permitted up to 90':</p> <p>i. Facility has been designed and structurally engineered to accommodate for collocation of two (2) additional carriers or agencies for a total of three (3) carriers or agencies;</p> <p>ii. Facility is camouflaged as a Low Visibility Facility;</p> <p>iii. The property on which the PWSF antenna support structure is to be located is the only property reasonably available for use by the applicant for a PWSF antenna support structure of the height being proposed by the applicant that will enable the applicant to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable;</p> <p>iv. The applicant is unable to collocate its antennas on an existing PWSF antenna support structure that is owned or operated by a third person or entity and located such that the applicant is able to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable;</p> <p>v. The applicant cannot use another PWSF antenna support structure that is located such that will enable the applicant to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable or that the other PWSF antenna support structures used by the applicant will not safely support additional antennas; and</p> <p>vi. Due to topographical conditions, the proposed height of the PWSF antenna support structure is reasonably necessary to enable the applicant to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable.</p>
1.9	Camouflage and Screening	<p>i. All ground-mounted PWSF shall be camouflaged. Camouflaging is a method of disguising or concealing the appearance of an object by changing its usual color, modifying its shape, or locating it in a structure that complements the natural setting, existing and surrounding structures. Color cannot be used as the only method of camouflaging. In the context of this section, camouflaging includes, but is not limited to, making PWSF antenna support structures resemble man-made trees, locating PWSF antenna support structures in bell steeples or clock towers, or on similar alternative-design mounting structures. When resembling adjacent structures or vegetation, no more than a 10% deviation shall be permitted to ensure the facility is comparable in size and shape to the object the PWSF is meant to resemble. Adjacent structures and vegetation used for measure shall be within 300' of the proposed facility.</p> <p>ii. All ground-mounted PWSF shall be located to blend in with surrounding area and located in areas where the existing topography, vegetation, buildings, and other structures provide the greatest amount of screening, and sited so as to not stand out of the landscape as a wireless telecommunications facility. Considerations such as architectural designs, adjacent land uses, scale, color, and texture should be reviewed to make facility as compatible as possible to the surrounding area, including views from public areas as well as from private residences. A visual analysis, which may include renderings, photos, and design mockups, shall be submitted showing the proposed facility from adjacent properties, nearby residences, and public rights-of-way (at least one from 1,000 feet away on nearby roadways) to assess the visual impact. The applicant will need to demonstrate how the proposed camouflaging blends in with the surrounding area and why the design is compatible. Multiple design options may need to be submitted to ensure other options have been explored. Staff shall review the visual analysis to ensure a compatible design has been submitted and provide comments if the design is not appropriate for the area.</p> <p>iii. All ground-mounted PWSF will be categorized as High Visibility and Low Visibility based on the context of the proposed facility. High Visibility facilities shall include designs such as man-made trees and are encouraged for existing open space or parkland areas where they may blend more easily. Low Visibility facilities shall include designs such as bell steeples or clock towers, water towers, windmills, flag poles, light poles or other structures which are consistent with existing development and community character. Low Visibility facilities are encouraged in residential and commercial areas where there is potential for greater impact. A "Low Visibility Facility" is a facility that is designed and constructed in a manner in which (1) the antennas, cables, and fixtures are completely enclosed so that such antennas, cables, and fixtures are not visible from any angle, (2) the facility resembles the material, color, and texture of buildings or structures located within the subject property and, (3) the facility serves or performs a function that is associated with the current use of the subject property. Without limiting the types of designs, the following are examples of Low Visibility Facilities: a bell steeple located on a church property, a clock tower on a school campus, a flag pole (with flag) on a government building, windmill on a rural district lot, or an operational light pole on a parking lot. The Zoning Administrator is the person responsible for determining whether a proposed facility meets the criteria to be classified as a Low Visibility Facility.</p> <p>iv. Metallic surfaces shall be painted to reduce glare and reflections. No exterior paint colors shall be used which have a light reflecting value (LRV) greater than forty percent. The LRV of a paint is available from paint manufacturers and it measures the amount of light reflected by a certain color.</p> <p>v. Screening of antennas on PWSF antenna support structures may include the use of existing parapets, walls, or similar architectural elements provided that it is painted and textured to integrate with the architecture of the surrounding structure.</p> <p>vi. Landscaping shall comply with all code requirements for landscaping.</p>			
1.10	Screening Fence	A six-foot high screening wall or fence of other than chain-link shall be constructed around the base of a PWSF antenna support structure to provide for security. The gate which provides access to the PWSF antenna support structure shall remain locked at all times except when being used for access by maintenance personnel.			
1.11	Access Driveway	The access driveway and off-street parking space for use by maintenance vehicles shall be paved as approved by the building official			
1.12	Increase in Elevation on Existing Ground Mounted PWSF Antenna Support Structure	An increase in elevation, not to exceed height found in Section F.1.6 and Section F.1.7 plus allowed modifications and Section F.1.8 above, of an existing permitted PWSF antenna support structure may be permitted only to allow for collocation of additional antennas, unless otherwise permitted by FCC provisions of Section 6409 (a) and Section 332 (c) (7). A structural recertification report prepared and sealed by a licensed professional engineer shall be required, and such report shall be reviewed and approved by the building official prior to issuance of a building permit.			
1.13	Other Requirements Applicable to Ground Mounted PWSF	<p>The following must accompany a request for a special permit or building permit:</p> <p>i. All towers located within two hundred (200) feet of a recognized federal, state or local historic district are subject to review and approval by the Historic Preservation Officer.</p> <p>ii. A detailed site development plan showing the PWSF antenna support structure, antennas, and equipment in relation to the existing surroundings including screening, fencing, camouflage, off-street parking, and access from the PWSF antenna support structure to the nearest public street;</p> <p>iii. Evidence of satisfactory completion of a certification of compliance for personal wireless service providers issued by the public safety technology office prior to actual use of the proposed facility, such certification to include a verification letter that all required Federal Aviation Administration (FAA) and Federal Communications Commission (FCC) approvals have been requested and that site-specific structural engineering and nonionizing electromagnetic radiation (NIER) reports are available on request from the applicant; and</p> <p>iv. The design of related support structures for new PWSF antenna support structures and appurtenant equipment storage facilities shall incorporate materials, colors, textures, screening, or camouflaging techniques that will blend them to the extent reasonably possible into the natural setting, existing and surrounding structures. The applicant will be required to provide photographs of predevelopment views versus post-development illustrations, at ninety-degree angles for a full three hundred sixty-degree radius, shown to scale. The building official shall review and consider any of the five items above to mitigate negative visual impacts created by the proposed PWSF antenna support structure and may require reasonable revisions necessary to bring the application into compliance with one or more of the five items above.</p>			
1.14	Collocation or installation of additional antennas	Permitted as per FCC provisions of Section 6409 (a) and Section 332 (c) (7). A structural recertification report prepared and sealed by a licensed professional engineer shall be required, and such report shall be reviewed and approved by the building official prior to issuance of a building permit.			
1.15	Existing Existing non-conforming ground-mounted PWSF	An existing ground-mounted PWSF shall be allowed to be modified under the FCC provisions of Section 6409 (a) and Section 332 (c) (7). All non-conforming ground-mounted PWSFs may continue in existence as a nonconforming structure and are allowed to be modified or rebuilt on the same property as permitted in Section 20.22.100.			

		A. Residential and Apartment Districts (including RF, SRR, PR-I, PR-II, & PMD)	B. C-1, C-2, P-C and C-OP Commercial Districts, S-D Special Development, and Special Purpose Districts (excluding RF, SRR, PR-I, PR-II, PMD, and P-I)	C. C-3, C-4 and C-5 Commercial Districts	D. M-1, M-2, M-3, P-I, & Q (Manufacturing, Industrial and Quarry Districts)
2.0	Roof-Mounted PWSF				
2.1	Permitted	Only on residential structures consisting of five or more units or on nonresidential structures	Only on Commercial or Mixed Use structures or those residential structures consisting of five or more units	Only on Commercial or Mixed Use structures or those residential structures consisting of five or more units	Only on Commercial or Mixed Use structures or those residential structures consisting of five or more units
2.2	Maximum Height Permitted (measured to top of steel or antennae, whichever is greater)	15' in height above the existing roofline			
2.3	Allowable Increases in Maximum Height Permitted	N/A	Up to 15' above the Maximum Height Permitted in Section F.2.2 above allowed by approval of a Special Permit (see Section F.2.3.1 below)	Up to 15' above the Maximum Height Permitted in Section F.2.2 above allowed by approval of a Special Permit (see Section F.2.3.1 below)	Up to 15' above the Maximum Height Permitted in Section F.2.2 above allowed by approval of a Special Permit (see Section F.2.3.1 below)
2.3.1	Additional Standards Applicable to permitted increases in Height for Roof-mounted PWSF	<p>i. The property on which the PWSF antenna support structure is to be located is the only property reasonably available for use by the applicant for a PWSF antenna support structure of the height being proposed by the applicant that will enable the applicant to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable;</p> <p>ii. The applicant is unable to collocate its antennas on an existing PWSF antenna support structure that is owned or operated by a third person or entity and located such that the applicant is able to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable;</p> <p>iii. The applicant cannot use the roof on the same structure on which it is located such that will enable the applicant to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable or that the other PWSF antenna support structures used by the applicant will not safely support additional antennas; and</p> <p>iv. Due to topographical conditions, the proposed height of the PWSF antenna support structure is reasonably necessary to enable the applicant to reasonably serve the area designated in a manner that is technically feasible and commercially reasonable.</p>			
2.4	Camouflage and Screening	<p>i. Camouflaging is a method of disguising or concealing the appearance of an object by changing its usual color, modifying its shape, or locating it in a structure that complements the natural setting, existing and surrounding structures. In the context of this section, camouflaging includes, but is not limited to, making PWSF antenna support structures resemble man-made trees, locating PWSF antenna support structures such as in bell steeples or clock towers, or on similar alternative-design mounting structures.</p> <p>ii. Metallic surfaces shall be painted to reduce glare and reflections. No exterior paint colors shall be used which have a light reflecting value (LRV) greater than forty percent. The LRV of a paint is available from paint manufacturers and it measures the amount of light reflected by a certain color.</p> <p>iii. Screening of antennas on roof-mounted PWSF antenna support structures may include the use of existing parapets, walls, or similar architectural elements provided that it is painted and textured to integrate with the architecture of the surrounding structure. Screening is not required when the height of the roofline exceeds thirty-five feet. Screening may be waived by the building official on buildings where the height of the roofline is thirty-five feet or less based on evidence provided by the applicant that the roof cannot structurally support the screen.</p>			
2.5	Other Requirements	<p>The following must accompany a request for a special permit or building permit:</p> <p>i. A detailed site development plan showing the PWSF antenna support structure, antennas, and equipment in relation to the existing surroundings including screening, fencing, camouflage, off-street parking, and access from the PWSF antenna support structure to the nearest public street;</p> <p>ii. Evidence of satisfactory completion of a certification of compliance for personal wireless service providers issued by the public safety technology office prior to actual use of the proposed facility, such certification to include a verification letter that all required Federal Aviation Administration (FAA) and Federal Communications Commission (FCC) approvals have been requested and that site-specific structural engineering and nonionizing electromagnetic radiation (NIER) reports are available on request from the applicant; and</p> <p>iii. Satisfactory completion of a certification of compliance for personal wireless service providers issued by the public safety technology office prior to actual use of the proposed facility, such certification to include a verification letter that all required FAA and FCC approvals have been requested and that site-specific structural and the roof and a nonionizing electromagnetic radiation (NIER) reports are available on request from the applicant.</p>			
2.6	Collocation	Collocation or installation of additional antennas on an existing PWSF antenna support structure is permitted. A structural recertification report for both the structure and the roof, prepared and sealed by a licensed professional engineer, shall be required, and such report shall be reviewed and approved by the building official prior to issuance of a building permit.			

		A. Residential and Apartment Districts (including RF, SRR, PR-I, PR-II, & PMD)	B. C-1, C-2, P-C and C-OP Commercial Districts, S-D Special Development, and Special Purpose Districts (excluding RF, SRR, PR-I, PR-II, PMD, and P-I)	C. C-3, C-4 and C-5 Commercial Districts	D. M-1, M-2, M-3, P-I, & Q (Manufacturing, Industrial and Quarry Districts)
3.0	Facility-mounted PWSF				
3.1	Permitted	Must be attached to a structure used for something other than a PWSF antenna support structure			
3.2	Maximum Height Permitted (measured to top of steel or antennae, whichever is greater)	Limited to maximum height permitted in base zoning district in which the facility is located as indicated in Appendix B, Density and Dimensional Standards of Title 20			
3.3	Allowable Increases in Maximum Permitted Height	As per Section 20.12.030.C, 15 additional feet on an existing facility to accommodate collocation of additional antennas			
3.4	Camouflage and Screening	<p>i. Camouflaging is a method of disguising or concealing the appearance of an object by changing its usual color, modifying its shape, or locating it in a structure that complements the natural setting, existing and surrounding structures. In the context of this section, camouflaging includes, but is not limited to, making PWSF antenna support structures resemble man-made trees, locating PWSF antenna support structures such as in bell steeples or clock towers, or on similar alternative-design mounting structures. Facility-mounted PWSF shall be painted to integrate and blend with the facility-structure.</p> <p>ii. Metallic surfaces shall be painted to reduce glare and reflections. No exterior paint colors shall be used which have a light reflecting value (LRV) greater than forty percent. The LRV of a paint is available from paint manufacturers and it measures the amount of light reflected by a certain color.</p> <p>iii. Screening of antennas on facility-mounted PWSF antenna support structures may include the use of existing parapets, walls, or similar architectural elements provided that it is painted and textured to integrate with the architecture of the surrounding structure. Screening is not required when the height of the roofline exceeds thirty-five feet. Screening may be waived by the building official on buildings where the height of the roofline is thirty-five feet or less based on evidence provided by the applicant that the roof cannot structurally support the screen.</p>			
3.5	Other Requirements	<p>The following must accompany a request for a building permit:</p> <p>i. A detailed plan showing the facility structure, antenna structures and equipment in relation to the existing surroundings, including screening, fencing, camouflage, off-street parking and access from the facility structures site to the nearest public street;</p> <p>ii. Satisfactory completion of a certification of compliance for personal wireless service providers issued by the public safety technology office prior to actual use of the proposed facility accompanied by a verification letter that all required Federal Aviation Administration (FAA) and Federal Communications Commission (FCC) approvals have been requested and that site-specific structural engineering and nonionizing electromagnetic radiation (NIER) reports are available on request from the applicant; and</p> <p>iii. The applicant shall provide documentation to the building official that the applicant has the permission from the structure owner to install the antenna(s) on the structure.</p>			
3.6	Collocation	Collocation of additional PWSF antennas on an existing facility structure is permitted. A structural recertification report prepared and sealed by a licensed professional engineer shall be required, and such report shall be reviewed and approved by the building official prior to issuance of a building permit.			

From: Williams, Mark W. <Mwilliams@shermanhoward.com>

Sent: Monday, May 11, 2020 9:18 AM

To: Prine, Laura D <prineld@elpasotexas.gov>; City Clerk <CClerk-1@elpasotexas.gov>

Subject: City of El Paso PWSF Ordinance, Regular Agenda Item 8.3, City Council Meeting of May 12, 2020

Dear Mayor Margo and City Representatives:

We write to you in support of the Personal Wireless Services Facilities (“PWSF”) Ordinance before you on May 12 under Regular Agenda Item 8.3. On behalf of Verizon Wireless, we want to thank you, the Staff, and the City Attorney’s Office for working together to create an ordinance which respects the importance to the public of promoting the visual image of El Paso, and will allow the fair and efficient deployment of wireless facilities so that wireless providers can meet the demand of the public for advanced wireless services now and into the future. This was truly a collaborative process involving all constituencies. We kindly ask that you approve the Ordinance as presented. Thank you, and we will be available for questions during your meeting.

Mark W. Williams - *Attorney*

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