

**AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE REGARDING UNIPOLE  
FREESTANDING WIRELESS COMMUNICATION FACILITIES  
(TC1400004)**

**WHEREAS**, the Durham City Council wishes to amend certain provisions in the *Unified Development Ordinance* (UDO) regarding unipole freestanding wireless communication facilities; and

**WHEREAS**, it is the objective of the Durham City Council to have the *Unified Development Ordinance* promote regulatory efficiency and consistency and the health, safety, and general welfare of the community;

**NOW, THEREFORE**, be it ordained that Article 5, Use Regulations, and Article 16, Definitions, of the *Unified Development Ordinance* are amended to make the following changes set forth in the strikethroughs and underlining below:

**PART 1**

[Revise Sec. 5.1, Use Table, and paragraph 5.3.3N, Wireless Communication Facilities for Transmitting and Receiving Electronic Signals (WCFs), to establish regulations for unipole WCFs]

**Sec. 5.1 Use Table**

[Portions of the table not listed remain unchanged]

		RESIDENTIAL						NONRESIDENTIAL						PLANNED				DESIGN				
USE CATEGORY	SPECIFIC USE	RR	RS	RS-M	RU	RU-M	RC	CI	CN	OI	CG	SRP	IL	I	PDR	UC	CC	IP	MU	DD	CD	NOTES:
<b>PUBLIC AND CIVIC USES</b>																						
<b>Utilities</b>	Wireless Communication Facility, except as Listed Below	L/M <sup>1</sup>	L	L	L	L	L	L	L	L	L	L	L	L	‡L	‡L	‡L	‡L	‡L	L	L	5.3.3N
	<u>Unipole Wireless Communication Facility</u>	<u>L/M<sup>1</sup>/m</u>	<u>L/m</u>					<u>L</u>		<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>		<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>L</u>	<u>5.3.3N</u>
	Wireless Communication Facility, Freestanding Nonconcealed	L/M <sup>1</sup> /m	L/m									L/m	L/m	L/m		‡L/m	‡L/m	‡L/M	‡L/m	L/m		5.3.3N

<sup>1</sup>If located within 300 feet of a designated North Carolina Scenic Byway.

## Sec. 5.3 Limited Use Standards

[Paragraphs not listed remain unchanged]

### 5.3.3 Public and Civic Use Standards

#### N. Wireless Communication Facilities for Transmitting and Receiving Electronic Signals (WCFs)

##### 13. Freestanding Concealed and Unipole

###### a. Standards

###### (1) Height

(c) In PDR and All Residential Districts Other than RR and RS-20  
[Text remains unchanged]

(d) In ~~Nonresidential Districts~~ All Other Districts  
The maximum height shall be 199 feet.

###### (4) Aesthetics

Freestanding concealed and unipole WCFs shall be designed so as to be compatible with adjacent structures and landscapes, with specific design considerations as to height, scale, color, and texture.

###### b. Approval Authority

###### (1) Generally

The Planning Director or designee shall be responsible for the approval of freestanding, concealed and unipole WCFs, except in the following cases:

(a) The WCF is proposed to be located within 300 feet of a designated State of North Carolina Scenic Byway; or

(b) A unipole WCF is proposed to be located in an RR or RS-20 zoning district.

###### (3) Unipoles in RR or RS-20 Zoning Districts

Approval of a minor special use permit pursuant to Sec. 3.9, Special Use Permit, and paragraph 5.3.3N.14.b(3), Criteria for Use Permits, shall be required.

##### 14. Freestanding Nonconcealed

###### a. Standards

###### (2) Height

(c) In ~~Nonresidential Districts~~ All Other Districts  
The maximum height shall be 199 feet.

## PART 2

[Revise paragraph Sec. 16.3, Defined Terms, to add a definition for a unipole WCF]

### Sec. 16.3 Defined Terms

**Unipole:** A freestanding wireless communication facility that is composed of a single shaft usually composed of two or more hollow sections that are in turn attached to a foundation. This type of antenna-supporting facility is designed to support itself without the use of guy wires or other stabilization devices. All antennas and associated cables are completely concealed within the shaft of the facility. These facilities are mounted to a foundation that rests on or in the ground.

**PART 3**

That the *Unified Development Ordinance* shall be renumbered as necessary to accommodate these changes and clarifications.

**PART 4**

That this amendment of the *Unified Development Ordinance* shall become effective January 1, 2015.